



**CITY OF
TUMWATER
CITY COUNCIL
MEETING AGENDA**

**Online via Zoom and In Person at
Tumwater City Hall, Council Chambers,
555 Israel Rd. SW, Tumwater, WA 98501**

**Tuesday, August 18, 2026
7:00 PM**

- 1. Call to Order**
- 2. Roll Call**
- 3. Flag Salute**
- 4. Special Items:**
 - [a.](#) Proclamation: International Overdose Awareness Day, August 31, 2026
 - [b.](#) Presentation from Thurston Conservation District (Executive Department)
- 5. Public Comment:** (for discussion of items not having a public hearing on tonight's agenda)
- 6. Consent Calendar:**
 - [a.](#) Approval of Minutes: City Council Meeting, July 21, 2026
 - [b.](#) Approval of Minutes: City Council Joint Planning Commission and Tree Board Tour, July 28, 2026
 - [c.](#) Payment of Vouchers (Finance Department)
 - [d.](#) Ordinance No. O2026-016, Parking Lot Lighting (General Government Committee)
 - [e.](#) Resolution R2026-008 Charitable Partnerships (Budget & Finance Committee)
 - [f.](#) Resolution No. R2026-012, Council Rules and Procedures (City Council)
 - [g.](#) Data share agreement with the Secretary of State for the Combined Fund Drive (Budget & Finance Committee)
 - [h.](#) Reappointment of David Bills, Brian Reynolds and Satpal Sohal to the Lodging Tax Advisory Committee (Executive Department)
- 7. Council Considerations:**
 - [a.](#) 2026 Drought Briefing and Public Outreach (Water Resources & Sustainability Department)
- 8. Mayor/City Administrator's Report**
- 9. Councilmember Reports**
- 10. Executive Session:**
 - a. Collective Bargaining pursuant to RCW 42.30.140(4)(b)

11. Any Other Business

12. Adjourn

Hybrid Meeting Information

The public are welcome to attend in person, by telephone or online via Zoom.

Watch Online

https://us02web.zoom.us/j/89484943759?tk=GzFH2671IoyVo6TQA7F5zKXu7lhUaY-ZOK4J9zEuNDE.DQkAAAAU1bfhixZIYURJVkh2b1NCaThYR0c0bVFjQ2xnAAAAAAAAAAAAAAAAAAAA&pwd=R1wt3UkSk2Uv376lQWwk9emDVWTi0g.1&uuid=WN_vtAnrl1pSqKZDIpTUNjQRw

Listen by Telephone

Call (253) 215-8782, listen for the prompts and enter the Webinar ID 894 8494 3759 and Passcode 571309.

Public and Written Comment

Attend in person to give public comment or register by 5:00 p.m. the day of the meeting to provide public comment using the web-based meeting platform:

https://us02web.zoom.us/webinar/register/WN_vtAnrl1pSqKZDIpTUNjQRw

After registering, you will receive a confirmation email with a login to join the online meeting.

As an alternative, prior to the meeting, the public may submit comments by sending an email to council@ci.tumwater.wa.us, no later than 5:00 p.m. on the day of the meeting. Comments are submitted directly to the Mayor and City Councilmembers and will not be read individually into the record of the meeting.

Post Meeting

Video of this meeting will be recorded and posted on our City Meeting page: <https://tumwater-wa.municodemeetings.com>.

Accommodations

The City of Tumwater takes pride in ensuring that people with disabilities are able to take part in, and benefit from, the range of public programs, services, and activities offered by the City. To request an accommodation or alternate format of communication, please contact the City's ADA Coordinator directly, call (360) 754-4129 or email ADACoordinator@ci.tumwater.wa.us. For vision or hearing impaired services, please contact the Washington State Relay Services at 7-1-1 or 1-(800)-833-6384.

TO: City Council
FROM: Brittaney McClanahan, Executive Assistant
DATE: August 18, 2026
SUBJECT: Proclamation: International Overdose Awareness Day, August 31, 2026

1) Recommended Action:

Informational Only.

2) Background:

August 31 is International Overdose Awareness Day. Katie Strozyk and Kateri Wimsett from Thurston County Public Health & Social Services' Opioid Response Program will be present to accept the Proclamation and say a few words.

3) Policy Support:

Vision, Mission, Values

Partnership: We work in partnership with residents, businesses, community organizations, and governments to address challenges and advance shared goals.

4) Alternatives:

☐ None

5) Fiscal Notes:

Proclamations have no fiscal impact.

6) Attachments:

A. Proclamation

Proclamation

WHEREAS, observed on August 31st every year, International Overdose Awareness Day seeks to create a better understanding of overdose, reduce the stigma of drug-related deaths, and create change that reduces the harms associated with drug use; and

WHEREAS, overdose deaths occur in all communities among people from every walk of life; and

WHEREAS, overdose deaths are preventable and can be caused by alcohol, over-the-counter medicine, stimulants, opioids, and other substances; and

WHEREAS, like many places across Washington State, we need to continue to treat drug-related harm as a public health issue and invest in best practices that save lives and build communities; and

WHEREAS, anyone can visit the statewide resource www.stopoverdose.org to obtain naloxone, an opioid overdose reversal medication, and Recovery Help Line at 1-866-789-1511 for 24-hour information and help; and

WHEREAS, Tumwater stands beside those who have lost loved ones to an overdose and who have a substance use disorder and are diligently working toward recovery; and

NOW THEREFORE, I, Leatta Dahlhoff, Mayor of the City of Tumwater, do hereby proclaim

August 31, 2026

International Overdose Awareness Day

and I call upon the people of the City of Tumwater to join with me in raising awareness around drug overdose by reducing stigma through initiatives related to education, prevention, treatment and recovery support for substance use disorder.

Signed in the City of Tumwater, Washington, and recognized on this 18th day of August in the year, two thousand twenty-six.



Leatta L Dahlhoff

Leatta Dahlhoff
Mayor

TO: City Council
FROM: Paul Simmons, City Administrator
DATE: August 18, 2026
SUBJECT: Presentation from Thurston Conservation District

1) Recommended Action:

No action needed – this is an update only.

2) Background:

The Thurston Conservation District's Executive Director Sarah Moorehead and Board Chair TJ Johnson will be providing an update on the work the Thurston Conservation District is doing that may have an impact on Tumwater.

3) Policy Support:

Partnership:

We work in partnership with residents, businesses, community organizations, and governments to address challenges and advance shared goals.

4) Alternatives:

N/A

5) Fiscal Notes:

N/A

6) Attachments:

N/A

MEETING MINUTES

TUMWATER CITY COUNCIL

July 21, 2026



CONVENE: 7:00 p.m.

PRESENT: Mayor Leatta Dahlhoff and Councilmembers Peter Agabi, Joan Cathey, Angela Jefferson, Meghan Sullivan, Eileen Swarthout, Kelly Von Holtz and Brandon Weedon.

Excused: Councilmember Joan Cathey

Staff: City Administrator Paul Simmons, Assistant City Administrator Kelly Adams, Administrative Services Director Michelle Sutherland, City Attorney Karen Kirkpatrick, Community Development Director Brad Medrud, Community Engagement Specialist Andy Hobbs, Finance Director Troy Niemeyer, Information Technology Director Lance Inman, Parks & Recreation Director Chuck Denney, Police Chief Carlos Quiles, Jr., Water Resources & Sustainability Director Dan Smith, Assistant Fire Chief Sean Crimmins, Sustainability Manager Alyssa Jones-Wood, and Deputy City Clerk Tracie Core.

SPECIAL ITEMS:

PROCLAMATION: Councilmember Von Holtz read a proclamation declaring August 7, 2026, National Purple Heart Day. The proclamation calls on the people of Tumwater to join in showing appreciation for the sacrifices Purple Heart recipients have made in defending our freedoms, to acknowledge their courage, and to show them the support they have earned.

Mayor Dahlhoff presented the proclamation to Purple Heart recipient, Jim Peterson.

PUBLIC COMMENT: Public Comment was given by residents Gale, Olson, FitzHugh, Baker, Oanis, Chernut, Tamboer, Zeiger, Crawford, Huisman, Campbell, Linnemeyer, Hunter, Norton, Reed, and Reynolds.

CONSENT CALENDAR:

- a. Approval of Minutes: City Council Meeting, July 7, 2026
- b. Approval of Minutes: City Council Work Session, July 14, 2026
- c. Payment of Vouchers
- d. Ordinance No. O2026-008, Building Demolition
- e. Interlocal Agreement with Thurston County and the Cities of Lacey and Olympia for the Regional Environmental Education Partnership
- f. Interlocal Agreement (ILA) with the LOTT Clean Water Alliance (LOTT) for Mutual Services
- g. Interlocal Agreement with the Port of Olympia for the Bush Prairie Habitat Conservation Plan Amendment 4

MOTION: **Councilmember Von Holtz, moved, seconded by Councilmember Swarthout, to approve the Consent Calendar as published. A voice vote approved the motion unanimously.**

COUNCIL CONSIDERATIONS:

ORDINANCE NO. O2026-003, 2025-2026 BUDGET AMENDMENT NO. 1 Director Niemeyer presented Ordinance No. O2026-003, 2025 – 2026 Budget Amendment No. 1. The proposed amendment includes minor adjustments to cost allocations, small errors, increase in LTAC funding, Code Enforcement / Abatement, Gary Oak Tree commitment and Opioid Settlement Funds. Director Niemeyer recommended the adoption of Ordinance No. 2026-003, Budget Amendment No. 1, amending the 2025-2026 biennial budget.

MOTION: **Councilmember Sullivan moved, seconded by Councilmember Agabi, to approve the adoption of Ordinance No. 2026-003, Budget Amendment No. 1. A voice vote approved the motion unanimously.**

ORDINANCE NO. O2026-004 RESIDENTIAL ENERGY PERFORMANCE Manager Jones Wood presented Ordinance No. O2026-004, Residential Energy Performance Rating and Disclosure. The ordinance would require that homebuyers be provided with information about residential building energy performance prior to the time of property purchase to enable more informed decisions about the full costs of operating dwelling unit and to

**RATING AND
DISCLOSURE**

encourage investment in improvements that lower utility bills, reduce carbon emission and increase the comfort, safety and health of building occupants.

Councilmembers asked questions and shared concerns as they had too many unanswered questions to be comfortable with adopting the ordinance at this time.

MOTION:

Councilmember Sullivan moved, seconded by Councilmember Weedon to have Ordinance No. O2026-004, Residential Energy Performance Rating and Disclosure to be heard by the Equity Commission within 60 days and come back to be heard by City Council within 90 days. A voice vote approved the motion unanimously.

**RESOLUTION NO.
R2026-011,
COMMUNITY
ECONOMIC
REVITALIZATION
BOARD (CERB)
GRANT
AUTHORIZATION**

Assistant Administrator Adams presented Resolution No. R2026-011, Community Economic Revitalization Board (CERB) Grant Authorization. The grant request is for \$100,000.00 to develop a redevelopment roadmap. The following are requirements:

- 20% matching funds (20,000)
- Complete site readiness requirement
- Limit scope to Warehouse and valley
- Five years of post-award tracking

Assistant Administrator Adams recommended the adoption of resolution R2026-011, authorizing the Mayor to apply for a Community Economic Revitalization Board (CERB) grant.

MOTION:

Councilmember Weedon moved, seconded by Councilmember Sullivan to approve the adoption of Resolution No. R2026-011, Community Economic Revitalization Board (CERB) Grant Authorization. A voice vote approved the motion unanimously.

**MEMORANDUM OF
UNDERSTANDING
WITH TEAMSTERS'
LOCAL UNION NO.
252**

Director Sutherland presented a Memorandum of Understanding (MOU) between the City of Tumwater and Teamsters Local Union No.252. The proposed MOU would reflect collaboration between the City and Teamsters 252 on several operational and organizational changes that have occurred since the adoption of the current Collective Bargaining Agreement.

MOTION: Councilmember Sullivan moved, seconded by Councilmember Von Holtz, to approve and authorize the Mayor to sign the Memorandum of Understanding (MOU) with Teamsters Local No. 252. A voice vote approved the motion unanimously.

MAYOR/CITY ADMINISTRATOR'S REPORT: Mayor Dahlhoff shared that the Budget and Finance Committee will meet on Friday, July 24, 2026, at 12:00 p.m.

Administrator Simmons shared that Council recess will be August 1, 2026 – August 14, 2026, and there will be no City Council or Council subcommittee meetings during this time.

ADJOURNMENT: With there being no further business, Mayor Dahlhoff adjourned the meeting at 9:02 p.m.

Prepared by Deputy Clerk, Tracie Core

MEETING MINUTES

TUMWATER CITY COUNCIL JOINT TOUR WITH
PLANNING COMMISSION & TREE BOARD

July 28, 2026



CONVENE:

6:00 p.m.

PRESENT:

Mayor Leatta Dahlhoff and Councilmembers Peter Agabi, Angela Jefferson, Meghan Sullivan, and Kelly Von Holtz

Planning Commission Chair Elizabeth Robbins and Commissioners Sandra Nelson, Brandon Staff, Gina Kotek and Matthew Rounsley

Tree Board Chair Trent Grantham, Vice-Chair Michael Jackson and Board Members Charles Edmonson and Tanya Nozawa

Excused: Councilmember Joan Cathey, Eileen Swarthout and Brandon Weedon and Planning Commissioners Terry Kirkpatrick and Grace Anne Edwards and Tree Board member Brodrick Coval

Staff: Assistant City Administrator Kelly Adams, Deputy Community Development Director Sharon Lumbantobing, Associate Planner Dana Bowers, Associate Planner Spencer McKenna, Associate Planner Sam Hunter, Senior Planner Alex Baruch, Sustainability Manager Alyssa Jones Wood, Urban Forester Brian Caughlan, Transportation Operations Manager Marc LaVack and Community Engagement Specialist Andy Hobbs

Consultants Kim Frappier and Amber Miklusak with Facet Inc. and several members of the community

**URBAN FORESTRY
CODE UPDATES – BUS
TOUR:**

At 6:00 p.m., everyone met at Tumwater City Hall. From there a Urban Forestry Code Update tour commenced.

ADJOURNMENT:

The tour ended at 8:00 p.m.

Prepared by Melody Valiant, City Clerk

TO: City Council
 FROM: Silvia Torres-Torrero, Accounting Technician
 DATE: August 18, 2026
 SUBJECT: Payment of Vouchers

1) Recommended Action:

Staff are seeking City Council ratification of:

- July 17, 2026, payment of Eden vouchers 175055 to 175057 in the amount of \$695.68; payment of Enterprise vouchers 190648 to 190683 in the amount of \$436,436.39, and electronic payments 907412 to 907430 in the amount of \$249,425.95
 - July 24, 2026, payment of Eden vouchers 175058 to 175061 in the amount of \$1,295.73; payment of Enterprise vouchers 190684 to 190790 in the amount of \$1,020,672.42 and electronic payments 907431 to 907469 in the amount of \$223,429.05 and Wire payment of \$362,270.85
 - July 31, 2026, payment of Eden vouchers 175063 to 175070 in the amount of \$1,856.96; payment of Enterprise vouchers 190791 to 190836 in the amount of \$1,305,783.04 and electronic payments 907470 to 907483 in the amount of \$26,584.04
 - August 07, 2026, payment of Eden vouchers 175071 to 175079 in the amount of \$1,685.66; payment of Enterprise vouchers 190837 to 190900 in the amount of \$812,458.88 and electronic payments 907484 to 907498 in the amount of \$765,527.83
-

2) Background:

The City pays vendors monthly for purchases approved by all departments. The Finance Director has reviewed and released the payments as certified on the attached Exhibit(s). The full voucher listings are available upon request from the Finance Manager. The most significant payments* were:

Vendor		
Name	Amount	Description
365 Labs LLC	\$1,065,341.68	RMS/JMS Annual (26-27, Year 2)
Lott Wastewater Alliance	\$666,457.12	07/2026 Lott Collections
Active Construction	\$514,844.23	ACI PE #6 2 nd Ave
WA St Dept of L & I	\$250,470.39	2 nd Qtr. 26 L&I
WA St Employment Security	\$67,635.45	ESD Q2-2026
Thurston County Treasurer	\$165,046.83	Property Tax Collection/ Adj June
Shea Carr & Jewell INC	\$151,806.58	SCJ Alliance Deschutes Valley Trail
Employment Security Dept	\$94,631.52	2 nd Qtr. 26 PFML
Employment Security Dept	\$29,653.11	2 nd Qtr. 26 WALTC
CDW LLC	\$82,613.52	NCE M365 Bus Perm G
Thurston County	\$54,118.68	2026 2 nd Qtr. Public Defense
Thurston County Treasurer	\$51,463.02	TMPD Tax Collection Adj June 2026
Clary Longview LLC	\$51,363.46	26 Ford Police Utility AWD/HEV Fire

Vendor		
RH2 Engineering INC	\$38,168.35	SE Reservoir
Pioneer Technologies Corp	\$35,130.99	Project FY2023 EPA Brownfield Grant
Bud Clary Chevrolet INC	\$34,927.93	2023 Equinox EV
Bud Clary Chevrolet INC	\$34,927.93	2023 Equinox EV
Bud Clary Chevrolet INC	\$34,927.93	2023 Equinox EV
City of Olympia	\$33,529.88	City of Oly Vehicle Maintenance June 26
Bobbie & Amandas Cleaning	\$25,094.94	Janitorial Services July
Nisqually Indian Tribe	\$25,850.02	Inmate Incarceration Fees June 26
Acushnet Company	\$23,857.92	ProV1 Bundle Ball
Gray & Osborne INC	\$22,943.14	Well 15 Design
HDR Engineering	\$22,776.61	HDR Tumwater Blvd NB I-5 May
Artisans Group Architecture	\$22,222.13	Design Development Lodge 5/18 - 06/21

* Includes vouchers in excess of \$20,000, excluding routine utility payments.

3) Policy Support:

- Strategic Priorities & Goals 2026-2032: Tumwater Excellence – Be good stewards of public funds by following sustainable financial strategies.

4) Alternatives:

- ☐ Ratify the vouchers as proposed.
- ☐ Develop an alternative voucher review and approval process.

5) Fiscal Notes:

The vouchers are for appropriated expenditures in the respective funds and departments.

6) Attachments:

- A. Exhibit A – Payment of Vouchers – Review and Approval
- B. Exhibit B – Payment of Vouchers – Review and Approval
- C. Exhibit C – Payment of Vouchers – Review and Approval
- D. Exhibit D – Payment of Vouchers – Review and Approval

EXHIBIT "A"

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Tumwater, and that I am authorized to authenticate and certify to said claim.

Enterprise ERP

Voucher/Check Nos 190648 through 190683 in the amount of \$436,436.39

Electronic payment Nos 907412 through 907430 in the amount of \$249,425.95

Eden

Voucher/Check Nos 175055 through 175057 in the amount of \$695.68

Silvia Torres-Torrero

Accounting Technician – Accounts Payable

Checks dated 07/17/2026

EXHIBIT "B"

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Tumwater, and that I am authorized to authenticate and certify to said claim.

Enterprise ERP

Voucher/Check Nos 190684 through 190790 in the amount of \$1,020,672.42

Electronic payment Nos 907431 through 907469 in the amount of \$223,429.05

Wire payments in the amount of \$362,270.85

Eden

Voucher/Check Nos 175058 through 175061 in the amount of \$1,295.73

Silvia Torres-Torrero

Accounting Technician – Accounts Payable

Checks dated 07/24/2026

EXHIBIT "C"

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Tumwater, and that I am authorized to authenticate and certify to said claim.

Enterprise ERP

Voucher/Check Nos 190791 through 190836 in the amount of \$1,305,783.27

Electronic payment Nos 907470 through 907483 in the amount of \$26,584.04

Eden

Voucher/Check Nos 175063 through 175070 in the amount of \$1,856.96

Silvia Torres-Torrero

Accounting Technician – Accounts Payable

Checks dated 07/31/2026

EXHIBIT "D"

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Tumwater, and that I am authorized to authenticate and certify to said claim.

Enterprise ERP

Voucher/Check Nos 190837 through 190900 in the amount of \$812,458.88

Electronic payment Nos 907484 through 907498 in the amount of \$765,527.83

Eden

Voucher/Check Nos 175071 through 175079 in the amount of \$1,685.66

Silvia Torres-Torrero

Accounting Technician – Accounts Payable

Checks dated 08/07/2026

TO: City Council
FROM: Brad Medrud, Community Development Director
DATE: August 18, 2026
SUBJECT: Ordinance No. O2026-016, Parking Lot Lighting

1) Recommended Action:

Adopt Ordinance No. O2026-016, Parking Lot Lighting.

This ordinance was recommended for adoption by the General Government Committee at their July 15, 2026 meeting.

2) Background:

The intent of the ordinance is to amend Chapter 18.50 of the Tumwater Municipal Code to address parking lot lighting requirements for large multiple building complexes or multiple tenant buildings adjacent to Interstate 5.

The Planning Commission held a public hearing on July 14, 2026, and recommended approval of Ordinance No. O2026-016, Parking Lot Lighting. The General Government discussed the Planning Commission's recommendation at a briefing on July 15, 2026, and placed the ordinance on the City Council's consent calendar for their August 18, 2026, meeting.

3) Policy Support:

Goal LU-2: Ensure development occurs in an orderly, effective, and cost-efficient manner to best utilize available land and public services, conserve natural resources, protect and enhance critical areas and open space, address equity and climate change, and reduce sprawl.

4) Alternatives:

☐ None.

5) Fiscal Notes:

This is an internally funded work program task.

6) Attachments:

- A. Staff Report
- B. Ordinance No. O2026-016
- C. Presentation

STAFF REPORT

Date: August 18, 2026
To: City Council
From: Brad Medrud, Community Development Director



Ordinance No. O2026-016 – Parking Lot Lighting

1. Recommended Action

Adopt Ordinance No. O2026-016, Parking Lot Lighting.

2. Background

The intent of the ordinance is to amend TMC 18.50.060 *Off-street parking areas – Design requirements* of TMC 18.50 *Off-Street Parking* of the Tumwater Municipal Code to address the requirements for the height of parking lot lighting for large multiple building complexes or multiple tenant buildings adjacent to Interstate 5.

Parking lot lighting requirements are addressed in two chapters of TMC Title 18 *Zoning*: TMC 18.40 *Environmental Performance Standards* and TMC 18.50 *Off-Street Parking*.

Parking lot lighting requirements were a part of a complete rewrite of the City's off-street parking standards that were adopted in 1998 by Ordinance No. O97-015 and included both height limits and other requirements such as light shielding and light plan review. The height limits requirements remained in TMC 18.50 *Off-Street Parking* after other lighting requirements such as offsite illumination standards and other limits on site lighting become part of TMC 18.40.035 *Exterior illumination* in TMC 18.40 *Environmental Performance Standards* as part the City's "dark sky" ordinance, Ordinance No. O2009-001, which was adopted in 2009.

Chapter 2 *Commercial, Mixed Use, and Multifamily* of the Citywide Design Guidelines includes additional lighting requirements. Tumwater's current lighting regulations and guidelines are found in the appendix of this staff report.

Ordinance No. O2026-016 is intended to modify the height requirements for parking lot lighting for large multiple building complexes or multiple tenant buildings adjacent to Interstate 5, raising the allowable height of parking lot lights from 24 feet to 37 feet. The ordinance does not make any changes to the offsite illumination standards and other limits on site lighting in 18.40.035 *Exterior illumination* or to the lighting guidelines in Chapter 2 *Commercial, Mixed Use, and Multifamily* of the Citywide Design Guidelines.

3. Public Approval Process

An Environmental Checklist for a non-project action was prepared on June 4, 2026, under the State Environmental Policy Act (Chapter 43.21C RCW), pursuant to Chapter 197-11 WAC, and a Determination of Non-Significance was issued June 12, 2026, with the comment period ending June 26, 2026, and the appeal period ending July 2, 2026.

The ordinance was sent to the Washington State Department of Commerce on June 4, 2026, for their required 60-day review before the proposed text amendments are adopted, in accordance with RCW 36.70A.106.

The Planning Commission received briefing on the proposed amendments on June 23, 2026.

A Notice of Public Hearing for the Planning Commission was issued on June 26, 2026, prior to a public hearing. The notice was posted, published as a press release, distributed to interested individuals and entities that have requested such notices, and published in The Olympian.

The Planning Commission held a public hearing on the proposed amendments on July 14, 2026. Following the public hearing and deliberations, the Planning Commission recommended that Council consider the proposed amendments.

The General Government Committee reviewed the Planning Commission's recommendation on the proposed amendments on July 15, 2026, and recommended placing the ordinance on the City Council's consent calendar on August 18, 2026.

4. Staff Conclusions

1. The proposed text amendments will need to be consistent with the goals of the Washington State Growth Management Act.

- a. The ordinance will need to be consistent with Goal 4 of the Growth Management Act which states:

Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

The ordinance will address the following goal and policy of the Land Use Element:

Goal LU-2 Ensure development occurs in an orderly, effective, and cost-efficient manner to best utilize available land and public services, conserve natural resources, protect and enhance critical areas and open space, address equity and climate change, and reduce sprawl.

Policy LU-2.1 Review and update Tumwater's development review and permitting system on a regular basis for consistency with state law and adopted plans to ensure predictability and to process development permits in a timely and fair manner.

- b. This ordinance will need to be consistent with Goal 11 of the Growth Management Act which states:

Citizen participation and coordination. *Encourage the involvement of citizens in the planning process, including the participation of vulnerable populations and overburdened communities, and ensure coordination between communities and jurisdictions to reconcile conflicts.*

Adoption of the ordinance will involve the community in the planning process through Planning Commission and City Council meetings to address the following goal of the Comprehensive Plan:

Goal PI-1 Continuously engage with the community and the region.

2. Based on the above review and analysis, staff will need to conclude that the proposed text amendments are consistent with the requirements of the Washington State Growth Management Act and the Tumwater Comprehensive Plan.

Staff conclude that the proposed text amendments are consistent with the requirements of the Washington State Growth Management Act and the Tumwater Comprehensive Plan

5. Effects of the Proposed Amendments

The proposed text amendments would necessitate changes to the Tumwater Municipal Code.

6. Staff Contacts

Brad Medrud, Community Development Director
City of Tumwater Community Development Department
360-754-4180
bmedrud@ci.tumwater.wa.us

Appendix A – Current Lighting Regulations

TMC 18.50 Off-Street Parking – TMC 18.50.060 Off-street parking areas – Design requirements.

[...]

K. Parking lot lighting not exceeding twenty-four feet in height is required to provide safe access for pedestrians unless otherwise specified. All outdoor artificial light sources shall comply with TMC 18.40.035, Exterior illumination.

[...]

TMC 18.40 Environmental Performance Standards – TMC 18.40.035 Exterior illumination.

These regulations apply to outdoor artificial light sources, including lights on the exterior of buildings or other structures, installed underneath canopies, pole-mounted, freestanding and ground lights, as well as nonresidential interior lights.

A. For the purposes of regulating lighting in this section and elsewhere in this title, the following terms shall be defined as stated:

- 1. “Business-zoned property” means any property in the NC neighborhood commercial, CS community services, MU mixed use, GC general commercial, TC town center (TC town center mixed use, professional office, and civic subdistricts), HC historic commercial, GB greenbelt, OS open space, LI light industrial, HI heavy industrial, CBC Capitol Boulevard corridor, BD brewery district, and ARI airport related industry zone districts.*
- 2. “Foot-candle” means a measure of illuminance (or light intensity) on a surface equal to one lumen per square foot.*
- 3. “Fully shielded fixture” means exterior lighting that is shielded or constructed so that all light emitted is projected below a horizontal plane running through the lowest part of the fixture as determined by a photometric test or certified by the manufacturer.*
- 4. “Glare” means an intensity of light that due to the brightness of the light source diminishes the observer’s ability to see, and in extreme cases may cause visual discomfort or momentary blindness.*
- 5. “Light trespass” means the light emanating from one property (measured at the property line) intruding onto an adjacent property or public right-of-way.*
- 6. “Lumen” means a unit of classification used to quantify the amount of light energy produced by a lamp. Lumen output of most lamps is listed on the packaging. For example, a sixty-watt incandescent lamp produces approximately eight hundred fifty lumens while a fifty-five-watt low-pressure sodium lamp produces approximately eight thousand lumens.*
- 7. “Opaque” means not allowing light to pass through; not transparent or translucent.*

8. *“Partially shielded” means the luminaire incorporates a translucent barrier, the “partial shield” around the lamp that allows some light to pass through the barrier while concealing the lamp from the viewer.*

9. *“Residential-zoned property” means any property in the RSR residential/sensitive resource, LDR low density residential, MDR medium density residential, HDR high density residential, and TC town center (TC town center residential subdistrict) zone districts.*

10. *“Translucent” means allowing light to pass, but diffusing it such that the light source cannot be distinguished.*

B. Exterior Lighting Standards. *Exterior artificial light sources shall conform to the following requirements:*

1. *Light fixtures shall be used in a manner such that light is directed downward, and not outward or upward.*

2. *Light fixtures shall be fully shielded.*

a. *Fixtures on business-zoned properties that are mounted to the underside of structures such as canopies, awnings, etc. (such as those found at gas stations, drive-through facilities, service stations, and parking structures) shall be flush mounted to the canopy so that the lens does not protrude below the surface to which it is mounted. In instances where the canopy is not thick enough to accommodate a flush-mount fixture, a fully shielded fixture may be utilized and mounted to the surface.*

3. *Exterior lighting shall not blink, flash, fluctuate, be intermittent, or change color or intensity.*

4. *Illuminated signs and advertising devices shall also comply with provisions of TMC 18.44.080 and 18.44.170. Where conflict occurs, the more stringent standards shall apply.*

5. *Parking lot lighting shall also comply with provisions in TMC 18.50.060. Where conflict occurs, the more stringent standards shall apply.*

6. *Exterior lighting on business-zoned properties shall be turned off at the close of business or 10:00 p.m., whichever is later. However, lighting which is necessary for after business hours work by employees and lighting that is necessary for security systems to function properly may be utilized at any time provided the lighting is the minimum necessary and is turned off when it is no longer needed or being used.*

7. *Light trespass shall comply with the provisions of subsection D of this section.*

8. *Illumination of government flags is allowed provided the light fixtures are equipped with shields and louvers to control the beam spread and to prevent light trespass and glare.*

9. *Low voltage landscape lighting (thirty volts or less) is allowed provided it is partially shielded (upward-oriented spot/flood lights are not allowed) and does not violate the light trespass standards of subsection D of this section. Rope-style lighting of any voltage is also allowed for residential properties provided it meets the light trespass standards of subsection D of this section.*

C. Application Required.

1. A basic lighting plan shall be submitted to the community development department along with building permit applications that involve the installation or replacement of exterior lighting. The basic lighting plan shall include, but not be limited to, descriptions, illustrations, or photos of the types of lighting fixtures to be installed, a statement or description of how the fixtures comply with the regulations, and descriptions or depictions of the locations of the proposed lighting fixtures. The basic lighting plan shall also include statements that the applicant will design their project to comply with the exterior lighting regulations, and the applicant will make any changes necessary to come into compliance with the regulations before their occupancy permit is issued. The basic lighting plan must be signed by the applicant(s) or their authorized agent(s).

2. For nonresidential development proposals that are four thousand square feet or larger, the community development director (or his/her designee) may require a photometric lighting plan instead of the basic lighting plan. The photometric plan, application, and a fee as specified by the most current fee resolution adopted by the Tumwater city council shall be submitted along with a building permit application. The photometric lighting plan must specify how the project lighting, including both freestanding and building-mounted lighting, complies with the applicable requirements of the Tumwater Municipal Code including this chapter. The photometric lighting plan shall also include the requirements listed for the basic lighting plan as shown in subsection (C)(1) of this section. Where requirements overlap or conflict, the more stringent shall apply.

D. Light Trespass. All light fixtures used on a premises shall be installed and maintained to prevent light trespass, measured at the property line of the originating property (light source), that exceeds one-tenth foot-candle illuminating adjacent to residential-zoned property or one-half foot-candle illuminating adjacent to business-zoned property or public rights-of-way.

E. Exceptions. The restrictions on exterior lighting in subsections B, C and D of this section shall not apply to:

1. Light fixtures on structures listed in the Tumwater, or Washington State, or National historic registers (as defined in TMC Chapter 2.62) that are important in defining the overall historic character of the structure or building.

2. Projection equipment for outdoor movie theaters and outdoor movie events.

3. Security floodlights with motion detectors and daytime cutoffs that comply with the light trespass standards of subsection D of this section; provided, that the duration of activation by the motion sensor does not exceed sixty seconds. Light trespass at the property line may be diminished to acceptable levels by using lower wattage bulbs, downward and inward orientation, opaque or translucent shielding, or combinations thereof.

4. Seasonal decorations illuminated no longer than sixty days.

5. Lights on moving vehicles.

6. Sports field lighting.

7. *Navigation lights (such as airports, heliports, or tower lighting required by the Federal Aviation Administration).*
8. *Temporary emergency lighting (such as fire, police, repair workers).*
9. *Traffic control signals and devices.*
10. *Exterior lighting approved by the community development director for temporary or periodic events (e.g., special events, nighttime construction, etc.). Searchlights, lighting displays lasting longer than seven days in any calendar year, and any lighting displays that cause any direct glare into or upon any building other than the building to which the display may be related are all prohibited.*
11. *Light sources lawfully installed prior to the effective date of these regulations.*
12. *Public streetlights are exempt only from the light trespass standards of subsection D of this section.*

Citywide Design Guidelines – Chapter 2: Commercial, Mixed Use, and Multifamily

[...]

2.F. Lighting

2.F.1 Site Lighting

INTENT:

- *To encourage the use of lighting as an integral design component to enhance buildings, landscaping, or other site features.*
- *To increase night sky visibility and to reduce the general illumination of the sky.*
- *To reduce horizontal light glare and vertical light trespass from a development onto adjacent parcels and natural features.*
- *To use lighting in conjunction with other security methods to increase site safety.*
- *To prevent the use of lighting for advertising purposes.*

STANDARDS/GUIDELINES:**2.F.1.1 Site Lighting Levels**

- a. All publicly accessible areas shall be lighted with levels as follows:*
- (1) Low or non-pedestrian and vehicular traffic areas - minimum 0.2 foot-candles, maximum 4 foot-candles;*
 - (2) Moderate or high volume pedestrian areas and building entries - minimum 1 foot-candle, maximum 5 foot-candles, preferred average 2 foot-candles;*
 - (3) Public parking lots - minimum 1 foot-candle, maximum 4 foot-candles; and*
 - (4) Gas station pump area - maximum 5 foot-candles.*
- b. Lighting shall be provided at consistent levels, with an average lighting level to minimum lighting level uniformity ratio no less than 3:1, to create gradual transitions between varying levels of lighting and between lit areas and unlit areas. Highly contrasting pools of light and dark areas shall be avoided.*
- c. Pedestrian lighting shall have a maximum height of 15 feet.*
- Exception: For commercial and industrial uses where outdoor storage of goods and products is the primary method of displaying such goods and products, site lighting levels shall comply with TMC 18.40.035.*

2.F.1.2 Light Quality and Shielding

- a. Parking area lighting fixtures shall be fully shielded; dark sky rated and mounted no more than 20 feet above the ground, with lower fixtures preferable so as to maintain a human scale.*
- b. Exterior lighting must comply with TMC 18.40.35: Exterior Illumination*
- Exception: For commercial and industrial uses where outdoor storage of goods and products is the primary method of displaying such goods and products, site lighting height shall comply with TMC 18.50.*

2.F.1.3 Architectural Lighting

- a. Steady, non-flashing lighting of building features, artwork, and special landscape elements may be allowed, subject to the findings of the Director that the light causes no significant adverse impact.*

ORDINANCE NO. O2026-016

AN ORDINANCE of the City Council of the City of Tumwater, Washington, amending Chapter 18.50, Off-Street Parking, of the Tumwater Municipal Code to address site lighting design requirements as more particularly described herein.

WHEREAS, TMC Chapter 18.50 *Off-street parking areas – Design requirements*, is to be amended to address the height of parking lot lighting for large developments adjacent to Interstate 5; and

WHEREAS, the City is required to plan under Chapter 36.70A RCW, the Growth Management Act; and

WHEREAS, this Ordinance meets the goals and requirements of the Growth Management Act; and

WHEREAS, this Ordinance is consistent with the City's Comprehensive Plan; and

WHEREAS, this Ordinance was sent to the Washington State Department of Commerce on June 4, 2026, at least sixty days before the proposed code amendments were adopted, in accordance with RCW 36.70A.106; and

WHEREAS, an Environmental Checklist for a non-project action was prepared under the State Environmental Policy Act (Chapter 43.21C RCW), pursuant to Chapter 197-11 WAC on June 4, 2026, and a Determination of Non-Significance (DNS) was issued on June 12, 2026; and

WHEREAS, the Attorney General *Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property* (October 2024) was reviewed and utilized by the City in objectively evaluating the proposed amendments; and

WHEREAS, the Planning Commission received a briefing on the proposed code amendments on June 23, 2026, and held a public hearing on July 14, 2026; and

WHEREAS, following the public hearing and deliberations, the Planning Commission recommended approval of the proposed code amendments by the City Council; and

WHEREAS, the General Government Committee discussed the Planning Commission's recommendation on the proposed code amendments at a briefing on July 15, 2026; and

WHEREAS, the City Council considered the proposed code amendments on August 18, 2026; and

WHEREAS, the City Council finds that the provisions of this Ordinance are in the best interest of and protect the health, safety, and welfare of the residents of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. TMC 18.50.060, Off-street parking areas – Design requirements, of the Tumwater Municipal Code is hereby amended to read as follows:

18.50.060 Off-street parking areas – Design requirements.

The following requirements shall apply to off-street parking areas accommodating four or more vehicles excluding single-family residential and middle housing:

- A. Each parking area shall be designed to enable ingress and egress without requiring the vehicle to back over sidewalks, onto any roadway with a speed limit over twenty-five miles per hour, or onto a roadway that may pose inherent risks to traffic and safety to be determined by the public works director.
- B. Parking areas shall be designed to:
 - 1. Utilize ninety-degree parking if most efficient;
 - 2. Orient parking rows perpendicular to the building to enhance pedestrian safety when possible;
 - 3. Define stalls with white, or otherwise visible and uniform, striping a minimum of four inches wide to facilitate movement and maintain an orderly parking arrangement;
 - 4. Minimize unnecessary impervious surfaces; and
 - 5. Ensure access to public transportation through the design of internal roadways, parking areas, and pedestrian paths.
- C. Parking facilities should provide for pedestrian accessibility between uses for transportation efficiency.
- D. Sidewalks or walkways shall be designed to ensure pedestrian safety by separating any driveway or parking area from a building or roadway. Parking spaces must utilize approved wheel stops to prevent vehicle overhang of a sidewalk or walkway. (See interlock reduction in Figure 18.50.060(A).)

Ordinance No. O2026-016 - Page 2 of 6

E. The surface of all parking and vehicle maneuvering areas shall have an approved hard surface such as asphalt, concrete or turfstone unless a hard surface would interfere with proper operations (such as agricultural uses) or some industrial uses such as a heavy equipment rental facility, general contractor equipment yard, and product lay-down yards associated with uses such as manufacturing, building material sales, and plant nurseries. Parking or maneuvering areas that do not use an approved hard surface shall use an approved prepared surface, such as gravel. Prepared surfaces shall be designed to not track material into the public right-of-way to the satisfaction of the community development director and shall have a hard surface apron a minimum of twenty feet wide adjacent to hard-surfaced public roads.

F. Landscaped islands or dividers shall be required at the end of parking bays to clearly define traffic and turning patterns.

G. Parking facilities shall comply with the landscaping provisions set forth in TMC Chapter 18.47.

H. Parking facilities shall be designed and maintained in accordance with the parking standards in Figures 18.50.060(A) and 18.50.060(B).

Figure 18.50.060(A)

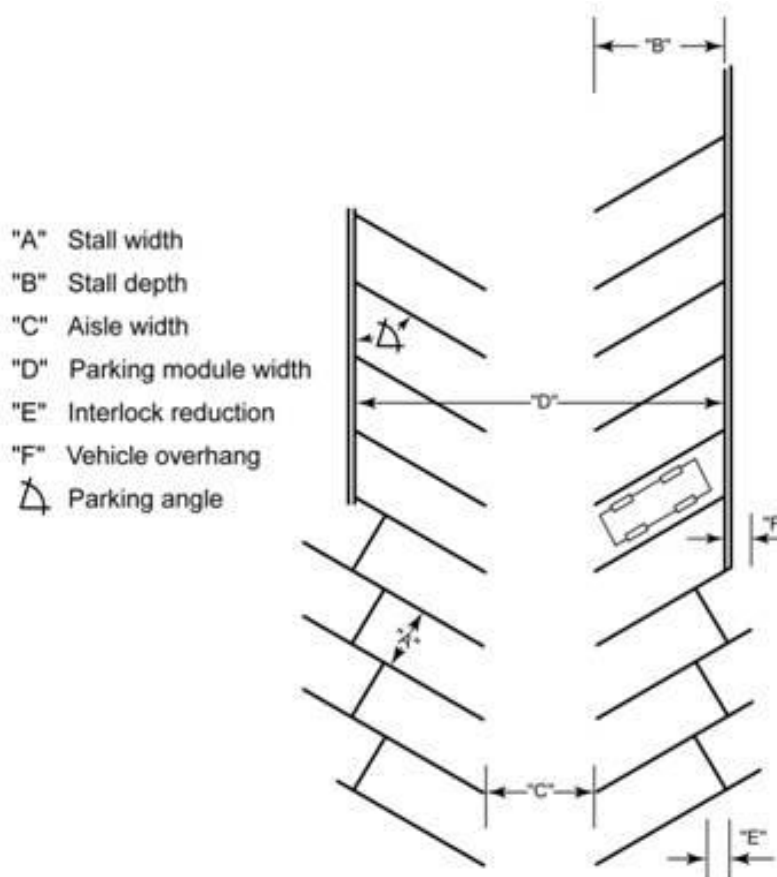
REQUIRED PARKING DESIGN STANDARDS¹					
Angle	Stall Width (A)	Stall Depth (B)²	Aisle Width (C)³	Parking Module Width (D)	Interlock Reduction (E)
45°	9' – 0"	17' – 4"	12' – 3"	46' – 11"	2' – 0"
50°	9' – 0"	18' – 4"	12' – 9"	49' – 5"	1' – 10"
55°	9' – 0"	18' – 6"	13' – 3"	50' – 3"	1' – 7"
60°	9' – 0"	18' – 10"	14' – 3"	51' – 11"	1' – 4"
65°	9' – 0"	19' – 0"	15' – 2"	53' – 2"	1' – 2"
70°	9' – 0"	19' – 2"	16' – 1"	54' – 5"	0' – 11"
75°	9' – 0"	19' – 0"	17' – 6"	55' – 6"	0' – 8"
90°	9' – 0"	18' – 0"	22' – 6"	58' – 6"	N/A

NOTES

() Definitions for letters in parentheses appear in Figure 18.50.060(B).

1. Parking spaces for residential uses may not be required to exceed eight feet by twenty feet, except for parking required for people with disabilities.
2. For accessible parking standards, refer to TMC Chapter 15.04.
3. If parking aisle also serves as a required fire lane, the minimum unobstructed width shall be twenty feet.

Figure 18.50.060(B)



- I. Accessible parking shall be provided in accordance with the building code, TMC Chapter 15.04.
- J. Required High Occupancy Vehicles. All employers required to operate high occupancy vehicles (HOV) shall mark the closest parking spaces to the building "Reserved for HOV." These spaces shall not displace required accessible parking.
- K. Parking lot lighting. Parking lot lighting ~~not exceeding twenty-four feet in height~~ is required to provide safe access for pedestrians unless otherwise specified. All outdoor artificial light sources shall comply with TMC 18.40.035, Exterior illumination.
 1. Except as provided in subsection 18.50.060(K)(2), parking lot lighting may not exceed twenty-four feet in height.

2. For multiple building complexes or multiple tenant buildings having more than one-hundred fifty thousand square feet in floor area with frontage on Interstate 5, parking lot lighting may not exceed thirty-seven feet in height.

L. Employers with one hundred or more employees which use an administrative modification specified by TMC 18.50.075(B) to increase parking must meet the following design elements:

1. Double the amount of interior landscaping required under TMC Chapter 18.47 within the parking lot. Fifty percent of this requirement, if proven to be maintained, may be Grasscrete, Turfblock or other drivable pervious surface within areas receiving sporadic use: usually the furthest from the building entrance.
2. Purchase and install a transit shelter to meet Intercity Transit operation needs unless already available within one-quarter mile and on the same side of the right-of-way as a primary entrance to the building. Intercity Transit may waive this requirement if it finds it impractical or may change the distance depending on density or demand.
3. Construct a transit pullout if subsection (L)(2) of this section is used, and if Intercity Transit finds it practical.
4. If transit requirements in subsections (L)(2) and (L)(3) of this section are deemed impractical or infeasible, credit may be given for other Intercity Transit or Thurston Regional Planning Council demand management strategies to the satisfaction of the community development director.
5. Construct a covered bicycle rack with secure bicycle lockers in accordance with TMC 18.50.120.
6. In those instances where site constraints impede these design elements, written findings of fact shall be made identifying site and project constraints, and shall be identified in the final project approval letter.

(Ord. O2025-011, Amended, 12/16/2025; Ord. O2017-022, Amended, 12/05/2017; Ord. O2014-008, Amended, 10/07/2014; Ord. O2010-017, Amended, 12/21/2010; Ord. O97-015, Added, 03/03/1998)

Section 2. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 4. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, Ordinance No. O2026-016 - Page 5 of 6

subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 5. Effective Date. This Ordinance shall become effective thirty days after passage, approval, and publication as provided by law.

ADOPTED this _____ day of _____, 2026.

CITY OF TUMWATER

Leatta Dahlhoff, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

Published:_____

Effective Date:_____

Parking Lot Lighting Ordinance No. O2026-016



City Council Consent, August 18, 2026

Background

The intent of the ordinance is to amend TMC 18.50.060 *Off-street parking areas – Design requirements* of TMC 18.50 *Off-Street Parking* of the Tumwater Municipal Code to address the requirements for the height of parking lot lighting for large multiple building complexes or multiple tenant buildings adjacent to Interstate 5

Background

- The Ordinance No. 02026-016 modifies the height requirements for parking lot lighting for large multiple building complexes or multiple tenant buildings adjacent to Interstate 5, raising the allowable height of parking lot lights from 24 feet to 37 feet
- The ordinance does not make any changes to the offsite illumination standards and other limits on site lighting in 18.40.035 *Exterior illumination* or to the lighting guidelines in Chapter 2 *Commercial, Mixed Use, and Multifamily* of the *Citywide Design Guidelines*



Amendments to TMC 18.50.060

TMC 18.50.060 *Off-street parking areas – Design requirements* is amended as follows:

K. Parking lot lighting. Parking lot lighting ~~not exceeding twenty-four feet in height~~ is required to provide safe access for pedestrians unless otherwise specified. All outdoor artificial light sources shall comply with TMC 18.40.035, Exterior illumination.

1. Except as provided in subsection 18.50.060(K)(2), parking lot lighting may not exceed twenty-four feet in height.

2. For multiple building complexes or multiple tenant buildings having more than one-hundred fifty thousand square feet in floor area with frontage on Interstate 5, parking lot lighting may not exceed thirty-seven feet in height.



Recommended Action

Adopt Ordinance No. 02026-016, Parking Lot Lighting



TO: City Council
FROM: Troy Niemeyer, Finance Director
DATE: August 18, 2026
SUBJECT: Resolution R2026-008 Charitable Partnerships

1) Recommended Action:

Adopt Resolution R2026-008 providing guidance to staff on charitable partnerships.

This resolution was recommended for adoption by the Budget & Finance Committee at its July 24, 2026, meeting.

2) Background:

This resolution replaces R2022-015. It provides guidance to staff regarding charitable giving and other ways staff may provide support to non-profit organizations.

3) Policy Support:

2026-2032 Strategic Priorities & Goals: Tumwater Excellence: refine and sustain a great organization. Be good stewards of public funds by following sustainable financial strategies.

4) Alternatives:

☐ Do not adopt the resolution.

5) Fiscal Notes:

There is no cost associated with this resolution.

6) Attachments:

A. Resolution No. R2026-008

RESOLUTION NO. R2026-008

A RESOLUTION of the City Council of the City of Tumwater, Washington, authorizing certain partnerships with charitable organizations for the purpose of providing a supportive social fabric to the community, aiding the poor and infirm, building employee morale, and accomplishing City strategic priorities and goals.

WHEREAS, the City Council has acknowledged the City as a vision, mission and beliefs based organization; and

WHEREAS, the City desires to authorize use of resources to partner with nonprofit charitable organizations for the purpose of providing a supportive social fabric to the community, aiding the poor and infirm, building employee morale, and accomplishing City strategic priorities and goals; and

WHEREAS, the City has on-going adopted partnerships with many nonprofit organizations that directly benefit City operations, goals, and objectives;

WHEREAS, the City Council finds these relationships and activities support fundamental purposes of government; and

WHEREAS, the City desires to provide City employees guidance on when fundraising campaigns and donation drives are acceptable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUMWATER AS FOLLOWS:

Section 1. The City will partner with the Combined Fund Drive (CFD), a department within the Secretary of State's Office. The CFD is Washington State's workplace giving program for active and retired public employees. Any non-profit organization properly registered with the Internal Revenue Service and the Secretary of State may become a member-organization of the CFD. The CFD provides reliable, high-quality, efficient service and low overhead rates, making it an ideal partner.

A. City employees are authorized to utilize limited City resources to promote CFD-participating organizations and resource development opportunities that return a benefit to the City of Tumwater:

B. City employees may use City resources to participate to a limited degree with the charities associated with the Combined Fund Drive, including conducting employee donation drives.

C. City employees are authorized to share information and resources from local non-profit organizations that would benefit community members. Additional

sources of information may be shared to the public with approval from the Mayor, Communications Director, City Administrator, or their designees.

Section 2. Repeal. R2022-015 is repealed immediately.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

Section 4. Severability. The provisions of this Resolution are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Resolution or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Resolution, or the validity of its application to other persons or circumstances.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption and signature as provided by law.

RESOLVED this _____ day of _____, 2026.

CITY OF TUMWATER

ATTEST:

Leatta Dahlhoff, Mayor

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

TO: City Council
FROM: Kelly Adams, Assistant City Administrator
DATE: August 18, 2026
SUBJECT: Resolution No. R2026-012, Council Rules and Procedures

1) Recommended Action:

Adopt Resolution R2026-012, adopting amended City Council Rules and Procedures.

This resolution was recommended for adoption on the consent calendar by City Council at their July 21, 2026, meeting.

2) Background:

The Council rules establish the procedures and norms for Council meetings, Council activities, and interpersonal relations between Councilmembers and between Councilmembers and staff. The rules were first adopted in 2012 and have been amended regularly since then, most recently in 2023. The attached version includes approved changes from the City Attorney and staff as discussed at the July 21, 2026, Council Meeting.

3) Policy Support:

2026-2032 Strategic Plan

Focus Area: Tumwater Excellence

Goal Statement: Refine and sustain a great organization.

4) Alternatives:

- ☐ Do not update Council Rules.
 - ☐ Move the resolution to considerations for discussion.
-

5) Fiscal Notes:

N/A

6) Attachments:

- A. Resolution R2026-012
- B. Council Rules and Procedures – redline showing edits
- C. Council Rules and Procedures – clean with edits incorporated

RESOLUTION NO. R2026-012

A RESOLUTION of the City Council of the City of Tumwater, Washington, adopting amended City Council Rules and Procedures and repealing Resolution Nos. R2022-006 and R2023-002.

WHEREAS, on April 2, 2022, the City Council adopted Resolution No. R2022-006 and Exhibit A consisting of the City Council Rules and Procedures; and

WHEREAS, on January 17, 2023, the City Council adopted Resolution No. R2023-002 amending the City Council Rules and Procedures to revise the Council Work Session meeting time; and

WHEREAS, at a Council Work Session on July 15, 2026, the Council discussed updates to the City Council Rules and Procedures; and

WHEREAS, the City Council finds that the updated City Council Rules and Procedures meet the conditions of RCW 35A.12.120 and are desirable and beneficial;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUMWATER AS FOLLOWS:

Section 1. Repealer. Resolution Nos. R2022-006 and R2023-002 are hereby repealed in their entirety.

Section 2. Adoption. The Tumwater City Council hereby adopts the City Council Rules and Procedures attached as **Exhibit A** for the clear understanding and benefit of the elected officials, staff and citizens doing business with the City.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

Section 4. Severability. The provisions of this Resolution are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Resolution or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Resolution, or the validity of its application to other persons or circumstances.

Attachment A

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption and signature as provided by law.

RESOLVED this ____ day of _____, 2026.

CITY OF TUMWATER

Leatta Dahlhoff, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

**City of Tumwater
City Council Rules and Procedures**

Section 1. Authority

The Tumwater City Council hereby establishes the following procedures for conducting Council meetings, proceedings, and business. These procedures shall be in effect upon adoption by the Council and until such time as they are amended or new procedures are adopted in the manner provided in these rules.

Section 2. Types of Council Meetings

2.1 **Regular.** Regular Meetings are recurring meetings held in accordance with a periodic schedule declared by statute or rule. Regular Meetings include both Formal Meetings and Work ~~s~~Sessions. The time and place of Formal Meetings are established in TMC 2.04. A Regular Meeting may be canceled by a motion of the Council or by failure to produce a quorum.

2.1.1 **Formal Meetings.** A Formal Meeting to conduct official City business. This includes public comments; public hearings; presentations; and the adoption of ordinances and resolutions, contracts, agreements, and budgets. These meetings are generally cablecast locally.

- a. Council's Formal Meetings will be held the first and third Tuesday of each month in the Council Chambers at City Hall beginning at 7:00 p.m.
- b. If possible, only one or two major topics (defined as issues of high interest or controversy or those which take an extraordinary amount of time at the meeting) will be scheduled per meeting. Generally, meetings should not last more than two to three hours.

2.1.2 **Work ~~s~~Session.** An informal meeting to receive briefings from staff, discuss forthcoming significant programs or projects, or similar activities.

- a. Council Work ~~s~~Sessions will be held on the second and fourth Tuesday of each month beginning at 6:00 p.m.
- b. Work ~~s~~Sessions shall generally not last longer than two hours in length.
- c. A ~~w~~Work ~~s~~Session will not include public comment or participation unless the Mayor allows it.

[Attachment B](#)

d. A Work~~s~~Session will generally not be cablecast.

2.2 Special Meetings. Any Council meeting other than the Regular Council Meeting, which has been called for the purpose of conducting official action, is a Special Meeting. Notice shall be given at least 24 hours in advance as required by RCW 42.30.080. Notice may be provided to Councilmembers by confirmed telephone, email, or regular mail. A Special Council Meeting may be scheduled by the Mayor or by a majority of the members of the City Council.

2.3 Emergency. A Special Council Meeting called in the event of an emergency without 24 hours' notice is an Emergency Meeting. An Emergency Meeting deals with an emergency such as involving injury or damage to persons or property or the likelihood of such injury or damage, by reason of fire, flood, earthquake or other emergency, or otherwise when time requirements of a 24 ~~hour~~ notice would make notice impractical and increase the likelihood of such injury or damage. Emergency Meetings may be called by the Mayor as provided under RCW 42.30.070. The minutes will indicate the reason for the emergency.

2.4 Executive Session. An Executive Session is a Council meeting, or portion of a Council meeting, that is closed except to the Council, City Administrator, Mayor, City Attorney, authorized staff members, and/or consultants authorized by the City Administrator or Mayor. The public is restricted from attendance. Minutes shall not be kept. Executive Sessions may be held during Regular or Special Council meetings, or as separate meetings, and will be announced by the Mayor. Executive Session topics are strictly limited to those matters authorized by law. An Executive Session may occur at any point in the agenda.

a. Before convening an Executive Session, the Mayor shall announce the purpose of the meeting (including citing the RCW and specific exemption to justify the Executive Session) and the anticipated time the session will be concluded. Should the session require more time, a public announcement shall be made, extending the meeting for a specified amount of time. Should the Executive Session end prior to the time specified and action is required, the Council may not take action until the specified time has lapsed.

b. The content of an Executive Session is limited to the reason that was publicly announced for the specific Executive Session.

[Attachment B](#)

- c. At the conclusion of the Executive Session, the public meeting will reconvene to formally adjourn the meeting, to take action on the item resulting from the Executive Session if properly noticed, or to continue the meeting.

- 2.5 Remote Meetings. A remote or virtual meeting at which all or some attendees are not physically present and video and audio is used to connect attendees in different locations online. Remote Meetings are addressed in Section 30.
- 2.6 Minutes. The City Clerk or designee, (hereafter referred to as City Clerk), will keep action minutes of all proceedings of the Council in accordance with the statutory requirements, ~~along with summaries of Council comments and committee report proceedings, and~~ Those action minutes will be archived as entered into a journal constituting the official record of the Council.

Section 3. Scheduling

- 3.1 Holidays. If a regularly scheduled meeting falls on a legal holiday, the Regular Meeting shall be held on the next business day at the same time and place, unless sufficient notice is otherwise provided for an alternate time and location.
- 3.2 Election Days. Regular Meetings which fall on a primary or general election day may be moved to the Monday immediately prior at the discretion of the Mayor.
- 3.3 Summer Recess. The Council will generally not schedule Regular Meetings and committee meetings during a two-week period in August of each year.

Section 4. Order of Regular Council Meeting Agenda

- 4.1 Call to Order. The Mayor or designee calls the meeting to order.
- 4.2 Roll Call. Roll shall be called verbally, and the Mayor shall indicate any Councilmember who is not in attendance and whether or not the Councilmember has an excused absence. Councilmembers may make a motion to excuse absent Councilmembers.
- 4.3 Flag Salute. The Mayor, or the Mayor's designee, will lead the flag salute.
- 4.4 Agenda. The Mayor will ask the Council and staff if there are changes to the agenda which may be made pursuant to these rules.

[Attachment B](#)

- 4.5 Special Items. Special Items may include the presentation of a proclamation or other presentation to elected officials, staff, or the public by the City or presentations to the City or any official made by someone else. Other special presentations by citizen groups or outside agencies that make requests to present information on issues of interest to the City may also occur at this time with prior approval of the Mayor. Discretion shall be used in scheduling proclamations and presentations to help ensure the topics are timely, relevant to Tumwater and the City's business, and of general interest to the community. The City will strive to have not more than ~~two-three~~ scheduled special items per meeting, and no more than 15 minutes per item.
- 4.6 Public Comments. Members of the audience may comment on items relating to any matter not scheduled for a public hearing. Comments may be limited to three (3) minutes, or another time limit, at the discretion of the Mayor. A "public comment sign-in sheet" will be available at each meeting for the use of people wishing to address the Council. The Mayor may allow people to also comment on individual agenda items. These comment times may similarly be limited in duration at the discretion of the Mayor. Councilmembers will not rebut, question, or make comments on the specific public comments that have been made at a meeting. The Mayor, at their discretion, may respond directly, ask staff to make a short comment, or invite the commenter and staff to communicate after the meeting.
- 4.7 Consent Agenda. Consent Agenda items are considered to be routine and non-controversial and are approved by one motion. Items suitable for the consent agenda could include, but are not limited to, minutes, business claims, setting hearing dates, contract payments, bid awards, project acceptance, housekeeping amendments to ordinances and resolutions, agreements, and ordinances and resolutions which have previously been subject to public review at either a Council Committee or a Work~~s~~Session. Consent items are not subject to debate; however, any Councilmember may remove any item(s) from the consent agenda for separate discussion and action; a second is not required. When an item is removed, the Consent Agenda is considered for action without that item. After the consent agenda has been considered, the removed item is moved to the Section titled "Council Considerations."
- 4.8 Public Hearings. Public hearings are held to receive public comment on important issues and/or issues requiring a public hearing by state statute or City of Tumwater ordinances. The Mayor will state the public hearing procedures at the beginning of the public hearing. A "public hearing sign-in sheet" will be available at each meeting for the use of individuals wishing to give testimony. Those wishing to give testimony will follow the same procedure as for "Public Comments" and may speak after being recognized by

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the Mayor. After all individuals have spoken, the hearing is closed to public comment. The Council then proceeds with deliberation and decision making. Public hearing testimony shall be subject to the provisions of Section 7.

- 4.9 Council Considerations. Items for consideration by the Council are subject to presentation, usually by City staff, followed by the opportunity for Council discussion. They are submitted to Council in the form of an agenda bill which includes the subject matter (title for agenda), submitter, action requested, financial information (if applicable), attachments, and alternatives. All action items on the agenda shall have an agenda bill. The City Clerk will assign a number to the agenda bill. Agenda bills will also be used for Consent Agenda items.

~~4.10 Council Committee Reports. The Mayor calls upon each committee chair, or their designee, to report on the activities of their respective committee. Committee chairs should take this opportunity to inform the Council of major issues or discussions at the Committee level. In lieu of lengthy discussion, the Council may decide to continue discussion to a Worksession.~~

4.10~~1~~ Mayor and City Administrator Reports.

- a. The Mayor makes announcements of upcoming meetings and events, and reports on meetings and events in which they have participated. The Mayor's report is limited to 5 minutes.
- b. Staff reports and announcements are made to the Council by the City Administrator on issues of interest.

4.11~~2~~ Council Reports. At the end of each Formal Meeting, every Councilmember will be allowed ~~up to 5 minutes to be used at their discretion~~ to provide an update on ~~for~~ the following:

~~a. Council Committee Reports. The Mayor shall call upon each committee chair, or their designee, to report on the activities of their respective committee. Committee chairs should take this opportunity to inform the Council of major issues or discussions at the Committee level. In lieu of lengthy discussion, the Council may decide to continue discussion to a Work Session.~~

~~a.b.~~ Reports on the activities, meetings, or issues arising from their service as a designated City representative to a community or intergovernmental organization or agency. The reports should be summaries and Councilmembers should exercise discretion in raising complex or detailed

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issues which are more appropriate for presentation at committees or Work Sessions.

~~b.c.~~ Comments that are specific to City business, events, or activities. The time may not be used for political purposes. The use of the time for fundraising is allowed within the constraints of Washington State law to such charities that help the poor and infirm, support Council goals, and service the Tumwater community, specifically those which directly relate to a City program (~~e.g., Animal Services, Friends of Library, PARC Foundation~~) or those with which the City has recently contracted for services in the community. Councilmembers may report retrospectively or prospectively about fundraising events. They may make people aware of opportunities to attend, purchase tickets, or make a non-cash contribution.

- i. The Mayor and City Administrator may report on other community events which have a relationship to the City.
- ii. This does not alter the public's ability to comment during the public comment portion of the meeting or to be invited by the Mayor to make a special presentation.

~~e.d.~~ The Mayor may allow ~~up to 2 minutes of~~ follow-up questions and answers in response to each Councilmember presentation.

~~e.e.~~ Comment and follow-up time may not be yielded to other Councilmembers or the public.

4.1~~23~~ Any Other Business/Additional & Future Items. This is an opportunity for the Council to introduce new or future items or make announcements regarding specific City business at Council and Committee meetings. Because it is at the end of the meeting, Councilmembers should strive to bring up new or future items for announcement or action at earlier portions of the meeting if appropriate.

4.1~~34~~ Executive Session. An Executive Session may be held in compliance with these rules and state law. At the conclusion of the Executive Session, the public meeting will reconvene to adjourn or, if properly noticed, to take action.

4.1~~45~~ Adjournment. The Mayor shall adjourn Council meetings upon the conclusion of the agenda.

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- 4.1~~56~~ Work sSession Announcements. As part of a Work ~~s~~Session, the agenda may include a provision for individual Councilmembers to make announcements or make short comments of general interest to the Council as a whole. These should be limited to no more than 2 minutes per Councilmember.
- 4.1~~67~~ Special Meetings. Following lawful notice of a Special Meeting, items may be added to the agenda, but no final action is allowed on items not included in the written notice of a Special Meeting.

Section 5. Agenda Preparation

- 5.1 The City Clerk's ~~Office~~ will prepare an agenda packet for each Council meeting and Work ~~s~~Session specifying the time and place of the meeting, and setting forth a brief general description of each item to be considered by the Council. The agenda is subject to review and approval by the City Administrator or Mayor.
- 5.2 Agenda items will be completed by the appropriate department staff and submitted to the City Clerk's ~~Office~~ for finaliz~~ing~~ation by 11:00 a.m. on the ~~Wednesday-Tuesday~~ prior to the following Tuesday meeting. The staff report form will be used for all items submitted for a meeting agenda of committees, Regular Meetings or Special Meetings.
- 5.3 An item may be placed on a Council or Committee meeting agenda by any of the following methods: 1) approval of the City Administrator; 2) approval of the Mayor; 3) request of any two or more Councilmembers. Staff will ensure Councilmembers are provided sufficient information to make decisions. Any item may be placed on a Regular Council Meeting agenda, at any time after the distribution of the agenda by the City Administrator, Mayor, or by a majority vote of the Council.
- 5.4 An agenda shall be prepared and provided to the Council and available to the public on the Friday prior to each meeting. Public availability shall include posting on the website and distribution by email to an established mailing list. Agenda packets will be distributed by email to the Council by 5:00 p.m. on the Friday prior to a meeting. Mail that Councilmembers receive during the week will be placed in their respective mailboxes as it arrives. Councilmembers will have access to their mailboxes at any time.
- 5.5 The City ~~Administrator~~ Clerk's ~~Office~~ will prepare and keep current a calendar of agenda items for all Council Regular Meetings, Work Sessions, Special Meetings, and committee meetings.

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- 5.6 Legally required and advertised public hearings and other items required by statute or with predetermined deadlines will have a higher priority over other scheduled agenda items which have been scheduled by convenience rather than for statutory or other legal reasons. Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.
- 5.7 The Mayor and City Administrator shall schedule matters for Council and committee review as necessary for the smooth and orderly transaction of City business and in order to keep the Council advised as to the business of the City.

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Section 6. Rules Supplemental

- 6.1 On all questions of practice or procedure not provided for by these rules, the practice and procedure set forth in the current edition of *Robert's Rules of Order* shall serve as a guide. In the event of a conflict, these Council policies and procedures shall prevail. The Mayor shall have the authority to interpret these rules and make rulings.

Section 7. Comments, Concerns and Testimony to Council

- 7.1 Individuals addressing the Council, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name and address or other contact information, and limit their remarks to three (3) minutes or other limit established by the Mayor. They may not be required to give their address. All remarks will be addressed to the Council as a whole. Comments should be limited to those related to City business. A speaker shall generally be limited to speaking only once on an agenda item or during a public comment or testimony period.
- 7.2 If an individual or group of persons becomes as disruptive as to render the orderly conduct of a Council meeting unfeasible, the following actions may be taken under RCW 42.30.050:
- a. The person presiding over the meeting may request that the individual or group voluntarily leave the meeting. If they refuse to do so, the police may be summoned to remove them;

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- b. A majority of the members of the governing body may vote to clear the room. Persons with a valid press credential, or scheduled to appear on the agenda may be readmitted; or
- c. A majority of the members may vote to adjourn the meeting and reconvene in a new location. When doing so, the governing body must:
 - i. Provide the media in attendance and persons scheduled to appear on the agenda, who were not part of the disruption, with notice of the new location and an opportunity to attend;
 - ii. Post an order or adjournment citing the new time and location at the entrance to the disrupted meeting location; and
 - iii. At the reconvened meeting, take final disposition only on matters appearing on the agenda.
- d. Disruptive behavior includes impertinent or slanderous remarks or being boisterous, threatening, or personally abusive to elected officials, staff or the public.

7.3 Speakers shall not be allowed to comment upon, promote, advocate for, oppose or speak against a pending initiative, ballot measure, or candidate unless properly noticed on the agenda.

7.4 People with complaints, concerns, or questions will be encouraged to contact the City Administrator or Mayor or the Council may ask that the matter be placed on a future City Council meeting or committee meeting agenda with the appropriate background information. Councilmembers should not engage speakers in dialog or rebut public comments. The presiding officer should acknowledge people's comments and provide clarification such as advising them of pending public meetings, other applicable agencies, or direct them to specific City staff.

Section 8. Council Actions

8.1 The following actions may be considered at Council meetings:

- a. Ordinances are legislative acts or local laws. They are the most permanent and binding form of Council action and may be changed or repealed only by a subsequent ordinance.
- b. Resolutions are adopted to express Council policy or to direct certain types of administrative action. They have the same effect as a motion, but in a

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written form. A resolution may be changed by adoption of a subsequent resolution.

- c. Proclamations are issued solely under the Mayor's authority. It is not required that they be read or presented at a Council meeting.
- d. Motions are official Council actions which do not require documentation in writing. They often are the Council authorizing action (e.g., signing an agreement by the Mayor) or to provide direction to staff to prepare an item for future consideration.

Section 9. Motions

- 9.1 The proper form to make a motion is to directly state that you are making a motion by saying, "I move...". For example, "I move the adoption of Ordinance X-Y-Z" or "I move we authorize the Mayor to sign the agreement...". Motion-makers should avoid statements like, "I would like to make a motion..." If the presiding officer has entertained a motion and stated it, it is sufficient to say, "So moved."
- 9.2 If a motion does not receive a second, it dies. Motions that do not need a second include nominations, withdrawal of a motion, agenda order, request for a roll call vote, point of order, and adjournment. After consideration of the Mayor's ability to break a tie vote according to State law¹, a motion that receives a tie vote is deemed to have failed. Motions shall be clear and concise and not include statements for the motion within the motion.
- 9.3 After a motion and a second, the Mayor will state the names of the Councilmembers making the motion and second.
- 9.4 After a motion has been made and seconded, the Council may discuss their opinions on the issue prior to the vote. Public comment shall not be allowed when a motion is pending.
- 9.5 A motion may be withdrawn by the maker of the motion, at any time, without the consent of the Council or the seconder of the motion.
- 9.6 A motion to postpone to a certain time is debatable, is amendable, and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting or at a time certain at a future regular or special Council meeting.

¹ RCW 35A.12.100, in part: "The mayor shall preside over all meetings of the city council, when present, but shall have a vote only in the case of a tie in the votes of the councilmembers with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money."

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- 9.7 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting only if a motion to reconsider receives an affirmative vote.
- 9.8 A motion to call for the question shall close debate on the main motion and is not debatable. This motion must receive a second and fails without a two-thirds (2/3) vote. If seven (7) Councilmembers are present, then five (5) must vote in the affirmative to fulfill the 2/3 requirement. Debate is reopened if the motion fails.
- 9.9 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out and inserting, or substituting language in the motion.
- 9.10 Discussion of the motion only occurs after the motion has been moved and seconded.
- 9.11 The motion maker, Mayor, or City Clerk shall repeat the motion prior to voting.
- 9.12 The City Clerk shall take a roll call vote, if requested by the Mayor, a Councilmember, or as required by law. The only acceptable votes are affirmative (Yes), opposed (No), or to abstain. No Councilmember shall be allowed to pass when called upon and vote later in the order. Silence or failure to vote by a Councilmember will be recorded as an approval. Councilmembers may abstain from the entire vote as provided for in these rules and State law.
- 9.13 At the conclusion of any vote, the Mayor shall inform the Council of the result of the vote. The City Clerk may confirm the result.
- 9.14 When a question has been decided, any Councilmember who voted in the majority may move for reconsideration. A motion for reconsideration may not occur until the following meeting.
- 9.15 When the Council concurs or agrees with an item that does not require a formal motion, the Mayor will summarize the agreement at the conclusion of the discussion.
- 9.16 Voting by telephone or other electronic means is allowed provided it is in compliance with State law and the Councilmember(s) appearing by telephone can hear the entire proceedings and participants at the meeting can hear the Councilmembers that are appearing by telephone.

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- 10.1 All ordinances shall be prepared or reviewed by the City Attorney. No ordinance shall be prepared for presentation to the Council unless requested by the Mayor, City Administrator, City Attorney, Council committee, or a majority vote of the Council.
- 10.2 The City Clerk shall assign a permanent ordinance number prior to placing the ordinance on the agenda. In the event an ordinance is proposed to change substantially by either staff or by a discussion at a prior Council meeting, a substitute ordinance shall be submitted. The substitute ordinance shall be identified by the same ordinance number with an indication of the ordinance's substitute status. (For example, Ordinance No. O2004-005 would be replaced with Ordinance No. O2004-005-S1)
- 10.3 Upon enactment of the ordinance, the City Clerk shall obtain the signature of the Mayor and City Attorney. After the Mayor's signature, the City Clerk shall sign the ordinance.
- 10.4 Ordinances, or ordinance summaries, shall be promptly published as provided by law. The City will strive to reduce publication costs when possible.
- 10.5 An ordinance becomes effective five (5) days after the publication of the ordinance or ordinance summary unless otherwise specified.
- 10.6 There shall be one reading of an ordinance prior to any action and adoption by the City, unless a second reading is required by state statute or City code.
- 10.7 The Mayor may veto an ordinance as provided for in State law.²

Section 11. Mayor and Mayor Pro Tem

- 11.1 The presiding officer at all meetings of the Council shall be the Mayor, and in the absence of the Mayor, the Mayor Pro Tem shall act in that capacity. If both the Mayor and Mayor Pro Tem are absent, the Councilmembers present shall elect one of their members to serve as Presiding Officer until the return of the Mayor or Mayor Pro Tem.
- 11.2 The Presiding Officer shall:

² RCW 35A.12.100, in part: "*The mayor shall have the power to veto ordinances passed by the council and submitted to him or her as provided in RCW [35A.12.130](#) but such veto may be overridden by the vote of a majority of all councilmembers plus one more vote.*"

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- a. Preserve order and decorum in the Council Chambers/meeting room.
 - b. Observe and enforce all policies and procedures adopted by the Council.
 - c. Decide all questions on order, in accordance with these policies and procedures, subject to appeal by any Councilmember.
 - d. Recognize Councilmembers in the order in which they request the floor.
- 11.3 Challenges to Ruling of Presiding Officer. Notwithstanding anything herein contained, including Robert's Rules of Order, to the contrary, any member of the Council shall have the right and privilege to challenge any ruling of any kind made by the presiding officer at any Council meeting, in which case the approval or disapproval of the ruling of the presiding officer shall immediately and without debate or comment be put to a vote of the Council, and the decision of the majority of the members of the Council present, shall prevail.

Section 12. Council Relations with Staff

- 12.1 There will be mutual respect from both City staff and Councilmembers of their respective roles and responsibilities.
- 12.2 City staff acknowledges the Council as policymakers, and the Councilmembers acknowledge it is City staff's responsibility to implement Council policy.
- 12.3 Councilmembers shall not attempt to influence City staff in the selection of, or retention of, personnel, the awarding of contracts, the selection of consultants, the processing of development applications, or the granting of City licenses or permits, except as otherwise provided by law. The Mayor may invite Councilmembers to participate in certain hiring or consultant selection processes.
- 12.4 Councilmembers shall not attempt to interfere with any City department's administration or internal operation and practices.
- 12.5 To ensure timely response and any required administrative actions, mail addressed to the Mayor shall be copied and circulated to all appropriate persons as soon as practicable after it arrives. Regular and electronic mail received by the City and addressed to Councilmembers shall be opened, copied and provided to the Councilmembers, distributed to appropriate persons within the City, and retained in compliance with public records laws.

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Mail of all types that relate to political campaigns will be unopened, destroyed and not distributed.

- 12.6 No Councilmember shall direct the City Administrator or staff to initiate any action or prepare any report that requires significant resources or initiate any project or study without the consent of the Mayor or a majority of the Council.
- 12.7 Individual requests for information can be made directly to the department director unless otherwise determined by the City Administrator or Mayor. If the request would create a change in work assignments or City staffing levels, the request must be made through the City Administrator or Mayor. For questions regarding items pending before the Council, Councilmembers may contact the identified staff contact.
- 12.8 Requests for staff attendance at community meetings shall be made to the City Administrator or Mayor and may be approved on a staff availability basis. No request may be granted within 90 days prior to any election where a seated Councilmember is up for election.

Section 13. Council Meeting Staffing

- 13.1 The City Administrator shall attend all meetings of the Council unless excused by the Mayor. The City Administrator may make recommendations to the Council and shall have the right to take part in the discussions of the Council, but shall have no vote. When the City Administrator has an excused absence, the designated Acting City Administrator or applicable department directors shall attend the meeting.
- 13.2 The City Attorney shall attend all meetings of the Council unless excused by the City Administrator or Mayor and shall, upon request, give an opinion either written or oral on legal questions. An Acting City Attorney may attend meetings when the City Attorney has been excused. The City Attorney or designated City Attorney shall attend any executive sessions that are scheduled for the purpose of discussing potential or pending litigation.
- 13.3 The City Clerk, Deputy City Clerk, or designee shall attend all meetings of the Council, keep the official journal (minutes), and perform such other duties as may be needed for the orderly conduct of the meeting.

Section 14. Councilmember Attendance at Meetings

- 14.1 Councilmembers will inform the City Administrator, Mayor, another Councilmember, ~~Assistant City Administrator, Clerk's Office,~~ or Executive Assistant/~~Deputy City Clerk~~ if they are unable to attend any Council meeting or

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if they knowingly will be late to any meeting. The minutes will show the Councilmember as having an excused absence.

- 14.2 As provided for in State law, a Councilmember shall vacate a position upon three unexcused consecutive absences from regular meetings.³

Section 15. Media Representation at Council Meetings

- 15.1 All public meetings of the City Council and its advisory committees, except Executive Sessions, shall be open to the media, freely subject to recording by radio, television, digital and photographic services and the public at any time, provided that such arrangements do not interfere with the orderly conduct of the meeting. The public may not be prohibited from electronic recording of Council meetings.

Section 16. Council Representation

- 16.1 If a Councilmember appears on behalf of the City before another governmental agency, a community organization, or through the media, for the purpose of commenting on an issue, the Councilmember shall state the majority position of the Council, if known, on such issue. Personal opinions and comments which differ from the Council majority may be expressed if the Councilmember clearly states these statements do not represent the majority Council's position.
- 16.2 Councilmembers and the Mayor, when serving as a Tumwater representative, may act without authorization on specific votes for matters which pertain to the general operation of the organization or are emergency in nature. Issues that have a direct financial impact on Tumwater finances, the level of service provided in Tumwater, or are matters of significant policy shall be reported back to the Tumwater Council for feedback and potential authorization before taking action.

Section 17. Confidentiality

- 17.1 Councilmembers shall keep confidential all written materials and verbal information provided to them during executive sessions to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of executive session when the information is marked confidential.

³ RCW 35A.12.060: "In addition 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."

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- 17.2 Regarding executive sessions or confidential matters, all contacts with the outside parties shall be done by designated City staff handling the issue. Prior to discussing the information with anyone other than fellow Councilmembers, the City Attorney, or City staff designated by the City Administrator or Mayor, Councilmembers should review such potential discussion with the Mayor, City Administrator or City Attorney. Any Councilmember having any such contact or discussion shall make full disclosure to the Mayor, City Administrator, City Attorney and/or the City Council in a timely manner.

Section 18. Conflict of Interest

- 18.1 City Councilmembers and Mayor shall comply with the City's gift acceptance policy.
- 18.2 City Councilmembers and Mayor shall excuse themselves from consideration of any proceeding in which they have a direct interest. If a conflict exists, the affected Councilmember or Mayor shall excuse themselves and leave the Council Chambers/meeting room prior to any briefing, hearing, discussion, or other consideration of the issue. Ultimate compliance with the State of Washington Conflict of Interest statutes is the responsibility of individual Councilmembers and the Mayor.

Section 19. Public Records

- 19.1 Public records created or received by the Mayor or any Councilmember will be transferred to the City Clerk's office for retention by the City in accordance with the Public Records Law. Public records that are duplicate of those received by or in the possession of the City are not required to be retained. Questions about whether or not a document is a public record or if it is required to be retained should be referred to the City Attorney.
- 19.2 Records created or received as part of interjurisdictional assignments are the responsibility of the interjurisdictional committee sponsoring organization.
- 19.3 As elected officials, the Mayor and Councilmembers have sole responsibility for compliance with all State Public Disclosure Commission rules and regulations.

Section 20. Mayor Pro Tem Selection Process

- 20.1 The Mayor Pro Tem shall be elected to a two-year term at the first Regular Council Meeting in January following a municipal election year. The Mayor shall conduct the election for the Mayor Pro Tem, who shall be elected by a

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majority of the full Council. The Mayor Pro Tem shall be limited to two consecutive terms unless by unanimous vote the limitation is waived.

Section 21. City Council Committees

21.1 The following standing City Council Committees are formed as described:

- a. **Budget and Finance.** Develop and review policy issues and make recommendations regarding budget amendments, financial contracts, social and health services funding, financing, and budget development not otherwise covered by other committees or the full Council.
- b. **Public Works.** Develop and review policy issues and make recommendations regarding streets, utilities (water, sewer, storm sewer), utility rates, sidewalks, bicycle paths, competitive bidding for public works projects, award of public works projects, public transit, transportation planning, and traffic safety.
- c. **General Government.** Develop and review policy issues and make recommendations regarding parks, recreation, facilities, golf course, trails, planning, licensing and regulation, zoning and land use regulations, historic preservation, economic development, and intergovernmental relations not covered by another committee.
- d. **Public Health and Safety.** Develop and review policy issues and make recommendations regarding police, municipal court, fire, emergency services, dispatch and communications systems, community wellness, risk/hazard issues, epidemics, sickness, sanitation, disaster, and emergency planning.

21.2 Each committee, with the exception of the Budget and Finance Committee, shall have a membership of three (3) Councilmembers.

21.3 The Mayor shall appoint the members of each Council committee by the second meeting of each even-numbered year. Committee members shall serve two-year terms. Committee members shall select the Chair of each committee at the first committee meeting following the appointment. The Budget and Finance Committee shall be composed of the chairs of the other three committees and shall be chaired by the Mayor who shall retain a full vote.

21.4 **Committee Work Programs and Agendas.**

The Council Committee shall, with staff support, study issues and make recommendations to the full Council for action.

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- a. Committee Agendas. Committee Agendas shall be prepared by the ~~Wednesday-Tuesday~~ prior to the committee meeting in coordination with the committee chair and in consultation with the City Administrator or Mayor. The City Administrator, the Administrator's designee, Committee Chair, majority of a committee, or the Mayor may add things to the agenda. If there are no agenda items for a meeting at the time the agenda is due, the meeting will be canceled. Emergent issues may be added at the request of the Mayor or City Administrator and approval of the Committee chair. The Committee members shall be notified of the change to the agenda by telephone or email.
- b. Committee Minutes. ~~Each committee has an assigned staff person or department who will be responsible for~~The City Clerk will maintaining minutes of meetings. ~~Those minutes shall~~ recording attendance, discussion topics, and actions at a minimum. The minutes shall serve as the reports of the committee to the full Council. Committee chairs may supplement the minutes with additional information at the full Council meeting.
- c. Committee Function and Scope. The scope of Council committees is limited primarily to policy matters. They shall review such matters within their general areas of jurisdiction and shall formulate recommendations to the full Council for action. In certain circumstances, and with prior specific authorization from the full Council, a committee may conduct a public hearing.

21.5 Council Committee Schedule and Member Attendance.

- a. Each committee shall establish a regular meeting time of at least once per month. The committee schedule and the agendas for meetings shall be noticed in accordance with State law and on the City's website.
- b. All committee meetings are open to the public unless the subject matter is such that it would be the basis for the committee to meet in executive session according to state law.
- c. Committee members will strive to attend their assigned meetings. Except in bona fide emergencies, failure to attend two consecutive committee meetings shall be considered a resignation from the committee, so that a replacement can be made. A committee member who cannot attend may notify staff to see if an alternate is available.

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- d. Any Councilmember wishing to attend a meeting of a committee which they are not a regular member shall provide the Chair of that committee and the Executive Assistant ~~or/Deputy~~ City Clerk's office with sufficient advance notice of their intent to attend, and will attend in the capacity of an observer only.

Section 22. Appointments to Regional Organizations

- 22.1 Appointments to regional bodies, ad-hoc community committees or other special committees outside the City auspices may be made by the Mayor.
 - a. Any Councilmember may express an interest in a particular subject and interest in serving on a particular regional body directly to the Mayor.
 - b. When a regional body requests membership recommendations where the regional body makes the final appointment, the Mayor shall ask Councilmembers to state their interest for appointment. Any names shall be submitted by the Mayor to the regional body which will then make the appointment(s) subject to confirmation by the Council.
 - c. When the City has the authority to make direct appointment to a regional committee, the Mayor shall appoint said representatives on an annual basis, unless the appointments are for a longer term.
- 22.2 When the Mayor and/or Councilmembers register to attend an official conference requiring voting delegates, such as the annual National League of Cities or Association of Washington Cities, the Council shall designate the voting delegate(s) and alternate voting delegate(s) during a public meeting by a majority vote. When possible, selection of the voting delegate(s) shall be done on a rotating basis for the purpose of allowing all Councilmembers the opportunity to be an official voting delegate.

Section 23. Travel and Training Budgets

- 23.1 **Individual Councilmember Training.** Each biennium, every Council position will be allocated ~~\$500 to be used~~ funding for training and travel expenses related to their official duties as Councilmember. The allocation may be combined with funds from other organizations or personal funds. Councilmembers may allocate their funds to other sitting Councilmembers. Funds may not be carried over to another biennium. ~~Valid-Eligible~~ expenses will be determined by the City's administrative policies. Individual luncheons or other events that are not fundraisers and comply with the City operating policies attended on behalf of the City are eligible for funding under this rule.

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- 23.2 Shared Training. Each biennium, the Council will determine as part of the budget consideration/adoption process the amount of additional funding provided to the Council for attendance at ~~required~~ meetings and conferences such as the AWC Annual Conference and the Legislative ~~Workshop~~ Advocacy Days. In so doing, the Council may determine the number of Councilmembers that will be attending. ~~The budget may also include a major conference line item. Any Councilmember may request up to \$1,000 of this line item to be spent on travel, lodging or registration for a major conference in the United States or Canada.~~ Any such conference shall be related to the business of the City. The Council shall make the decision on any such request by majority vote. The funds will be allocated on a first-come basis until the budget allocation is exhausted. Costs over the amount approved by the Council may be paid by the individual Councilmember, another organization, a scholarship, or the Councilmember may use some or all of their Individual Training funds from Section 23.1.

Section 24. Suspension and Amendment of Rules

- 24.1 Suspension of the Rules. Any provision of these rules not governed by State law or ordinance may be temporarily suspended upon proper motion and second and a majority vote of the Council.
- 24.2 Amendments to Rules. Permanent amendments to these rules shall be made by resolution of the Council, provided the amendments are not approved at the same regular meeting where they are introduced.

Section 25. Other Rules

- 25.1 The activities of the Mayor and City Councilmembers shall also be subject to the City's administrative and personnel policy manual. Copies of these policies and procedures shall be provided to new Councilmembers at orientation and all Councilmembers upon amendment.

Section 26. Disciplinary Sanctions

- 26.1 The Council has power under general State law to impose punishment on its members, short of removal from office, for violation of State law or Council rules.
- a. When a Councilmember or the Mayor believes that another Councilmember may have violated the adopted Council operating protocols, rules, laws, or policies, the suspecting Councilmember or Mayor

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shall discuss the issue privately with the offending Councilmember in an attempt to resolve the issue informally.

- b. In the event the violations are believed to continue, by majority vote of the City Council, the Council may commission an investigation of the charges. In such a case, the investigation may be done by a party outside the City of Tumwater. If an investigation is required, the investigation shall, where appropriate, follow generally accepted management and supervisory procedures as outlined in the relevant administrative and personnel policy manual.
- c. The results of the investigation shall be submitted to the Mayor and City Council.
- d. The charged Councilmember shall be given the opportunity to respond to any allegation, report, or finding prior to any action being taken.
- e. The City Council shall review the findings and shall consider and adopt the applicable findings by majority vote. The process for this action shall be consistent with these rules and applicable personnel policies.

~~f.~~ 26.2 Sanctions may be imposed for material violations pursuant to this Section and shall be determined by a majority vote of the Council. The process for this action shall be consistent with these rules. The Council shall consider the intent, risk, and severity of the violation to determine the appropriate level of sanction or punishment.

~~a.i.~~ Consequences and sanctions could include, and range between, a verbal admonition, a written reprimand, censure, or removal of a Councilmember from Council committee chair positions or committee memberships, or removal of intergovernmental duties.

~~b.ii.~~ Additional consequences may include leadership development or other training. The Councilmember in question may spend time with the City Administrator, Mayor, or Administrative Services Department staff to develop leadership skills and/or develop a corrective action plan that is mutually agreed upon.

~~g.~~ 26.3 If a Councilmember is believed to have violated State Law, any individual Councilmember may choose to refer the alleged violation to the Thurston County Prosecuting Attorney's Office, Public Disclosure Commission, or other appropriate agency for appropriate action.

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[Attachment B](#)**Section 27. City Council Electronic Equipment Policy**

27.1 **Intent.** The following policies apply to the use of City-provided portable computers, telephones and electronic devices (hereafter “equipment”) when made available to the Mayor and City Council. These rules are supplemental to the City’s Operating Policies which address use of all information technology resources by staff and Elected Officials. For purposes of this policy, any reference to City Council is specific to the seven-member City Council and any reference to Elected Officials includes the Mayor and City Council.

27.2 **Ownership.**

- a. Equipment provided to the Elected Officials shall remain the property of the City of Tumwater.
- b. Equipment shall be returned to the City prior to the end of the Elected Official’s term. Failure to do so could result in garnishment of the final paycheck.
- c. Elected officials will use due care and caution in the maintenance and care of the equipment.
- d. The equipment will be password protected at all times and will not be left where they can be easily stolen, damaged, or accessed. Replacement of lost, damaged, or stolen equipment will be reviewed by the City Administrator on a case-by-case basis.
- e. The City will provide routine maintenance of the equipment consistent with City operation policies. (Policies: 5.03.04, 5.07.02)
- f. The equipment shall not be loaned or otherwise accessed by non-City employees.

27.3 **Appropriate Use.**

- a. The equipment shall only be used for official City business. (Policy 5.03.01) No commercial, political, personal, pornographic, illegal or offensive use will be allowed. (Policy 5.04)
- b. There may be no addition or downloading of software or programs without prior authorization from the City’s IT department. (Policies: 5.03.03, 5.04)
- c. Use is limited to official City business only. Any postings, blogging, messaging, or social media activity is limited to official City sites and

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activities and may not be used for personal sites or social media. (Policy 5.03.01)

- d. Equipment may be used during Council meetings, but members should be mindful of the appearance to those in the audience and viewing on a television, computer, or other device. Users should make sure the volume is off and should keep web surfing and other activities to a minimum necessary to access meeting-specific agenda and packet information, meeting notes, and resource or research material specific to matters pending before the Council. No communication between Councilmembers, postings, blogging, messaging, or social media activity is allowed during meetings. Equipment use during meetings shall be solely related to the business of the meeting.
- e. All electronic communications by Councilmembers related to City business are public records. Councilmember communications shall be sent using City equipment and designated City accounts so that it may be properly archived and maintained in compliance with the City's Records Retention Schedule.
- f. Councilmembers may not use City equipment or designated accounts to transact City business in violation of the Open Public Meetings Act. Councilmembers should limit communications with other Councilmembers to ensure City business is conducted only at scheduled open meetings. If a Councilmember wishes to have information distributed to other Councilmembers, they should contact the City Administrator to distribute the information.

27.4 Records Management.

- a. Records must be retained consistent with the State Attorney General's Local Records Retention Schedule for Local Agency Records.
- b. No deletion of original, primary files is allowed.
- c. Secondary copies and downloaded but unaltered files, may be deleted.
- d. There is no expectation of privacy in the use of City equipment. The City may access the equipment, saved files, internet logs, email records, metadata, or any other pertinent information at any time without notice. (Policies: 5.03.02, 5.07)
- e. All information contained on City equipment is public. There is no protection, and the City will provide no defense for private or personal

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files, data, email, or documents that reside on any City-owned equipment.
(Policies: 5.06.01, 5.07.03)

f. Councilmembers must respond immediately to public records inquiries from the Clerk's Office/Executive Assistant. If requested, Councilmembers must promptly produce responsive communications from their personal devices or accounts, or sign a declaration/affidavit that no responsive public records exist in their possession.

Section 28. Interpersonal Behaviors

- 28.1 In order to maintain decorum and good working relationships, Councilmembers shall:
- a. Promote and require respect and civility in dialog between Councilmembers, Mayor, staff, and the public while still allowing for healthy disagreement.
 - b. Be courteous and professional at all times in recognition that Council communications and behaviors set the tone for the organization.
 - c. Allow the public to respectfully present information and opinions at appropriate meeting times and Councilmembers, the Mayor, and staff will not engage in debate with the public during the meeting.
 - d. Authorize the presiding officer at a Council meeting, when complaints are raised by the public or an elected official, to take the contact information and make a follow up contact with the speaker to obtain resolution; alternatively, if the item can be easily resolved or answered, the presiding officer may provide the answer or ask staff to provide the information. The presiding officer will acknowledge the speaker's comments.
 - e. Not consume food or chew gum at the dais or while on camera.
 - f. Help ensure that everyone who wants to speak gets a chance to by limiting individual comments so as to not be repetitive, argumentative, and/or off-topic.
 - g. Be recognized by the meeting's presiding officer before speaking.
 - h. Not have side conversations, cell phone calls, on-line activity, or texting during the meeting when not in support of the business before the Council.

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- i. Include, when possible, a positive note or celebration of community accomplishments, recognition of staff achievement, or presentation of an award or commendation for the City, an employee, or other official in Regular Council Meetings.
 - j. Use formal titles (Councilmember Jones, Mayor Anderson, etc.) during Formal Council Meetings, but it is not required and shall be left up to each individual's discretion at informal meetings and committee meetings.
 - k. Be respectful of Council time, as staff, by scheduling full meetings and not having Work Sessions when there are insufficient agenda items.
 - l. Honor and respect disagreements and differences as an important feature of policy making and governance.
 - m. Not criticize those who vote against your position on any issue.
 - n. Respect the decision once a policy is passed or defeated by the majority vote.
 - o. Strive to honor time limits on the meetings.
 - p. Provide Councilmembers with sufficient information prior to meetings, and Councilmembers will review the meeting materials and come to the meeting prepared.
 - q. Strive to attend the applicable meetings and assignments or inform the Mayor or City Administrator if unable to attend. If possible and applicable, notice will be in time to provide an alternate meeting time.
 - r. Carefully research the facts, the other organization's perspective, and potential damage to organizational relationships before criticizing another partner agency or organization. If possible, criticism and concerns will be delivered to the agency directly.
 - s. Support the success of City staff in their role as experts and advisors. Concerns about the performance of staff will be raised to the City Administrator or Mayor.
- 28.2 In order to promote efficiency, ensure preparedness, and avoid surprises, Councilmembers shall:
- a. Make every attempt, as an elected official, to notify staff in advance of public meetings about key questions and discussion points that the officials would like addressed during meetings.

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- b. Make every attempt, as staff, to notify the Mayor and/or City Administrator of key issues, events, and other emerging issues in advance of public notices of these issues and events that would be of interest or concern to the City Council.
 - c. Strive not to surprise other Councilmembers, while honoring the boundaries of the Open Public Meetings laws.
 - d. Make every attempt to avoid having elected officials, the Mayor, or City Administrator read about significant City issues, comments, etc. in the media first, before being advised in person, by phone, or email.
 - e. Be inclusive in policy making. Seeking just a majority leaves out Councilmembers with whom a positive relationship will be needed.
 - f. Regularly check email in order to use it as an efficient tool for communicating City news.
- 28.3 In order to be efficient and maintain respective roles, Councilmembers, Mayor and staff shall:
- a. Strive for a partnership, as Mayor and City Council, in the governance and operation of the City while respecting the necessary responsibilities for checks and balances.
 - b. Seek to involve, as Mayor, the Council in civic events and celebrations.
 - c. Use the Council Committee structure to formulate issues, develop and review alternatives, make recommendations to the full Council, and provide input to the Mayor and staff.
 - d. Empower staff to give input and challenge the potential ideas and direction of Council provided it is done respectfully, professionally, and in the appropriate setting, such as in private, in a Work~~s~~Session, or committee meeting. Similarly, staff is clear to help ensure that all perspectives and alternatives are represented prior to action. Council will be clear in asking if they are seeking facts/data or opinions.
 - e. Report, as the Mayor and City Administrator, to Council in the following frequency as appropriate:
 - i. At Council Meetings
 - ii. In bi-weekly City Administrator's Reports
 - iii. Quarterly financial reports

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- iv. Council meeting minutes
 - v. Additional reports and City Attorney memos that may be submitted at the request of the Council or direction of the Mayor or City Administrator
 - f. Understand that City staff will be asked to inform the City Administrator and Mayor of their contacts with the City Councilmembers in the interest of keeping the entire leadership team informed on key issues, requests and other City business related to their interactions.
 - g. Empower City staff to advise City Councilmembers of the need to seek the approval of the City Administrator and/or Mayor before responding to requests from the City Council.
 - h. Learn about the actions and/or processes that occurred in meetings during an individual Councilmember's absence and take individual responsibility for obtaining the information. The City Administrator will make staff available for individual make-up briefings as time permits.
 - i. Strive for unanimous votes from the City Council on decisions affecting key issues (e.g., bond issues, personnel issues).
 - j. Strive to make decisions on pending issues at the appropriate time, respecting the deadlines of others, and staff will strive to allow adequate time for Council to make decisions.
 - k. Strive to celebrate the accomplishments of the City at all levels of the organization.
- 28.4 In order to ensure an orderly and fair process for Council to make inquiries, request information and studies, and initiate policy, the Councilmembers agree as follows:
- a. At any time, specific Department Directors may be approached directly by a Councilmember to answer operational questions about specific departments' delivery of services, etc.
 - b. The City Administrator should be approached with questions that involve more than one department or cross-over into all aspects of City operations and require no action.
 - c. The Mayor or City Administrator shall be approached for all requests for actions, studies, or policy initiatives that involve additional City resources.

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- d. The City Administrator may be able to accommodate the request or request the entire Council review major requests for studies and policy initiatives to determine the level of priority before assigning or reallocating resources.
 - e. Councilmembers may initiate a request for a study or policy initiative as a part of the budget development process, ideally at goal-setting meetings. The initiative would be considered as part of the overall budget and either be approved or not approved.
 - f. Councilmembers may also initiate requests for studies or policy initiatives at committee meetings or Council meetings. Councilmembers should strive to alert the Mayor or City Administrator that such a request is being submitted prior to the meeting.
- 28.5 The Mayor agrees to employ a collaborative process that includes representatives of the City Council when reviewing candidates for key positions within the City, whenever possible.
- 28.6 The Mayor, City Council, City Administrator, and senior staff agree an informed policy body is the most effective means of establishing sound public policy and therefore shall strive to both ask and answer any question relevant to creating and managing public policy.
- 28.7 In order to maintain coordinated media communications and respect the collective decision-making role of the Council, Councilmembers agree as follows:
- a. If members of the media make direct contact concerning other City elected officials (Mayor and Council), the recipient (staff or Council) of the inquiry should refrain from responding unless they have first-hand knowledge of the matter or until they have an opportunity to talk directly with the Mayor or City Administrator.
 - b. To speak only for one's own particular point of view on an issue and clarify to the reporter that you are only speaking for yourself. Do not speak for the entire Council or the City unless specifically authorized to do so by the Mayor or City Administrator.
 - c. To utilize the Executive Department Communications staff as a resource to assist with media contacts or notify others of media contacts.

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- d. To not comment on issues of pending or potential litigation or quasi-judicial matters, referring those media contacts to the City Attorney or City Administrator.

Section 29. Social Media

Councilmembers are advised to be cautious with the use of social media (Twitter, Facebook, Instagram, etc.) to avoid violations of State law, City Social Media Policy, and these rules.

- 29.1 Councilmembers may not use social media sites to conduct City Council business.
- 29.2 The official City social media will be managed by City staff under policy parameters set by the City Council.
- 29.3 Campaign-related social media accounts should be maintained separate from all City-related social media in order to keep campaign activities separate from City business.⁴
- 29.4 Councilmembers should not post City business on personal social media sites and should not comment about City business on social media sites hosted by others. Content from City social media accounts may be shared on personal accounts; Councilmembers should not comment on City social media content.

Section 30. Remote Meetings

Remote attendance by Councilmembers is allowed in compliance with these rules and State law.

- 30.1 Preparation and Participation. Councilmembers should prepare in advance for remote attendance and follow proper video conferencing etiquette.
 - a. WiFi Connection.

A Councilmember attending remotely must be able to hear public comment or testimony and staff presentations in real time. Ensure there

⁴ RCW 42.17A.555, in part, “No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency.”

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is a stable network or WiFi connection and bandwidth at the remote location is not diverted by other users at that location.

b. Remote Location and Background.

The City-provided Zoom background should be used for all remote meetings. Individuals at the remote location should be prepared in advance to ensure a quiet and disruption-free space.

c. Alternate Remote Location.

Councilmembers having trouble maintaining a stable connection or disruption-free environment may use an office, or other suitable location, at City Hall to join the meeting.

d. Name and Title.

Councilmember name and title should appear in the participant information followed by personal pronouns if desired. For example Name, Councilmember (pronouns).

e. Microphone.

Councilmember should mute their microphones when not speaking.

f. Camera.

Councilmembers should turn cameras on while the meeting is in session. It is important to maintain a quorum at all times.

g. Request to Speak.

Councilmembers should raise their hand to be called upon. If attending by phone, the meeting chair will attempt to check in regularly. When attending by phone, Councilmembers should state their name before speaking.

h. Making a Motion.

When making a motion, speaking, asking a question, etc. – if the Mayor has not called a name, Councilmembers should state their name before speaking.

Attachment Bi. Meeting Recording.

Do not record meetings. City staff will record all open public meetings for archiving.

j. Chat Feature.

Do not use the chat feature. All chats during a meeting are public records that must be retained and disclosed.

k. Screen Sharing.

Only presenters should use the screen share function.

l. Voting.

Voting must be verbal and audible to all attendees. Roll call votes may be taken to ensure votes are logged accurately. In the instance of a roll call vote, each Councilmember will be called upon individually to log their vote verbally for the record.

m. Executive Session.

A Councilmember attending an Executive Session remotely must be able to maintain confidentiality of the proceedings. Due to the private and confidential nature of Executive Sessions, councilmembers must be alone where they cannot be overheard by others.

30.2 Public Participation. The public may attend meetings remotely via video conference, online meeting platform, or telephone or view meetings on the City government access channel.

a. Online Meeting Platform and Telephone Access.

City of Tumwater meetings are broadcast via Zoom Webinars. The public can watch online by going to <http://www.zoom.us/join> or calling (253) 215-8782 and putting in the webinar ID and passcode. The webinar ID and passcode information for each meeting can be found on the meeting agenda. Other similar platforms may be utilized and appropriate notice and access information provided.

b. ~~Cablecast and~~ Livestream.

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Every formal City Council meeting is ~~cablecast and livestreamed on cable television and the internet~~ livestreamed via Zoom and later posted to the City of Tumwater YouTube channel and the City of Tumwater Meeting page. ~~Formal Council meetings can be viewed on the local government access channel.~~

c. Public Comment.

The public can register at a unique link for each formal Council meeting to provide public comment during the remote meeting. Written comments may also be submitted before the meeting by sending an email to council@ci.tumwater.wa.us, no later than 5:00 p.m. on the day of the meeting. Comments are submitted directly to the Mayor and City Councilmembers and will not be read individually into the record of the meeting.

d. Public Meeting View.

The view of the meeting will be much like a Regular Council Meeting. The meeting platform will be set so the Mayor and Council can be viewed at all times.

e. Public Comment and Presenters.

The public will attend the webinar as attendees and will not be allowed to raise their hand, use the chat feature, and their video option will be turned off. The meeting host will unmute attendees registered for public comment so they may provide comment by audio only during the public comment period.

Presenters will be invited as a panelist to the webinar and after their presentation is over will be demoted to attendee.

30.3 Meeting Support

a. IT Meeting Support.

Staff tested the Zoom platform multiple times to plan for and mitigate possible unexpected scenarios. Some unexpected scenarios include: Zoom is an online program not under the City's control. Staff cannot guarantee the availability or reliability of Zoom. If Zoom is not working, the meeting will be rescheduled. If an individual's attendance is interrupted during the meeting, they will log back into the meeting as

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soon as possible. The City may utilize alternative platforms for meetings, similar limitations will apply.

The same scenario applies to internet connectivity. If the internet is interrupted or not working at City Hall or at a remote site where someone is participating, it is beyond staff control.

Councilmembers who have problems during the meeting can call the IT Help Desk for assistance, (360) 252-5494 and follow the prompts on the Voice Menu.

Date of Adoption: _____

City of Tumwater City Council Rules and Procedures

Section 1. Authority

The Tumwater City Council hereby establishes the following procedures for conducting Council meetings, proceedings, and business. These procedures shall be in effect upon adoption by the Council and until such time as they are amended or new procedures are adopted in the manner provided in these rules.

Section 2. Types of Council Meetings

- 2.1 **Regular.** Regular Meetings are recurring meetings held in accordance with a periodic schedule declared by statute or rule. Regular Meetings include both Formal Meetings and Work Sessions. The time and place of Formal Meetings are established in TMC 2.04. A Regular Meeting may be canceled by a motion of the Council or by failure to produce a quorum.
- 2.1.1 **Formal Meetings.** A Formal Meeting to conduct official City business. This includes public comments; public hearings; presentations; and the adoption of ordinances and resolutions, contracts, agreements, and budgets. These meetings are generally cablecast locally.
- a. Council's Formal Meetings will be held the first and third Tuesday of each month in the Council Chambers at City Hall beginning at 7:00 p.m.
 - b. If possible, only one or two major topics (defined as issues of high interest or controversy or those which take an extraordinary amount of time at the meeting) will be scheduled per meeting. Generally, meetings should not last more than two to three hours.
- 2.1.2 **Work Session.** An informal meeting to receive briefings from staff, discuss forthcoming significant programs or projects, or similar activities.
- a. Council Work Sessions will be held on the second and fourth Tuesday of each month beginning at 6:00 p.m.
 - b. Work Sessions shall generally not last longer than two hours in length.
 - c. A Work Session will not include public comment or participation unless the Mayor allows it.

- d. A Work Session will generally not be cablecast.
- 2.2 Special Meetings. Any Council meeting other than the Regular Council Meeting, which has been called for the purpose of conducting official action, is a Special Meeting. Notice shall be given at least 24 hours in advance as required by RCW 42.30.080. Notice may be provided to Councilmembers by confirmed telephone, email, or regular mail. A Special Council Meeting may be scheduled by the Mayor or by a majority of the members of the City Council.
- 2.3 Emergency. A Special Council Meeting called in the event of an emergency without 24 hours' notice is an Emergency Meeting. An Emergency Meeting deals with an emergency such as involving injury or damage to persons or property or the likelihood of such injury or damage, by reason of fire, flood, earthquake or other emergency, or otherwise when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency Meetings may be called by the Mayor as provided under RCW 42.30.070. The minutes will indicate the reason for the emergency.
- 2.4 Executive Session. An Executive Session is a Council meeting, or portion of a Council meeting, that is closed except to the Council, City Administrator, Mayor, City Attorney, authorized staff members, and/or consultants authorized by the City Administrator or Mayor. The public is restricted from attendance. Minutes shall not be kept. Executive Sessions may be held during Regular or Special Council meetings, or as separate meetings, and will be announced by the Mayor. Executive Session topics are strictly limited to those matters authorized by law. An Executive Session may occur at any point in the agenda.
- a. Before convening an Executive Session, the Mayor shall announce the purpose of the meeting (including citing the RCW and specific exemption to justify the Executive Session) and the anticipated time the session will be concluded. Should the session require more time, a public announcement shall be made, extending the meeting for a specified amount of time. Should the Executive Session end prior to the time specified and action is required, the Council may not take action until the specified time has lapsed.
 - b. The content of an Executive Session is limited to the reason that was publicly announced for the specific Executive Session.
 - c. At the conclusion of the Executive Session, the public meeting will reconvene to formally adjourn the meeting, to take action on the item

resulting from the Executive Session if properly noticed, or to continue the meeting.

- 2.5 Remote Meetings. A remote or virtual meeting at which all or some attendees are not physically present and video and audio is used to connect attendees in different locations online. Remote Meetings are addressed in Section 30.
- 2.6 Minutes. The City Clerk or designee, (hereafter referred to as City Clerk), will keep action minutes of all proceedings of the Council in accordance with the statutory requirements. Those action minutes will be archived as the official record of the Council.

Section 3. Scheduling

- 3.1 Holidays. If a regularly scheduled meeting falls on a legal holiday, the Regular Meeting shall be held on the next business day at the same time and place, unless sufficient notice is otherwise provided for an alternate time and location.
- 3.2 Election Days. Regular Meetings which fall on a primary or general election day may be moved to the Monday immediately prior at the discretion of the Mayor.
- 3.3 Summer Recess. The Council will generally not schedule Regular Meetings and committee meetings during a two-week period in August of each year.

Section 4. Order of Regular Council Meeting Agenda

- 4.1 Call to Order. The Mayor or designee calls the meeting to order.
- 4.2 Roll Call. Roll shall be called verbally, and the Mayor shall indicate any Councilmember who is not in attendance and whether or not the Councilmember has an excused absence. Councilmembers may make a motion to excuse absent Councilmembers.
- 4.3 Flag Salute. The Mayor, or the Mayor's designee, will lead the flag salute.
- 4.4 Agenda. The Mayor will ask the Council and staff if there are changes to the agenda which may be made pursuant to these rules.
- 4.5 Special Items. Special Items may include the presentation of a proclamation or other presentation to elected officials, staff, or the public by the City or presentations to the City or any official made by someone else. Other special presentations by citizen groups or outside agencies that make requests to

present information on issues of interest to the City may also occur at this time with prior approval of the Mayor. Discretion shall be used in scheduling proclamations and presentations to help ensure the topics are timely, relevant to Tumwater and the City's business, and of general interest to the community. The City will strive to have not more than three scheduled special items per meeting, and no more than 15 minutes per item.

- 4.6 Public Comments. Members of the audience may comment on items relating to any matter not scheduled for a public hearing. Comments may be limited to three (3) minutes, or another time limit, at the discretion of the Mayor. A "public comment sign-in sheet" will be available at each meeting for the use of people wishing to address the Council. The Mayor may allow people to also comment on individual agenda items. These comment times may similarly be limited in duration at the discretion of the Mayor. Councilmembers will not rebut, question, or make comments on the specific public comments that have been made at a meeting. The Mayor, at their discretion, may respond directly, ask staff to make a short comment, or invite the commenter and staff to communicate after the meeting.
- 4.7 Consent Agenda. Consent Agenda items are considered to be routine and non-controversial and are approved by one motion. Items suitable for the consent agenda could include, but are not limited to, minutes, business claims, setting hearing dates, contract payments, bid awards, project acceptance, housekeeping amendments to ordinances and resolutions, agreements, and ordinances and resolutions which have previously been subject to public review at either a Council Committee or a Work Session. Consent items are not subject to debate; however, any Councilmember may remove any item(s) from the consent agenda for separate discussion and action; a second is not required. When an item is removed, the Consent Agenda is considered for action without that item. After the consent agenda has been considered, the removed item is moved to the Section titled "Council Considerations."
- 4.8 Public Hearings. Public hearings are held to receive public comment on important issues and/or issues requiring a public hearing by state statute or City of Tumwater ordinances. The Mayor will state the public hearing procedures at the beginning of the public hearing. A "public hearing sign-in sheet" will be available at each meeting for the use of individuals wishing to give testimony. Those wishing to give testimony will follow the same procedure as for "Public Comments" and may speak after being recognized by the Mayor. After all individuals have spoken, the hearing is closed to public comment. The Council then proceeds with deliberation and decision making. Public hearing testimony shall be subject to the provisions of Section 7.

- 4.9 Council Considerations. Items for consideration by the Council are subject to presentation, usually by City staff, followed by the opportunity for Council discussion. They are submitted to Council in the form of an agenda bill which includes the subject matter (title for agenda), submitter, action requested, financial information (if applicable), attachments, and alternatives. All action items on the agenda shall have an agenda bill. The City Clerk will assign a number to the agenda bill. Agenda bills will also be used for Consent Agenda items.
- 4.10 Mayor and City Administrator Reports.
- a. The Mayor makes announcements of upcoming meetings and events, and reports on meetings and events in which they have participated. The Mayor's report is limited to 5 minutes.
 - b. Staff reports and announcements are made to the Council by the City Administrator on issues of interest.
- 4.11 Council Reports. At the end of each Formal Meeting, every Councilmember will be allowed to provide an update on the following:
- a. Council Committee Reports. The Mayor shall call upon each committee chair, or their designee, to report on the activities of their respective committee. Committee chairs should take this opportunity to inform the Council of major issues or discussions at the Committee level. In lieu of lengthy discussion, the Council may decide to continue discussion to a Work Session.
 - b. Reports on the activities, meetings, or issues arising from their service as a designated City representative to a community or intergovernmental organization or agency. The reports should be summaries and Councilmembers should exercise discretion in raising complex or detailed issues which are more appropriate for presentation at committees or Work Sessions.
 - c. Comments that are specific to City business, events, or activities. The time may not be used for political purposes. The use of the time for fundraising is allowed within the constraints of Washington State law to such charities that help the poor and infirm, support Council goals, and service the Tumwater community, specifically those which directly relate to a City program or those with which the City has recently contracted for services in the community. Councilmembers may report retrospectively or prospectively about fundraising events. They may make people aware of

opportunities to attend, purchase tickets, or make a non-cash contribution.

- i. The Mayor and City Administrator may report on other community events which have a relationship to the City.
 - ii. This does not alter the public's ability to comment during the public comment portion of the meeting or to be invited by the Mayor to make a special presentation.
- d. The Mayor may allow follow-up questions and answers in response to each Councilmember presentation.
- e. Comment and follow-up time may not be yielded to other Councilmembers or the public.
- 4.12 Any Other Business/Additional & Future Items. This is an opportunity for the Council to introduce new or future items or make announcements regarding specific City business at Council and Committee meetings. Because it is at the end of the meeting, Councilmembers should strive to bring up new or future items for announcement or action at earlier portions of the meeting if appropriate.
- 4.13 Executive Session. An Executive Session may be held in compliance with these rules and state law. At the conclusion of the Executive Session, the public meeting will reconvene to adjourn or, if properly noticed, to take action.
- 4.14 Adjournment. The Mayor shall adjourn Council meetings upon the conclusion of the agenda.
- 4.15 Work Session Announcements. As part of a Work Session, the agenda may include a provision for individual Councilmembers to make announcements or make short comments of general interest to the Council as a whole. These should be limited to no more than 2 minutes per Councilmember.
- 4.16 Special Meetings. Following lawful notice of a Special Meeting, items may be added to the agenda, but no final action is allowed on items not included in the written notice of a Special Meeting.

Section 5. Agenda Preparation

- 5.1 The City Clerk's Office will prepare an agenda packet for each Council meeting and Work Session specifying the time and place of the meeting, and

setting forth a brief general description of each item to be considered by the Council. The agenda is subject to review and approval by the City Administrator or Mayor.

- 5.2 Agenda items will be completed by the appropriate department staff and submitted to the City Clerk's Office for finalization by 11:00 a.m. on the Tuesday prior to the following Tuesday meeting. The staff report form will be used for all items submitted for a meeting agenda of committees, Regular Meetings or Special Meetings.
- 5.3 An item may be placed on a Council or Committee meeting agenda by any of the following methods: 1) approval of the City Administrator; 2) approval of the Mayor; 3) request of any two or more Councilmembers. Staff will ensure Councilmembers are provided sufficient information to make decisions. Any item may be placed on a Regular Council Meeting agenda, at any time after the distribution of the agenda by the City Administrator, Mayor, or by a majority vote of the Council.
- 5.4 An agenda shall be prepared and provided to the Council and available to the public on the Friday prior to each meeting. Public availability shall include posting on the website and distribution by email to an established mailing list. Agenda packets will be distributed by email to the Council by 5:00 p.m. on the Friday prior to a meeting. Mail that Councilmembers receive during the week will be placed in their respective mailboxes as it arrives. Councilmembers will have access to their mailboxes at any time.
- 5.5 The City Clerk's Office will prepare and keep current a calendar of agenda items for all Council Regular Meetings, Work Sessions, Special Meetings, and committee meetings.
- 5.6 Legally required and advertised public hearings and other items required by statute or with predetermined deadlines will have a higher priority over other scheduled agenda items which have been scheduled by convenience rather than for statutory or other legal reasons. Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.
- 5.7 The Mayor and City Administrator shall schedule matters for Council and committee review as necessary for the smooth and orderly transaction of City business and in order to keep the Council advised as to the business of the City.

Section 6. Rules Supplemental

- 6.1 On all questions of practice or procedure not provided for by these rules, the practice and procedure set forth in the current edition of *Robert's Rules of Order* shall serve as a guide. In the event of a conflict, these Council policies and procedures shall prevail. The Mayor shall have the authority to interpret these rules and make rulings.

Section 7. Comments, Concerns and Testimony to Council

- 7.1 Individuals addressing the Council, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name and address or other contact information, and limit their remarks to three (3) minutes or other limit established by the Mayor. They may not be required to give their address. All remarks will be addressed to the Council as a whole. Comments should be limited to those related to City business. A speaker shall generally be limited to speaking only once on an agenda item or during a public comment or testimony period.
- 7.2 If an individual or group of persons becomes as disruptive as to render the orderly conduct of a Council meeting unfeasible, the following actions may be taken under RCW 42.30.050:
- a. The person presiding over the meeting may request that the individual or group voluntarily leave the meeting. If they refuse to do so, the police may be summoned to remove them;
 - b. A majority of the members of the governing body may vote to clear the room. Persons with a valid press credential, or scheduled to appear on the agenda may be readmitted; or
 - c. A majority of the members may vote to adjourn the meeting and reconvene in a new location. When doing so, the governing body must:
 - i. Provide the media in attendance and persons scheduled to appear on the agenda, who were not part of the disruption, with notice of the new location and an opportunity to attend;
 - ii. Post an order or adjournment citing the new time and location at the entrance to the disrupted meeting location; and
 - iii. At the reconvened meeting, take final disposition only on matters appearing on the agenda.

- d. Disruptive behavior includes impertinent or slanderous remarks or being boisterous, threatening, or personally abusive to elected officials, staff or the public.
- 7.3 Speakers shall not be allowed to comment upon, promote, advocate for, oppose or speak against a pending initiative, ballot measure, or candidate unless properly noticed on the agenda.
- 7.4 People with complaints, concerns, or questions will be encouraged to contact the City Administrator or Mayor or the Council may ask that the matter be placed on a future City Council meeting or committee meeting agenda with the appropriate background information. Councilmembers should not engage speakers in dialog or rebut public comments. The presiding officer should acknowledge people's comments and provide clarification such as advising them of pending public meetings, other applicable agencies, or direct them to specific City staff.

Section 8. Council Actions

- 8.1 The following actions may be considered at Council meetings:
- a. Ordinances are legislative acts or local laws. They are the most permanent and binding form of Council action and may be changed or repealed only by a subsequent ordinance.
 - b. Resolutions are adopted to express Council policy or to direct certain types of administrative action. They have the same effect as a motion, but in a written form. A resolution may be changed by adoption of a subsequent resolution.
 - c. Proclamations are issued solely under the Mayor's authority. It is not required that they be read or presented at a Council meeting.
 - d. Motions are official Council actions which do not require documentation in writing. They often are the Council authorizing action (e.g., signing an agreement by the Mayor) or to provide direction to staff to prepare an item for future consideration.

Section 9. Motions

- 9.1 The proper form to make a motion is to directly state that you are making a motion by saying, "I move...". For example, "I move the adoption of Ordinance X-Y-Z" or "I move we authorize the Mayor to sign the agreement...". Motion-makers should avoid statements like, "I would like to make a motion..." If the

presiding officer has entertained a motion and stated it, it is sufficient to say, "So moved."

- 9.2 If a motion does not receive a second, it dies. Motions that do not need a second include nominations, withdrawal of a motion, agenda order, request for a roll call vote, point of order, and adjournment. After consideration of the Mayor's ability to break a tie vote according to State law¹, a motion that receives a tie vote is deemed to have failed. Motions shall be clear and concise and not include statements for the motion within the motion.
- 9.3 After a motion and a second, the Mayor will state the names of the Councilmembers making the motion and second.
- 9.4 After a motion has been made and seconded, the Council may discuss their opinions on the issue prior to the vote. Public comment shall not be allowed when a motion is pending.
- 9.5 A motion may be withdrawn by the maker of the motion, at any time, without the consent of the Council or the seconder of the motion.
- 9.6 A motion to postpone to a certain time is debatable, is amendable, and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting or at a time certain at a future regular or special Council meeting.
- 9.7 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting only if a motion to reconsider receives an affirmative vote.
- 9.8 A motion to call for the question shall close debate on the main motion and is not debatable. This motion must receive a second and fails without a two-thirds (2/3) vote. If seven (7) Councilmembers are present, then five (5) must vote in the affirmative to fulfill the 2/3 requirement. Debate is reopened if the motion fails.
- 9.9 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out and inserting, or substituting language in the motion.
- 9.10 Discussion of the motion only occurs after the motion has been moved and seconded.

¹ RCW 35A.12.100, in part: "*The mayor shall preside over all meetings of the city council, when present, but shall have a vote only in the case of a tie in the votes of the councilmembers with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money.*"

- 9.11 The motion maker, Mayor, or City Clerk shall repeat the motion prior to voting.
- 9.12 The City Clerk shall take a roll call vote, if requested by the Mayor, a Councilmember, or as required by law. The only acceptable votes are affirmative (Yes), opposed (No), or to abstain. No Councilmember shall be allowed to pass when called upon and vote later in the order. Silence or failure to vote by a Councilmember will be recorded as an approval. Councilmembers may abstain from the entire vote as provided for in these rules and State law.
- 9.13 At the conclusion of any vote, the Mayor shall inform the Council of the result of the vote. The City Clerk may confirm the result.
- 9.14 When a question has been decided, any Councilmember who voted in the majority may move for reconsideration. A motion for reconsideration may not occur until the following meeting.
- 9.15 When the Council concurs or agrees with an item that does not require a formal motion, the Mayor will summarize the agreement at the conclusion of the discussion.
- 9.16 Voting by telephone or other electronic means is allowed provided it is in compliance with State law and the Councilmember(s) appearing by telephone can hear the entire proceedings and participants at the meeting can hear the Councilmembers that are appearing by telephone.

Section 10. Ordinances

- 10.1 All ordinances shall be prepared or reviewed by the City Attorney. No ordinance shall be prepared for presentation to the Council unless requested by the Mayor, City Administrator, City Attorney, Council committee, or a majority vote of the Council.
- 10.2 The City Clerk shall assign a permanent ordinance number prior to placing the ordinance on the agenda. In the event an ordinance is proposed to change substantially by either staff or by a discussion at a prior Council meeting, a substitute ordinance shall be submitted. The substitute ordinance shall be identified by the same ordinance number with an indication of the ordinance's substitute status. (For example, Ordinance No. O2004-005 would be replaced with Ordinance No. O2004-005-S1)

- 10.3 Upon enactment of the ordinance, the City Clerk shall obtain the signature of the Mayor and City Attorney. After the Mayor's signature, the City Clerk shall sign the ordinance.
- 10.4 Ordinances, or ordinance summaries, shall be promptly published as provided by law. The City will strive to reduce publication costs when possible.
- 10.5 An ordinance becomes effective five (5) days after the publication of the ordinance or ordinance summary unless otherwise specified.
- 10.6 There shall be one reading of an ordinance prior to any action and adoption by the City, unless a second reading is required by state statute or City code.
- 10.7 The Mayor may veto an ordinance as provided for in State law.²

Section 11. Mayor and Mayor Pro Tem

- 11.1 The presiding officer at all meetings of the Council shall be the Mayor, and in the absence of the Mayor, the Mayor Pro Tem shall act in that capacity. If both the Mayor and Mayor Pro Tem are absent, the Councilmembers present shall elect one of their members to serve as Presiding Officer until the return of the Mayor or Mayor Pro Tem.
- 11.2 The Presiding Officer shall:
 - a. Preserve order and decorum in the Council Chambers/meeting room.
 - b. Observe and enforce all policies and procedures adopted by the Council.
 - c. Decide all questions on order, in accordance with these policies and procedures, subject to appeal by any Councilmember.
 - d. Recognize Councilmembers in the order in which they request the floor.
- 11.3 Challenges to Ruling of Presiding Officer. Notwithstanding anything herein contained, including Robert's Rules of Order, to the contrary, any member of the Council shall have the right and privilege to challenge any ruling of any kind made by the presiding officer at any Council meeting, in which case the approval or disapproval of the ruling of the presiding officer shall immediately and without debate or comment be put to a vote of the Council,

² RCW 35A.12.100, in part: "The mayor shall have the power to veto ordinances passed by the council and submitted to him or her as provided in RCW [35A.12.130](#) but such veto may be overridden by the vote of a majority of all councilmembers plus one more vote."

and the decision of the majority of the members of the Council present, shall prevail.

Section 12. Council Relations with Staff

- 12.1 There will be mutual respect from both City staff and Councilmembers of their respective roles and responsibilities.
- 12.2 City staff acknowledges the Council as policymakers, and the Councilmembers acknowledge it is City staff's responsibility to implement Council policy.
- 12.3 Councilmembers shall not attempt to influence City staff in the selection of, or retention of, personnel, the awarding of contracts, the selection of consultants, the processing of development applications, or the granting of City licenses or permits, except as otherwise provided by law. The Mayor may invite Councilmembers to participate in certain hiring or consultant selection processes.
- 12.4 Councilmembers shall not attempt to interfere with any City department's administration or internal operation and practices.
- 12.5 To ensure timely response and any required administrative actions, mail addressed to the Mayor shall be copied and circulated to all appropriate persons as soon as practicable after it arrives. Regular and electronic mail received by the City and addressed to Councilmembers shall be opened, copied and provided to the Councilmembers, distributed to appropriate persons within the City, and retained in compliance with public records laws. Mail of all types that relate to political campaigns will be unopened, destroyed and not distributed.
- 12.6 No Councilmember shall direct the City Administrator or staff to initiate any action or prepare any report that requires significant resources or initiate any project or study without the consent of the Mayor or a majority of the Council.
- 12.7 Individual requests for information can be made directly to the department director unless otherwise determined by the City Administrator or Mayor. If the request would create a change in work assignments or City staffing levels, the request must be made through the City Administrator or Mayor. For questions regarding items pending before the Council, Councilmembers may contact the identified staff contact.

- 12.8 Requests for staff attendance at community meetings shall be made to the City Administrator or Mayor and may be approved on a staff availability basis. No request may be granted within 90 days prior to any election where a seated Councilmember is up for election.

Section 13. Council Meeting Staffing

- 13.1 The City Administrator shall attend all meetings of the Council unless excused by the Mayor. The City Administrator may make recommendations to the Council and shall have the right to take part in the discussions of the Council, but shall have no vote. When the City Administrator has an excused absence, the designated Acting City Administrator or applicable department directors shall attend the meeting.
- 13.2 The City Attorney shall attend all meetings of the Council unless excused by the City Administrator or Mayor and shall, upon request, give an opinion either written or oral on legal questions. An Acting City Attorney may attend meetings when the City Attorney has been excused. The City Attorney or designated City Attorney shall attend any executive sessions that are scheduled for the purpose of discussing potential or pending litigation.
- 13.3 The City Clerk, Deputy City Clerk, or designee shall attend all meetings of the Council, keep the official journal (minutes), and perform such other duties as may be needed for the orderly conduct of the meeting.

Section 14. Councilmember Attendance at Meetings

- 14.1 Councilmembers will inform the City Administrator, Mayor, another Councilmember, Assistant City Administrator, Clerk's Office, or Executive Assistant if they are unable to attend any Council meeting or if they knowingly will be late to any meeting. The minutes will show the Councilmember as having an excused absence.
- 14.2 As provided for in State law, a Councilmember shall vacate a position upon three unexcused consecutive absences from regular meetings.³

Section 15. Media Representation at Council Meetings

- 15.1 All public meetings of the City Council and its advisory committees, except Executive Sessions, shall be open to the media, freely subject to recording by radio, television, digital and photographic services and the public at any time,

³ RCW 35A.12.060: "In addition 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."

provided that such arrangements do not interfere with the orderly conduct of the meeting. The public may not be prohibited from electronic recording of Council meetings.

Section 16. Council Representation

- 16.1 If a Councilmember appears on behalf of the City before another governmental agency, a community organization, or through the media, for the purpose of commenting on an issue, the Councilmember shall state the majority position of the Council, if known, on such issue. Personal opinions and comments which differ from the Council majority may be expressed if the Councilmember clearly states these statements do not represent the majority Council's position.
- 16.2 Councilmembers and the Mayor, when serving as a Tumwater representative, may act without authorization on specific votes for matters which pertain to the general operation of the organization or are emergency in nature. Issues that have a direct financial impact on Tumwater finances, the level of service provided in Tumwater, or are matters of significant policy shall be reported back to the Tumwater Council for feedback and potential authorization before taking action.

Section 17. Confidentiality

- 17.1 Councilmembers shall keep confidential all written materials and verbal information provided to them during executive sessions to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of executive session when the information is marked confidential.
- 17.2 Regarding executive sessions or confidential matters, all contacts with the outside parties shall be done by designated City staff handling the issue. Prior to discussing the information with anyone other than fellow Councilmembers, the City Attorney, or City staff designated by the City Administrator or Mayor, Councilmembers should review such potential discussion with the Mayor, City Administrator or City Attorney. Any Councilmember having any such contact or discussion shall make full disclosure to the Mayor, City Administrator, City Attorney and/or the City Council in a timely manner.

Section 18. Conflict of Interest

- 18.1 City Councilmembers and Mayor shall comply with the City's gift acceptance policy.

- 18.2 City Councilmembers and Mayor shall excuse themselves from consideration of any proceeding in which they have a direct interest. If a conflict exists, the affected Councilmember or Mayor shall excuse themselves and leave the Council Chambers/meeting room prior to any briefing, hearing, discussion, or other consideration of the issue. Ultimate compliance with the State of Washington Conflict of Interest statutes is the responsibility of individual Councilmembers and the Mayor.

Section 19. Public Records

- 19.1 Public records created or received by the Mayor or any Councilmember will be transferred to the City Clerk's office for retention by the City in accordance with the Public Records Law. Public records that are duplicate of those received by or in the possession of the City are not required to be retained. Questions about whether or not a document is a public record or if it is required to be retained should be referred to the City Attorney.
- 19.2 Records created or received as part of interjurisdictional assignments are the responsibility of the interjurisdictional committee sponsoring organization.
- 19.3 As elected officials, the Mayor and Councilmembers have sole responsibility for compliance with all State Public Disclosure Commission rules and regulations.

Section 20. Mayor Pro Tem Selection Process

- 20.1 The Mayor Pro Tem shall be elected to a two-year term at the first Regular Council Meeting in January following a municipal election year. The Mayor shall conduct the election for the Mayor Pro Tem, who shall be elected by a majority of the full Council. The Mayor Pro Tem shall be limited to two consecutive terms unless by unanimous vote the limitation is waived.

Section 21. City Council Committees

- 21.1 The following standing City Council Committees are formed as described:
- a. Budget and Finance. Develop and review policy issues and make recommendations regarding budget amendments, financial contracts, social and health services funding, financing, and budget development not otherwise covered by other committees or the full Council.
 - b. Public Works. Develop and review policy issues and make recommendations regarding streets, utilities (water, sewer, storm sewer),

utility rates, sidewalks, bicycle paths, competitive bidding for public works projects, award of public works projects, public transit, transportation planning, and traffic safety.

- c. General Government. Develop and review policy issues and make recommendations regarding parks, recreation, facilities, golf course, trails, planning, licensing and regulation, zoning and land use regulations, historic preservation, economic development, and intergovernmental relations not covered by another committee.
 - d. Public Health and Safety. Develop and review policy issues and make recommendations regarding police, municipal court, fire, emergency services, dispatch and communications systems, community wellness, risk/hazard issues, epidemics, sickness, sanitation, disaster, and emergency planning.
- 21.2 Each committee, with the exception of the Budget and Finance Committee, shall have a membership of three (3) Councilmembers.
- 21.3 The Mayor shall appoint the members of each Council committee by the second meeting of each even-numbered year. Committee members shall serve two-year terms. Committee members shall select the Chair of each committee at the first committee meeting following the appointment. The Budget and Finance Committee shall be composed of the chairs of the other three committees and shall be chaired by the Mayor who shall retain a full vote.
- 21.4 Committee Work Programs and Agendas.

The Council Committee shall, with staff support, study issues and make recommendations to the full Council for action.

- a. Committee Agendas. Committee Agendas shall be prepared by the Tuesday prior to the committee meeting in coordination with the committee chair and in consultation with the City Administrator or Mayor. The City Administrator, the Administrator's designee, Committee Chair, majority of a committee, or the Mayor may add things to the agenda. If there are no agenda items for a meeting at the time the agenda is due, the meeting will be canceled. Emergent issues may be added at the request of the Mayor or City Administrator and approval of the Committee chair. The Committee members shall be notified of the change to the agenda by telephone or email.
- b. Committee Minutes. Each committee has an assigned staff person or department who will be responsible for maintaining minutes of meetings.

Those minutes shall record attendance, discussion topics, and actions at a minimum. The minutes shall serve as the reports of the committee to the full Council. Committee chairs may supplement the minutes with additional information at the full Council meeting.

- c. Committee Function and Scope. The scope of Council committees is limited primarily to policy matters. They shall review such matters within their general areas of jurisdiction and shall formulate recommendations to the full Council for action. In certain circumstances, and with prior specific authorization from the full Council, a committee may conduct a public hearing.

21.5 Council Committee Schedule and Member Attendance.

- a. Each committee shall establish a regular meeting time of at least once per month. The committee schedule and the agendas for meetings shall be noticed in accordance with State law and on the City's website.
- b. All committee meetings are open to the public unless the subject matter is such that it would be the basis for the committee to meet in executive session according to state law.
- c. Committee members will strive to attend their assigned meetings. Except in bona fide emergencies, failure to attend two consecutive committee meetings shall be considered a resignation from the committee, so that a replacement can be made. A committee member who cannot attend may notify staff to see if an alternate is available.
- d. Any Councilmember wishing to attend a meeting of a committee which they are not a regular member shall provide the Chair of that committee and the Executive Assistant or City Clerk's office with sufficient advance notice of their intent to attend, and will attend in the capacity of an observer only.

Section 22. Appointments to Regional Organizations

22.1 Appointments to regional bodies, ad-hoc community committees or other special committees outside the City auspices may be made by the Mayor.

- a. Any Councilmember may express an interest in a particular subject and interest in serving on a particular regional body directly to the Mayor.
- b. When a regional body requests membership recommendations where the regional body makes the final appointment, the Mayor shall ask

Councilmembers to state their interest for appointment. Any names shall be submitted by the Mayor to the regional body which will then make the appointment(s) subject to confirmation by the Council.

- c. When the City has the authority to make direct appointment to a regional committee, the Mayor shall appoint said representatives on an annual basis, unless the appointments are for a longer term.
- 22.2 When the Mayor and/or Councilmembers register to attend an official conference requiring voting delegates, such as the annual National League of Cities or Association of Washington Cities, the Council shall designate the voting delegate(s) and alternate voting delegate(s) during a public meeting by a majority vote. When possible, selection of the voting delegate(s) shall be done on a rotating basis for the purpose of allowing all Councilmembers the opportunity to be an official voting delegate.

Section 23. Travel and Training Budgets

- 23.1 Individual Councilmember Training. Each biennium, every Council position will be allocated funding for training and travel expenses related to their official duties as Councilmember. The allocation may be combined with funds from other organizations or personal funds. Councilmembers may allocate their funds to other sitting Councilmembers. Funds may not be carried over to another biennium. Eligible expenses will be determined by the City's administrative policies. Individual luncheons or other events that are not fundraisers and comply with the City operating policies attended on behalf of the City are eligible for funding under this rule.
- 23.2 Shared Training. Each biennium, the Council will determine as part of the budget consideration/adoption process the amount of additional funding provided to the Council for attendance at meetings and conferences such as the AWC Annual Conference and the Legislative Advocacy Days. In so doing, the Council may determine the number of Councilmembers that will be attending. Any such conference shall be related to the business of the City. The Council shall make the decision on any such request by majority vote. The funds will be allocated on a first-come basis until the budget allocation is exhausted. Costs over the amount approved by the Council may be paid by the individual Councilmember, another organization, a scholarship, or the Councilmember may use some or all of their Individual Training funds from Section 23.1.

Section 24. Suspension and Amendment of Rules

- 24.1 Suspension of the Rules. Any provision of these rules not governed by State law or ordinance may be temporarily suspended upon proper motion and second and a majority vote of the Council.
- 24.2 Amendments to Rules. Permanent amendments to these rules shall be made by resolution of the Council, provided the amendments are not approved at the same regular meeting where they are introduced.

Section 25. Other Rules

- 25.1 The activities of the Mayor and City Councilmembers shall also be subject to the City's administrative and personnel policy manual. Copies of these policies and procedures shall be provided to new Councilmembers at orientation and all Councilmembers upon amendment.

Section 26. Disciplinary Sanctions

- 26.1 The Council has power under general State law to impose punishment on its members, short of removal from office, for violation of State law or Council rules.
- a. When a Councilmember or the Mayor believes that another Councilmember may have violated the adopted Council operating protocols, rules, laws, or policies, the suspecting Councilmember or Mayor shall discuss the issue privately with the offending Councilmember in an attempt to resolve the issue informally.
 - b. In the event the violations are believed to continue, by majority vote of the City Council, the Council may commission an investigation of the charges. In such a case, the investigation may be done by a party outside the City of Tumwater. If an investigation is required, the investigation shall, where appropriate, follow generally accepted management and supervisory procedures as outlined in the relevant administrative and personnel policy manual.
 - c. The results of the investigation shall be submitted to the Mayor and City Council.
 - d. The charged Councilmember shall be given the opportunity to respond to any allegation, report, or finding prior to any action being taken.

- e. The City Council shall review the findings and shall consider and adopt the applicable findings by majority vote. The process for this action shall be consistent with these rules and applicable personnel policies.
- 26.2 Sanctions may be imposed for material violations pursuant to this Section and shall be determined by a majority vote of the Council. The process for this action shall be consistent with these rules. The Council shall consider the intent, risk, and severity of the violation to determine the appropriate level of sanction or punishment.
- a. Consequences and sanctions could include, and range between, a verbal admonition, a written reprimand, censure, or removal of a Councilmember from Council committee chair positions or committee memberships, or removal of intergovernmental duties.
 - b. Additional consequences may include leadership development or other training. The Councilmember in question may spend time with the City Administrator, Mayor, or Administrative Services Department staff to develop leadership skills and/or develop a corrective action plan that is mutually agreed upon.
- 26.3 If a Councilmember is believed to have violated State Law, any individual Councilmember may choose to refer the alleged violation to the Thurston County Prosecuting Attorney's Office, Public Disclosure Commission, or other appropriate agency for appropriate action.

Section 27. City Council Electronic Equipment Policy

- 27.1 Intent. The following policies apply to the use of City-provided portable computers, telephones and electronic devices (hereafter "equipment") when made available to the Mayor and City Council. These rules are supplemental to the City's Operating Policies which address use of all information technology resources by staff and Elected Officials. For purposes of this policy, any reference to City Council is specific to the seven-member City Council and any reference to Elected Officials includes the Mayor and City Council.
- 27.2 Ownership.
- a. Equipment provided to the Elected Officials shall remain the property of the City of Tumwater.
 - b. Equipment shall be returned to the City prior to the end of the Elected Official's term. Failure to do so could result in garnishment of the final

paycheck.

- c. Elected officials will use due care and caution in the maintenance and care of the equipment.
- d. The equipment will be password protected at all times and will not be left where they can be easily stolen, damaged, or accessed. Replacement of lost, damaged, or stolen equipment will be reviewed by the City Administrator on a case-by-case basis.
- e. The City will provide routine maintenance of the equipment consistent with City operation policies. (Policies: 5.03.04, 5.07.02)
- f. The equipment shall not be loaned or otherwise accessed by non-City employees.

27.3 Appropriate Use.

- a. The equipment shall only be used for official City business. (Policy 5.03.01) No commercial, political, personal, pornographic, illegal or offensive use will be allowed. (Policy 5.04)
- b. There may be no addition or downloading of software or programs without prior authorization from the City's IT department. (Policies: 5.03.03, 5.04)
- c. Use is limited to official City business only. Any postings, blogging, messaging, or social media activity is limited to official City sites and activities and may not be used for personal sites or social media. (Policy 5.03.01)
- d. Equipment may be used during Council meetings, but members should be mindful of the appearance to those in the audience and viewing on a television, computer, or other device. Users should make sure the volume is off and should keep web surfing and other activities to a minimum necessary to access meeting-specific agenda and packet information, meeting notes, and resource or research material specific to matters pending before the Council. No communication between Councilmembers, postings, blogging, messaging, or social media activity is allowed during meetings. Equipment use during meetings shall be solely related to the business of the meeting.
- e. All electronic communications by Councilmembers related to City business are public records. Councilmember communications shall be sent using City equipment and designated City accounts so that it may be

properly archived and maintained in compliance with the City's Records Retention Schedule.

- f. Councilmembers may not use City equipment or designated accounts to transact City business in violation of the Open Public Meetings Act. Councilmembers should limit communications with other Councilmembers to ensure City business is conducted only at scheduled open meetings. If a Councilmember wishes to have information distributed to other Councilmembers, they should contact the City Administrator to distribute the information.

27.4 Records Management.

- a. Records must be retained consistent with the State Attorney General's Local Records Retention Schedule for Local Agency Records.
- b. No deletion of original, primary files is allowed.
- c. Secondary copies and downloaded but unaltered files, may be deleted.
- d. There is no expectation of privacy in the use of City equipment. The City may access the equipment, saved files, internet logs, email records, metadata, or any other pertinent information at any time without notice. (Policies: 5.03.02, 5.07)
- e. All information contained on City equipment is public. There is no protection, and the City will provide no defense for private or personal files, data, email, or documents that reside on any City-owned equipment. (Policies: 5.06.01, 5.07.03)
- f. Councilmembers must respond immediately to public records inquiries from the Clerk's Office/Executive Assistant. If requested, Councilmembers must promptly produce responsive communications from their personal devices or accounts, or sign a declaration/affidavit that no responsive public records exist in their possession.

Section 28. Interpersonal Behaviors

28.1 In order to maintain decorum and good working relationships, Councilmembers shall:

- a. Promote and require respect and civility in dialog between Councilmembers, Mayor, staff, and the public while still allowing for healthy disagreement.

- b. Be courteous and professional at all times in recognition that Council communications and behaviors set the tone for the organization.
- c. Allow the public to respectfully present information and opinions at appropriate meeting times and Councilmembers, the Mayor, and staff will not engage in debate with the public during the meeting.
- d. Authorize the presiding officer at a Council meeting, when complaints are raised by the public or an elected official, to take the contact information and make a follow up contact with the speaker to obtain resolution; alternatively, if the item can be easily resolved or answered, the presiding officer may provide the answer or ask staff to provide the information. The presiding officer will acknowledge the speaker's comments.
- e. Not consume food or chew gum at the dais or while on camera.
- f. Help ensure that everyone who wants to speak gets a chance to by limiting individual comments so as to not be repetitive, argumentative, and/or off-topic.
- g. Be recognized by the meeting's presiding officer before speaking.
- h. Not have side conversations, cell phone calls, on-line activity, or texting during the meeting when not in support of the business before the Council.
- i. Include, when possible, a positive note or celebration of community accomplishments, recognition of staff achievement, or presentation of an award or commendation for the City, an employee, or other official in Regular Council Meetings.
- j. Use formal titles (Councilmember Jones, Mayor Anderson, etc.) during Formal Council Meetings, but it is not required and shall be left up to each individual's discretion at informal meetings and committee meetings.
- k. Be respectful of Council time, as staff, by scheduling full meetings and not having Work Sessions when there are insufficient agenda items.
- l. Honor and respect disagreements and differences as an important feature of policy making and governance.
- m. Not criticize those who vote against your position on any issue.
- n. Respect the decision once a policy is passed or defeated by the majority vote.

- o. Strive to honor time limits on the meetings.
 - p. Provide Councilmembers with sufficient information prior to meetings, and Councilmembers will review the meeting materials and come to the meeting prepared.
 - q. Strive to attend the applicable meetings and assignments or inform the Mayor or City Administrator if unable to attend. If possible and applicable, notice will be in time to provide an alternate meeting time.
 - r. Carefully research the facts, the other organization's perspective, and potential damage to organizational relationships before criticizing another partner agency or organization. If possible, criticism and concerns will be delivered to the agency directly.
 - s. Support the success of City staff in their role as experts and advisors. Concerns about the performance of staff will be raised to the City Administrator or Mayor.
- 28.2 In order to promote efficiency, ensure preparedness, and avoid surprises, Councilmembers shall:
- a. Make every attempt, as an elected official, to notify staff in advance of public meetings about key questions and discussion points that the officials would like addressed during meetings.
 - b. Make every attempt, as staff, to notify the Mayor and/or City Administrator of key issues, events, and other emerging issues in advance of public notices of these issues and events that would be of interest or concern to the City Council.
 - c. Strive not to surprise other Councilmembers, while honoring the boundaries of the Open Public Meetings laws.
 - d. Make every attempt to avoid having elected officials, the Mayor, or City Administrator read about significant City issues, comments, etc. in the media first, before being advised in person, by phone, or email.
 - e. Be inclusive in policy making. Seeking just a majority leaves out Councilmembers with whom a positive relationship will be needed.
 - f. Regularly check email in order to use it as an efficient tool for communicating City news.

- 28.3 In order to be efficient and maintain respective roles, Councilmembers, Mayor and staff shall:
- a. Strive for a partnership, as Mayor and City Council, in the governance and operation of the City while respecting the necessary responsibilities for checks and balances.
 - b. Seek to involve, as Mayor, the Council in civic events and celebrations.
 - c. Use the Council Committee structure to formulate issues, develop and review alternatives, make recommendations to the full Council, and provide input to the Mayor and staff.
 - d. Empower staff to give input and challenge the potential ideas and direction of Council provided it is done respectfully, professionally, and in the appropriate setting, such as in private, in a Work Session, or committee meeting. Similarly, staff is clear to help ensure that all perspectives and alternatives are represented prior to action. Council will be clear in asking if they are seeking facts/data or opinions.
 - e. Report, as the Mayor and City Administrator, to Council in the following frequency as appropriate:
 - i. At Council Meetings
 - ii. In bi-weekly City Administrator's Reports
 - iii. Quarterly financial reports
 - iv. Council meeting minutes
 - v. Additional reports and City Attorney memos that may be submitted at the request of the Council or direction of the Mayor or City Administrator
 - f. Understand that City staff will be asked to inform the City Administrator and Mayor of their contacts with the City Councilmembers in the interest of keeping the entire leadership team informed on key issues, requests and other City business related to their interactions.
 - g. Empower City staff to advise City Councilmembers of the need to seek the approval of the City Administrator and/or Mayor before responding to requests from the City Council.
 - h. Learn about the actions and/or processes that occurred in meetings during an individual Councilmember's absence and take individual responsibility for obtaining the information. The City Administrator will make staff available for individual make-up briefings as time permits.

- i. Strive for unanimous votes from the City Council on decisions affecting key issues (e.g., bond issues, personnel issues).
 - j. Strive to make decisions on pending issues at the appropriate time, respecting the deadlines of others, and staff will strive to allow adequate time for Council to make decisions.
 - k. Strive to celebrate the accomplishments of the City at all levels of the organization.
- 28.4 In order to ensure an orderly and fair process for Council to make inquiries, request information and studies, and initiate policy, the Councilmembers agree as follows:
- a. At any time, specific Department Directors may be approached directly by a Councilmember to answer operational questions about specific departments' delivery of services, etc.
 - b. The City Administrator should be approached with questions that involve more than one department or cross-over into all aspects of City operations and require no action.
 - c. The Mayor or City Administrator shall be approached for all requests for actions, studies, or policy initiatives that involve additional City resources.
 - d. The City Administrator may be able to accommodate the request or request the entire Council review major requests for studies and policy initiatives to determine the level of priority before assigning or reallocating resources.
 - e. Councilmembers may initiate a request for a study or policy initiative as a part of the budget development process, ideally at goal-setting meetings. The initiative would be considered as part of the overall budget and either be approved or not approved.
 - f. Councilmembers may also initiate requests for studies or policy initiatives at committee meetings or Council meetings. Councilmembers should strive to alert the Mayor or City Administrator that such a request is being submitted prior to the meeting.
- 28.5 The Mayor agrees to employ a collaborative process that includes representatives of the City Council when reviewing candidates for key positions within the City, whenever possible.

- 28.6 The Mayor, City Council, City Administrator, and senior staff agree an informed policy body is the most effective means of establishing sound public policy and therefore shall strive to both ask and answer any question relevant to creating and managing public policy.
- 28.7 In order to maintain coordinated media communications and respect the collective decision-making role of the Council, Councilmembers agree as follows:
- a. If members of the media make direct contact concerning other City elected officials (Mayor and Council), the recipient (staff or Council) of the inquiry should refrain from responding unless they have first-hand knowledge of the matter or until they have an opportunity to talk directly with the Mayor or City Administrator.
 - b. To speak only for one's own particular point of view on an issue and clarify to the reporter that you are only speaking for yourself. Do not speak for the entire Council or the City unless specifically authorized to do so by the Mayor or City Administrator.
 - c. To utilize the Executive Department Communications staff as a resource to assist with media contacts or notify others of media contacts.
 - d. To not comment on issues of pending or potential litigation or quasi-judicial matters, referring those media contacts to the City Attorney or City Administrator.

Section 29. Social Media

Councilmembers are advised to be cautious with the use of social media (Twitter, Facebook, Instagram, etc.) to avoid violations of State law, City Social Media Policy, and these rules.

- 29.1 Councilmembers may not use social media sites to conduct City Council business.
- 29.2 The official City social media will be managed by City staff under policy parameters set by the City Council.
- 29.3 Campaign-related social media accounts should be maintained separate from all City-related social media in order to keep campaign activities separate from City business.⁴

⁴ RCW 42.17A.555, in part, "*No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or*

- 29.4 Councilmembers should not post City business on personal social media sites and should not comment about City business on social media sites hosted by others. Content from City social media accounts may be shared on personal accounts; Councilmembers should not comment on City social media content.

Section 30. Remote Meetings

Remote attendance by Councilmembers is allowed in compliance with these rules and State law.

- 30.1 Preparation and Participation. Councilmembers should prepare in advance for remote attendance and follow proper video conferencing etiquette.

a. WiFi Connection.

A Councilmember attending remotely must be able to hear public comment or testimony and staff presentations in real time. Ensure there is a stable network or WiFi connection and bandwidth at the remote location is not diverted by other users at that location.

b. Remote Location and Background.

The City-provided Zoom background should be used for all remote meetings. Individuals at the remote location should be prepared in advance to ensure a quiet and disruption-free space.

c. Alternate Remote Location.

Councilmembers having trouble maintaining a stable connection or disruption-free environment may use an office, or other suitable location, at City Hall to join the meeting.

d. Name and Title.

Councilmember name and title should appear in the participant information followed by personal pronouns if desired. For example Name, Councilmember (pronouns).

agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency."

e. Microphone.

Councilmember should mute their microphones when not speaking.

f. Camera.

Councilmembers should turn cameras on while the meeting is in session. It is important to maintain a quorum at all times.

g. Request to Speak.

Councilmembers should raise their hand to be called upon. If attending by phone, the meeting chair will attempt to check in regularly. When attending by phone, Councilmembers should state their name before speaking.

h. Making a Motion.

When making a motion, speaking, asking a question, etc. – if the Mayor has not called a name, Councilmembers should state their name before speaking.

i. Meeting Recording.

Do not record meetings. City staff will record all open public meetings for archiving.

j. Chat Feature.

Do not use the chat feature. All chats during a meeting are public records that must be retained and disclosed.

k. Screen Sharing.

Only presenters should use the screen share function.

l. Voting.

Voting must be verbal and audible to all attendees. Roll call votes may be taken to ensure votes are logged accurately. In the instance of a roll call vote, each Councilmember will be called upon individually to log their vote verbally for the record.

m. Executive Session.

A Councilmember attending an Executive Session remotely must be able to maintain confidentiality of the proceedings. Due to the private and confidential nature of Executive Sessions, councilmembers must be alone where they cannot be overheard by others.

30.2 Public Participation. The public may attend meetings remotely via video conference, online meeting platform, or telephone or view meetings on the City government access channel.

a. Online Meeting Platform and Telephone Access.

City of Tumwater meetings are broadcast via Zoom Webinars. The public can watch online by going to <http://www.zoom.us/join> or calling (253) 215-8782 and putting in the webinar ID and passcode. The webinar ID and passcode information for each meeting can be found on the meeting agenda. Other similar platforms may be utilized and appropriate notice and access information provided.

b. Livestream.

Every formal City Council meeting is livestreamed via Zoom and later posted to the City of Tumwater YouTube channel and the City of Tumwater Meeting page.

c. Public Comment.

The public can register at a unique link for each formal Council meeting to provide public comment during the remote meeting. Written comments may also be submitted before the meeting by sending an email to council@ci.tumwater.wa.us, no later than 5:00 p.m. on the day of the meeting. Comments are submitted directly to the Mayor and City Councilmembers and will not be read individually into the record of the meeting.

d. Public Meeting View.

The view of the meeting will be much like a Regular Council Meeting. The meeting platform will be set so the Mayor and Council can be viewed at all times.

e. Public Comment and Presenters.

The public will attend the webinar as attendees and will not be allowed to raise their hand, use the chat feature, and their video option will be turned off. The meeting host will unmute attendees registered for public comment so they may provide comment by audio only during the public comment period.

Presenters will be invited as a panelist to the webinar and after their presentation is over will be demoted to attendee.

30.3 Meeting Support

a. IT Meeting Support.

Staff tested the Zoom platform multiple times to plan for and mitigate possible unexpected scenarios. Some unexpected scenarios include: Zoom is an online program not under the City's control. Staff cannot guarantee the availability or reliability of Zoom. If Zoom is not working, the meeting will be rescheduled. If an individual's attendance is interrupted during the meeting, they will log back into the meeting as soon as possible. The City may utilize alternative platforms for meetings, similar limitations will apply.

The same scenario applies to internet connectivity. If the internet is interrupted or not working at City Hall or at a remote site where someone is participating, it is beyond staff control.

Councilmembers who have problems during the meeting can call the IT Help Desk for assistance, (360) 252-5494 and follow the prompts on the Voice Menu.

Date of Adoption: _____

TO: City Council
FROM: Troy Niemeyer, Finance Director
DATE: August 18, 2026
SUBJECT: Data share agreement with the Secretary of State for the Combined Fund Drive

1) Recommended Action:

Authorize the Mayor to sign the Data Share agreement with the Secretary of State for the Combined Fund Drive.

The agreement was recommended for approval on the consent calendar at the July 24, 2026, Budget & Finance Committee meeting.

2) Background:

The Washington Secretary of State's Office administers the Combined Fund Drive which provides a system for state and local government employees to make charitable donations via payroll deductions. The City can join the Combined Fund Drive (CFD) by signing this data share agreement. Joining the CFD gives City employees more flexibility and choices for charitable giving. It also creates efficiencies for payroll staff.

3) Policy Support:

2026-2032 Strategic Priorities & Goals: Tumwater Excellence: refine and sustain a great organization. Be good stewards of public funds by following sustainable financial strategies.

4) Alternatives:

☐ Do not authorize the Mayor to sign the agreement.

5) Fiscal Notes:

There is no cost for this agreement.

6) Attachments:

A. Data share agreement with the Combined Fund Drive.

DATA-SHARING AGREEMENT

BETWEEN THE CITY OF TUMWATER

AND THE

OFFICE OF THE SECRETARY OF STATE COMBINED FUND DRIVE

This Agreement is made and entered into by and between the **CITY OF TUMWATER** and the **OFFICE OF THE SECRETARY OF STATE COMBINED FUND DRIVE** pursuant to the authority granted in Chapters 39.34 and 41.50 of the Revised Code of Washington, relevant federal statutes, and related regulations.

AGREEMENT ADMINISTRATORS:

City of Tumwater	Secretary of State Combined Fund Drive
Leatta Dahlhoff Mayor 555 Israel Rd SW Tumwater, WA 98501 (360)358-1915 LDahlhoff@ci.tumwater.wa.us	Robert Lane Secretary of State Combined Fund Drive Manager 416 Sid Snyder Avenue SE Olympia, WA 98501 360-810-1315 robert.lane@sos.wa.gov

1. PURPOSE OF THE DATA-SHARING AGREEMENT

The purpose of this Data-Sharing Agreement (DSA) is to facilitate the sharing of information between the Secretary of State Combined Fund Drive (CFD) and the City of Tumwater. Both agencies will exchange data so that the City of Tumwater can manage deductions from members who wish to start or implement changes regarding existing deductions.

2. DEFINITIONS

“Agreement” means this Data-Sharing Agreement, including all documents attached or incorporated by reference.

“Authorized user” means an individual or individuals with an authorized business need to access Confidential Information under this DSA.

“Confidential Information” means information that is exempt from disclosure to the public or other unauthorized person under Chapter 42.56 RCW or other federal or state laws. Confidential Information comprises Category 3 data as described in Section 4, DESCRIPTION OF DATA TO BE SHARED, which includes but is not limited to Personally Identifiable Information (PII). For purposes of this DSA, Confidential Information means the same as “Data.”

“Data” means the information that is disclosed or exchanged as described by this DSA. For purposes of this DSA, Data includes PII and Confidential Information.

“Data Encryption” refers to ciphers, algorithms or other encoding mechanisms that will encode Data to protect its confidentiality. Data encryption can be required during Data transmission or Data storage depending on the level of protection required for this Data.

“Data Storage” refers to the state Data is in when at rest. Data shall be stored on secured environments.

“Data Transmission” refers to the methods and technologies to be used to move a copy of the Data between systems, networks, and/or workstations.

“Disclosure” means to permit access to or release, transfer, or other communication of PII by any means including oral, written, or electronic means, to any party except the party identified or the party that provided or created the record.

“Personally Identifiable Information” or “PII” is defined by the RCW 19.255.005 as a first name/initial and last name along with any one or more identified pieces of information.

3. PERIOD OF AGREEMENT

This Agreement shall begin on the date of execution and shall automatically renew on an annual basis unless terminated by either party with a 30-day written notice.

4. DESCRIPTION OF DATA TO BE SHARED

CFD will send to the City of Tumwater names and affiliated information, including but not limited to member IDs, Social Security numbers, and deduction amounts:

- a. Regarding members who are already contributing to CFD.
- b. Regarding members who are already contributing to CFD and have requested changes to the amounts of their CFD contributions.
- c. Regarding members who initiate a CFD deduction.

In response, the City of Tumwater will send a confirmation file to CFD showing what was deducted, member names, member IDs, deduction amounts.

In addition, the City of Tumwater will supply the CFD with an HR Refresh File meeting CFD Standard File Format Specifications to include Employee ID, Social Security Number, Last Name, First Name, etc.

The Data Classification per WaTech IT Security Chapters is Category 3 – Confidential Information.

5. DATA TRANSMISSION

To ensure that Data is encrypted during Data transmission, all Data will be transmitted using a managed file transfer (MFT) platform that is security compliant with Washington State data

encryption standards, *Encryption Standard, SEC 08-02* as amended or superseded. CFD will create accounts for use to securely transfer the data.

6. DATA SECURITY

- a. **Safeguards Against Unauthorized Access and Redisclosure.** CFD and the City of Tumwater must protect and maintain all Data against unauthorized use, access, disclosure, modification, or loss. This requires CFD and the City of Tumwater to employ reasonable security measures, which include restricting access to the Data by:
 - i. Allowing access only to staff that have an authorized business requirement to view the Data. CFD and the City of Tumwater will protect the Data to prevent unauthorized persons from retrieving information by means of a computer, remote terminal, or other access.
 - ii. Physically securing any computers, documents, or other media that could be used to access the Data.
- b. CFD and the City of Tumwater must comply with appropriate statewide policies, including those issued by Washington State WaTech.
- c. **Protection of Data** – CFD and the City of Tumwater agree to store Data and protect Data as described:
 - i. Workstation storage drives. Access to the Data will be restricted to authorized users by requiring logon to the local workstation using a unique user ID and complex password in addition to Multifactor Authentication (MFA), such as biometrics, authentication token devices, or smart cards, which provides greater security. If the workstation is located in an unsecured physical location, the hard drive must be encrypted using the latest FIPS 140-2 approved encryption algorithm with a minimum key length of 256 bits to protect Data in the event the device is stolen.
 - ii. CFD and the City of Tumwater employees may not store any Data on portable electronic devices or media, including but not limited to laptops, handheld/PDAs, ultra-mobile PCs, flash memory devices, floppy discs, optical discs (CDs/DVDs), portable hard disks and smart phones at any time.
- d. **Safeguards Against Unauthorized Access and Redisclosure**

All access to Data accessed or acquired by CFD and the City of Tumwater under the terms of this Agreement, if retained in any manner or format, shall be stored and managed within a secure environment with access limited to the least number of employees needed to complete the purpose of this Agreement.

CFD and the City of Tumwater shall exercise due diligence and due care to protect all Confidential Information from unauthorized physical and electronic access. All parties shall establish and implement the following minimum physical, electronic and managerial safeguards for maintaining the confidentiality of information provided by either party pursuant to this Agreement:

- i. Access to the information provided by the parties will be restricted to only those authorized staff, officials, and agents of the parties who need it to perform their official duties in the performance of the work requiring access to the information as detailed in the Purpose of this Agreement.
- ii. CFD and the City of Tumwater will store the information in an area that is safe from access by unauthorized persons during duty hours as well as non-duty hours or when not in use.
- iii. CFD and the City of Tumwater will protect the information in a manner that prevents unauthorized persons from retrieving the information by means of computer, remote terminal or other means.
- iv. CFD and the City of Tumwater shall take precautions to ensure that only authorized personnel and agents are given access to on-line files containing confidential or sensitive data.
- v. CFD and the City of Tumwater shall instruct all individuals with access to the Personally Identifiable Information regarding the confidential nature of the information, the requirements of *Use of Data* and *Safeguards Against Unauthorized Access and Re-Disclosure* clauses of this Agreement, and the sanctions specified in federal and state laws against unauthorized disclosure of information covered by this Agreement.
- vi. CFD and the City of Tumwater shall take due care and reasonable precautions to protect each other's data from unauthorized physical and electronic access. All parties will meet the requirements of the State of Washington's policies and standards for data security and access controls to ensure the confidentiality, availability, and integrity of all data accessed.

e. Data Separation

- i. The data that the parties receive from each other must be separated or otherwise distinguishable from each agency's other data to ensure that when no longer needed by CFD or the City of Tumwater, all CFD or the City of Tumwater data can be identified for return or destruction. This also aids in determining whether CFD or the City of Tumwater data has or may have been compromised in the event of a security breach.
- ii. The data that the parties receive from each other will be kept on media (e.g., hard disk, optical disc, tape, etc.) which will not contain other data from the recipient agency. Or,
- iii. The data that the parties receive from each other will be stored in a logical container on electronic media, such as a partition or folder dedicated to that data. Or,
- iv. The data that the parties receive from each other will be stored in a database which will not contain other data from the recipient agency. Or,

- v. The data that the parties receive from each other will be stored within a database and will be distinguishable from other data by the value of a specific field or fields within database records. Or,
- vi. When stored as physical paper documents, the data that the parties receive from each other will be physically separated from other data in a drawer, folder, or other container that is secured against unauthorized access.
- vii. When it is not feasible or practical to separate the data that the parties receive from each other, then both the data that the parties receive from each other and the other data with which it is commingled must be protected as described in this Agreement.

f. Breach Notification

If CFD or the City of Tumwater or their agents detect a compromise or potential compromise in the IT security for this data such that Confidential Information may have been accessed or disclosed without proper authorization, CFD or the City of Tumwater shall give notice to the other party as soon as practicable but no later than within twenty-four (24) hours of discovering the compromise or potential compromise. Notice can be by phone with follow-up email if unable to speak to a live person. Contacts for purposes of this section are:

Combined Fund Drive

Director of External Affairs

Charlie Boisner, (360) 742-4321, Charlie.boisner@sos.wa.gov

CFD Manager

Robert Lane, (360) 810-1315, Robert.lane@sos.wa.gov

City of Tumwater

Director of Information Technology

Lance Inman, (360)754-4122, Linman@ci.tumwater.wa.us

Director of Finance

Troy Niemeyer, (360)754-4135, Tniemeyer@ci.tumwater.wa.us

The party that experienced the breach shall take corrective action as soon as practicable to eliminate the cause of the breach and shall be responsible for managing the incident response, as required by law or regulation, including reporting the incident to the Office of Cybersecurity (officeofcybersecurity@watech.wa.gov) and ensuring that appropriate notice is made to those individuals whose personal information may have been improperly accessed or disclosed. The party that provided the information that was involved in the breach may, at its discretion, assist with the response. The party that experienced the breach is responsible for any costs associated with the incident, regardless of whether it is a City of Tumwater or CFD cost, excluding staff assistance. The City of Tumwater and

CFD must remain in full communication and coordination throughout the planning and implementation of the incident response.

7. DATA CONFIDENTIALITY

CFD and the City of Tumwater acknowledge the personal or confidential nature of the information and agree that their employees and contractors with access shall comply with all laws, regulations, and policies that apply to protection of the confidentiality of the Data.

CFD and the City of Tumwater will not use, publish, transfer, sell, or otherwise disclose any Confidential Information gained under this DSA for any purpose that is not directly connected with the purpose, justification, and Permissible Uses of this DSA.

a. Subcontractors

If information provided under this Agreement is to be shared with a subcontractor, the contract with the subcontractor must include all of the information security provisions within this Agreement and within any amendments, attachments, or exhibits within this Agreement. If the subcontractor cannot protect the information as articulated within this Agreement, then the Contract with the subcontractor must be submitted to the Agreement Administrator specified for this Agreement for review and approval.

b. Penalties for Unauthorized Disclosure of Information

In the event that either party fails to comply with any terms of this Agreement, the other party shall have the right to take such action as it deems appropriate. The exercise of remedies pursuant to this paragraph shall be in addition to all sanctions provided by law, and to legal remedies available to parties injured by unauthorized disclosure.

8. USE OF DATA

- a. CFD and the City of Tumwater agree to strictly limit use of information obtained or created under this Agreement to the purposes stated in the Agreement. Data provided by CFD or the City of Tumwater will remain the property of the other party and will be returned to the originating agency or destroyed in accordance with Section 9, Disposition of Data, at the expiration of the agreement.
- b. CFD and the City of Tumwater shall construe this clause to provide the maximum protection for the information that the law allows.
- c. This Agreement does not constitute a release of the data for CFD's and the City of Tumwater's discretionary use, but may be accessed only to carry out the responsibilities specified herein. Any ad hoc analyses or other use of the information, not specified in this Agreement, is not permitted without the prior written agreement of the other party. CFD and the City of Tumwater shall not disclose, transfer, or sell any such information to any party, except as provided by law. CFD and the City of Tumwater shall maintain the confidentiality of all Personally Identifiable Information and other information gained by reason of this Agreement.

- d. CFD and the City of Tumwater are not authorized to update or change the information received.
- e. Neither Washington State, CFD, or the City of Tumwater guarantee the accuracy of the information provided.
- f. All risk and liabilities of use and misuse of data provided pursuant to this Agreement are understood and assumed by CFD and the City of Tumwater.
- g. Data provided by CFD and the City of Tumwater cannot be re-disclosed or duplicated unless specifically authorized in this Agreement.
- h. The requirements in this section shall survive the termination or expiration of this agreement or any subsequent agreement intended to supersede this DSA.

9. DISPOSITION OF DATA

- a. Upon termination of this Agreement, all copies of any Data sets related to this Agreement must be destroyed, wiped from data storage systems, or must be returned to the originating entity.
- b. Acceptable destruction methods for various types of media include:
 - i. For paper documents/reports containing confidential or sensitive information, a contract with a recycling firm to recycle confidential documents is acceptable, provided the contract ensures that the confidentiality of the Data will be protected. Such documents may also be destroyed by on-site shredding, pulping, or incineration.
 - ii. If confidential or sensitive information has been contained on optical discs (e.g., CDs, DVDs, Blu-ray), CFD or the City of Tumwater shall either destroy the discs by incineration, shredding, or completely defacing the data by degaussing, incinerating, or crosscut shredding.
 - iii. If data has been stored on a portal, server or workstation, it will be deleted in accordance with Washington State WaTech, *Media Sanitization and Disposal Standard*, SEC-04-02-S, a National Institute for Standards and Technology (NIST) compliant sanitation wipe process will be performed upon end of life, or event that requires the media to leave organizational control to the party that received the data. The sanitation process will consist of no less than three (3) overwriting passes using a fixed or random data value or using the Cryptographic Erase (CE) technique, ensuring data cannot be reconstructed. Failed drive(s) unable to follow the aforementioned sanitation process will be physically destroyed by a certified vendor.
 - iv. If data has been stored on removable media (e.g., floppies, USB flash drives, portable hard disks, or similar disks), the party that received the data shall destroy the data by using a "wipe" utility which will overwrite the data at least three (3) overwriting passes using a fixed or random data value or using the Cryptographic Erase (CE) technique, ensuring data cannot be reconstructed. Failed drive(s) unable to follow the aforementioned sanitation process will be physically destroyed by a certified vendor.

10. ON-SITE OVERSIGHT AND RECORDS MAINTENANCE

CFD and the City of Tumwater agree that the other party shall have the right, at any time, to monitor, audit and review activities and methods in implementing the Agreement to assure compliance within the limits of their technical capabilities.

Both parties shall retain all records, books, or documents related to this Agreement for six years, except Data destroyed in Section 9. The Office of the State Auditor, federal auditors, and any persons duly authorized by the parties shall have full access to and the right to examine any of these materials during this period.

11. HOLD HARMLESS

Each party to this Agreement shall be responsible for any and all acts and omissions of its own staff, employees, officers, agents and independent contractors. Each party shall defend and hold harmless the other party from any and all claims, damages, and liability of any kind arising from any act or omission of its own staff, employees, officers, agents, and independent contractors.

12. AMENDMENTS AND ALTERATIONS TO THIS AGREEMENT

With mutual consent, the City of Tumwater and CFD may amend this Agreement at any time, provided that the amendment is in writing and signed by authorized representatives of both parties.

13. ORDER OF PRECEDENCE

In the event of an inconsistency in this Contract, unless otherwise provided herein, the inconsistency shall be resolved by giving precedence in the following order:

- a. Applicable Federal and State laws;
- b. Any other provisions of the Contract whether by reference or otherwise.

14. TERMINATION

a. For Convenience

Either party may terminate this Agreement with thirty days' written notice to the other party's Agreement Administrator named on Page 1. In case of termination, any and all information provided by the parties pursuant to this agreement shall either be immediately returned to the originating entity or immediately destroyed.

b. For Cause

Either party may terminate this Agreement at any time prior to the date of completion if and when it determines that the other party has failed to comply with the conditions of this Agreement. The terminating party shall promptly notify the other party in writing of the termination and the reasons for termination, together with the effective date of termination. In case of termination, the Data provided by one party shall be returned to the other party or destroyed on or before the date of termination. Written notification of destruction to the other party is required.

15. SEVERABILITY

The provisions of this Agreement are severable. If any provision of this Agreement is held invalid by any court; that invalidity shall not affect the other provisions of this Agreement and the invalid provision shall be considered modified to conform to the existing law.

16. NO FINANCIAL CONSIDERATION

This Agreement does not involve any exchange of funds or financial consideration between the parties. Each party shall be responsible for its own costs associated with the implementation and execution of this Agreement.

17. GOVERNING LAW

This Agreement shall be construed under the laws of the State of Washington. Venue shall be proper in Superior Court in Thurston County, Washington.

18. SIGNATURES

The signatures below indicate agreement between the parties.

City of Tumwater	Office of the Secretary of State Combined Fund Drive
Leatta Dahlhoff Mayor	Amanda Doyle Chief of Staff

TO: City Council
FROM: Brittaney McClanahan, Executive Assistant
DATE: August 18, 2026
SUBJECT: Reappointment of David Bills, Brian Reynolds and Satpal Sohal to the Lodging Tax Advisory Committee

1) Recommended Action:

Confirm the Mayor's reappointment of David Bills, Brian Reynolds, and Satpal Sohal to the Lodging Tax Advisory Committee.

2) Background:

Upon Council confirmation, the annual term for David Bills, Brian Reynolds, and Satpal Sohal will expire June 18, 2027.

3) Policy Support:

Vision | Mission | Values

Partnership | We work in partnership with residents, businesses, community organizations, and governments to address challenges and advance shared goals.

4) Alternatives:

- ☐ Confirm some of the reappointments
 - ☐ Do not confirm the reappointments
-

5) Fiscal Notes:

There is no fiscal impact associated with this report.

6) Attachments:

- A. Applications and supplemental information.

APPLICATION

The City of Tumwater's advisory boards, commissions and committees are listed below with a short paragraph describing the make-up of the group. Please complete the application below and show your group preference, listing your first choice as #1, second choice as #2, etc. Please attach a letter of interest and a resume with this application showing your current qualifications and interests.

Name:

Satpal Sehgal

Address:

Telephone:

(Home)

(Cell)

(Work)

Date:

5/4/17

Email:

BOARD, COMMITTEE OR COMMISSION

PREFERENCE NUMBER:

Tax Advisory Committee

Barnes Lake Management District Steering Committee

Eleven members; Mayoral appointment; two-year terms; active

Board of Parks and Recreation Commissioners:

Seven members; Mayoral appointment with Council confirmation; three-year terms; active

Civil Service Commission:

Three members; Mayoral appointment; six-year terms; active

Satpal Sohal
La Quinta Inn & Suites
4600 Capitol Blvd. SE
Tumwater, WA 98501
5/4/17

Hanna M. Miles
555 Israel Road SW
Tumwater, WA 98501

Dear Hanna M Milles

I Satpal Sohal would love the opportunity to serve as a member of the Tumwater tax advisory committee I want to be on the tax advisory committee because of my experience as a Hotelier I will bring a wealth of knowledge and experience to the tax advisory board I have served on three tax advisory committees and I currently own three hotels and we are building a fourth La Quinta and me and my wife also are the winners of franchisee of the year 2016 for La Quinta out of 850 Hotels.

My goal will be to help guide the tax advisory board to make decisions that help increase tourism and put more heads in beds in the city of Tumwater.

Sincerely,



Satpal Sohal

Satpal S Sohal

Professional Profile

- Entrepreneur who grew four businesses in near start up states to millions in annual sales through effective business planning management, financial planning, creative sales techniques, and innovative marketing.
- Expert knowledge and skills in operations management, real estate development, and financial planning with concentration.
- Skilled strategist who transforms strategic plans into workable solutions.
- Possesses strong analytical, leadership and follow-through skills.
- Detail oriented with the ability to develop, integrate, analyze, document and present business and financial plans in support of business objectives.
- Self-motivated, excellent team player, quick learner, organized, and strong interpersonal skills.
- Recognized by clients and colleagues as a consummate professional with a high degree of personal integrity.
- Known for a contagious passion for excellence, a talent for resourceful business solutions, and a capacity for motivational leadership.
- Possesses outstanding communication and presentation abilities.
- Effectively market tangible/intangible products and services.
- Skilled in persuasive presentation and profitable negotiation.
- Offers excellent customer relations skills.

Education

Sheffield University, School of business Administration, UK

- Bachelor of Arts In Business and Finance January 1994

ITT Technical Institute, Seattle, WA

- Electronic Engineering Technology December 1998

Licenses & Certificates

- Certified Hospitality Administrator September 2004

Professional Experience

Organizations/Planning and Humans Resources

- Recruited investors and assembled limited liability companies for various investment opportunities.
- Negotiated financing with multiple lending institutions.
- Executed \$700,000 renovation project for 70-unit hotel.
- Utilized historical and forecast data to perform trend analysis.
- Executed budget plan and company performance goals.

- Developed personnel, motivated staff to exceed goals, and improve sales.
- Selected and hired self-motivated administrative staff and trained them to be hard-working, customer-focused, and experts in their fields enabling them to work with minimal day-to-day supervision
- Experienced in foreclose or financially stressed properties.
- Currently on the Lodging Tax Advisory Committee for Auburn WA, and Liberty Lake WA.

Marketing and Sales

- Worked with marketing company to create logo and promotional material.
- Increased hotel sales by 40% by working with corporate customers and meeting customer demands.
- Consistently maintained a high-standard performance record via exceptional service, follow-through, and special attention to detail which resulted in higher sales.
- Researched and analyzed the property/hospitality market and re-focused business in response to market changes, making sure business always offered high quality and service at competitive rates.
- Established name recognition in hospitality industry and generated sales through a combination of sales and marketing techniques including implementation of sales packages, cold calls, corporate account development, Internet booking/sales, and judicious placement of advertising.

Properties

Owner

Tillicum Inn, Umatilla, OR

April 2001-Sold 2015

70 unit's motel

Owner

Econo Lodge, Chehalis, WA

December 2004-Sold 2016

70 unit's motel

Owner

Quality Inn & Suites, Liberty Lake, WA

February 2008- Present

70 unit's Hotel

Owner

La Quinta Inn & Suites, Auburn WA

November 2011- Present

70 Units Hotel

Owner

La Quinta Inn & Suites, Tumwater WA

November 2015- Present

80 Units Hotel

Owner

Rental house 1, Auburn WA

October 2015- Present

Owner

Rental house 2, Auburn WA

October 2015- Present

Owner

Rental house 3, Puyallup WA

October 2015- Present

Owner

Rental house 4, Puyallup WA

October 2015- Present

Owner

Rental house 5, Kent WA

October 2015- Present

Owner

Rental house 6, Renton WA

October 2015- Present

Tacoma Rescue Mission

Tacoma, WA

2014-present

Volunteered in the Rescue Mission's kitchen, prepping and preparing lunch for the guests and maintained cleanliness and sanitation of equipment. Worked closely with regular volunteers and kept a good spirit and attitude at all times.

Nativity House

Tacoma, WA

2013-present

Distributed necessities such as toiletries, socks, gloves, hats to the homeless. Spent time with the people that go to the Nativity House through deep conversations or with a simple game of cards. Learned the skill of listening and showing interest in people from all types of lives. Understood the importance in serving and meeting people where they are.

Tacoma New Life Church

Tacoma, WA

2007-2013

Participated in various programs for children such as assisting in the daycare, holiday festivals, supervising the playground area, and being staff of Vacation Bible School during the summer. Volunteered with church members on a weekly basis feeding the homeless on the streets, retirement homes, and local schools.

Philippines

Philippines

2012-2013

Went from village to village with a team of doctors, dentists, and other volunteers to provide medical, dental, and other treatments. We provided educational material and supplies to help improve the quality of life.

Charity Water

Africa

2007

Started and lead a fundraiser and awareness to help support an organization called Charity Water. We were able to raise thousands of dollars to build a water well in a remote village in Africa where thousands of people die every year due to contaminated water.

TO: City Council Work Session
 FROM: Carrie Gillum, Senior Water Resources Specialist
 DATE: August 18, 2026
 SUBJECT: 2026 Drought Briefing and Public Outreach

1) Recommended Action:

No action requested, this is informational only.

2) Background:

Each year, the Water Resources & Sustainability Department (WRS) completes a drought assessment for the city. The assessment reviews local conditions using state and national climate datasets to forecast drought severity during the peak water demand season (generally July 1–September 15). This summer, models again indicate above-average temperatures and below-average rainfall for our region. The Washington Department of Ecology has also issued a statewide drought declaration for the fourth year in a row.

Beginning in May of each year, WRS monitors daily water production and consumption to evaluate triggers that can escalate city response actions through our four-stage Water Shortage Response Plan (WSRP). As in most prior years, WRS recommends implementing Stage 1, the lowest stage, and will continue monitoring conditions.

Staff will provide an overview of current conditions and ongoing monitoring, WSRP stages, and outreach efforts to promote voluntary reductions in water consumption by the public. Voluntary conservation by Tumwater's customers decreases the likelihood of triggering higher stages of the WSRP.

3) Policy Support:

- City of Tumwater Water Shortage Response Plan – 2019 Update
 - WAC 246-290-100 (Water System Plan)
 - Tumwater Municipal Code, 13.04.170
-

4) Alternatives:

☐ None, no action required

5) Fiscal Notes:

None, no action required.

6) Attachments:

- A. 2026 Drought Assessment Memo
- B. 2019 Water Shortage Response Plan

MEMO



Date: April 22, 2026
To: Steve Craig, Operations Manager
Cory Hale, Assistant Utilities Operations Manager
From: Carrie Gillum, Senior Water Resources Specialist
CC: Dan Smith, Water Resources & Sustainability Director
Patrick Soderberg, Program Manager
Mike Erickson, Water Lead
Curt Shields, Water Quality Lead

2026 Drought Assessment – Stage 1: Advisory.

Summary

This is the annual drought outlook assessment for the city. In this memo, spring environmental conditions and future outlooks for Tumwater are assessed to determine what actions should be taken prior to summer.

The Washington Department of Ecology (DOE) has announced a drought emergency declaration through April 7, 2027 for all of Washington state. The declaration was due to low snowpack and multiyear compounding deficits in precipitation, from the 2023, 2024, and 2025 droughts.

The winter snowpack was 48 to 57% below the normal peak median across Tumwater's two drainage basins. This is due to the warm temperatures experienced during the winter which as not contributing to snowpack. Regular precipitation is down over six inches from normal since the start of the calendar year. Rainfall was above average between October 1 and April 1. Precipitation outlook for the next three months is below normal with temperatures above normal.

Most monitoring and production well water levels had decreased from the previous year and the three-year average, except for the Palermo wellfield. Wells had deeper water levels as much as seven feet. All other wells showed little change from the year before. Water level stability is likely due to the above average precipitation.

Conditions for the 2026 summer demands are to be the same as 2025 based on review from spring demands.

Continued monitoring of water levels, production, and consumption will be necessary. Other stressors, such as a heat dome effect or mechanical failure in the system, will also need to be monitored to determine if any additional conservation measures are needed. Water Resources & Sustainability (WRS)

will implement voluntary reduction measures (stage 1 of the Water Shortage Response Plan) to conservatively meet summer demands and meet our water conservation goals.

Public outreach will be crucial so that peak demands on the water system can be controlled. Implementation of social media and e-newsletters should begin by mid-May and continue through the summer season. The focus may be on irrigation systems and how to properly set watering times. Additionally, more emphasis on rain sensors, so there is no watering while it is raining, could help reduce peak water use in summer.

Review and Analysis

Data from the start of the water year, October 1, 2025 through April 1, 2026 were reviewed for the following:

- Local rainfall – Olympia Airport
- Regional Rainfall – PRISM Climate Group
- Regional Snowpack – National Weather and Climate Center
- Groundwater Elevations – City of Tumwater monitoring network and production wells, Thurston County monitoring network, and USGS monitoring network
- Streamflow – USGS WaterWatch
- Water Consumption and Production – City of Tumwater
- Drought Monitoring and Forecast – DOE, NWS Climate Prediction Center, US Drought Monitor.

Conclusions

Full data assessment is here, [2026 Drought Assessment Full](#).

From review of the data above, the following conclusions were made:

- Winter and spring rainfall was above normal. Snowpack was substantially below the median by 53-61%. Even though Tumwater’s drinking water sources are not directly dependent on snowfall, the lack of snowfall in the region could have some effect on the regional recharge of groundwater reserves.
- Groundwater levels observed in monitoring and production wells stayed about the same as last year, except for the Readiness well (shallower by 5.7 feet) and Well 17 (deeper by 7.2 feet. This indicates some groundwater storage recovery due to the above average rainfall since October.
- Spring consumption in 2026 was about the same as 2025. It is expected that summer demand may be about the same.

	March water consumption in gallons	% difference to previous year	June 1 - September 30 produced in gallons	% difference to previous year
2026	73,390,437	-0.3%	-	-

2025	73,634,000	7.3%	579,721,544	3%
2024	70,988,000	-6.9%	562,535,000	-10.3%
2023	76,244,000	9.6%	626,997,000	8.3%

- The drought outlook for Tumwater in the next six months is forecasting abnormally dry with below normal precipitation and above normal temperatures.
- Drought outlooks across various agencies are inconsistent. The US Drought Monitor is neutral for drought in the Tumwater area through June 30. However, the NWS Climate Prediction Center outlook is showing above average temperatures and below average precipitation for April through June. Modeling through September 2026 completed by the European Centre for Medium-Range Weather Forecast (ECMWF) predicts warmer and wetter weather. Temperature increase is consistent with all outlooks but differs on precipitation.
- The DOE has announced a drought emergency declaration as of April 8, 2026 and will extend until April 7, 2027. This declaration is statewide due to low snowpack and multiyear compounding deficits in precipitation, from the 2023, 2024, and 2025 droughts.

Water Shortage Response Plan Action Recommendations

The following are steps that will be taken:

- As we do every spring, the city will prepare to implement Stage 1 of the Water Shortage Response Plan. Stage 1 encourages voluntary conservation through public outreach and is the lowest level of drought concern. Focus should be on irrigation with the promotion of proper landscape watering practices and use of smart irrigation controllers with sensors either for soil moisture or rainfall.

The city has already implemented Facebook posts of water conservation messaging including a link to the city conservation incentives and rebates page. Additionally, the quarterly One Water newsletter includes water conservation content, and utility bill inserts with messaging is sent at least once a year in the spring. The annual Water Quality Report will be printed and delivered to all customers in May and include water conservation messaging and incentives and rebates with webpage link.
- Additional avenues of outreach should be explored including possible face-to-face community opportunities, use of the Johnson box on electronic utility billing, and other electronic media.
- Requesting large users of irrigation water to decrease watering is suggested prior to increasing the water shortage stage. This includes city parks and facilities, schools, and other governmental agencies. This has been used in the past with success in reducing peak demands.
- Once the Port wells are online, or before June 1st, WRS staff will determine the present possible production (P3) value for our water system. This will determine the trigger stages for

our water shortage response plan and help us identify if there is a need to implement further water-saving measures.

- Between June 1 and September 30, WRS staff will track production water volumes and periodically review climatic conditions throughout the spring/summer so that we can stay informed about potential impacts to our water system.
- If production water volumes exceed P3 triggers, conservation stages will be increased accordingly.

City of Tumwater

Water Shortage Response Plan

2019 Update

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BACKGROUND

The objective of the Water Shortage Response Plan (WSRP) is to aid decision making in the event of a water shortage. The WSRP identifies demand reduction measures available to the City and defines circumstances that may trigger their implementation. Many of the City's water utility programs support the goals of the WSRP by increasing the resilience of our water system. These programs help to avert a major supply disruption and include preventative maintenance, water system planning, wellhead protection, and water use efficiency.

A water shortage can be described as any situation in which the water supply is insufficient to meet demand. A shortage may occur for a number of reasons and may be predictable or unpredictable. The types of events that could lead to a water shortage include the following:

- Predictable
 - Summer demand increase
 - Planned water system repair or maintenance
- Unpredictable
 - Mechanical failure
 - System contamination
 - Well or aquifer contamination
 - Major water main break
 - Earthquake
 - Fire
 - Vandalism or sabotage

The WSRP provides a framework that should be tailored to meet the specific needs of a water shortage. While the WSRP is designed to take into account as many scenarios as possible, there will be events or circumstances that can't be anticipated. It's the goal of the WSRP to maintain essential public health and safety services, and minimize adverse impacts on the local economy and the environment.

ANTICIPATING A WATER SHORTAGE

To avert or respond to a water shortage City staff need to monitor environmental and infrastructure conditions that could disrupt the water supply.

ENVIRONMENTAL CONDITIONS

The Washington Department of Ecology maintains a thorough list of resources for assessing the potential for seasonal water shortages. This list can be found at the following link:

<http://www.ecy.wa.gov/programs/wr/ws/wtrsupply.html>

Table 1 shows additional websites that are useful for assessing environmental conditions that could contribute to a water shortage.

Table 1: Useful Websites for Assessing Water Shortage Conditions

Indicator	Organization	Website	Comments
General	Department of Ecology	ecy.wa.gov/programs/wr/supply/	
Groundwater	USGS Groundwater Watch	groundwaterwatch.usgs.gov	See site number 465033122570202
	Thurston County Monitoring Data	thurstoncountywa.gov/sw/Pages/monitoring-dashboard.aspx	
Drought Conditions	National Integrated Drought Information Center	drought.gov	
	National Drought Mitigation Center	droughtmonitor.unl.edu	
	NWS Climate Prediction Center: Drought Information	www.cpc.ncep.noaa.gov/products/Drought/	
Streamflow	USGS WaterWatch	waterwatch.usgs.gov	See site number 12080010
Snowpack	NRCS National Water and Climate Center	www.wcc.nrcs.usda.gov/snow/	
Climate	NWS Climate Prediction Center: Three Month Outlook	www.cpc.ncep.noaa.gov/products/predictions/long_range/seasonal.php?lead=1	
	NWS Climate Services	http://w2.weather.gov/climate/	Recent weather data for Olympia Airport
	PRISM Climate Group	prism.oregonstate.edu/	Historical climate data

In addition to the external data sources listed above, data from the City's monitoring and production wells (water levels, specific capacity, etc.) can be useful for assessing environmental conditions that might suggest an imminent water shortage. While our groundwater supplies are generally protected from short-term drought conditions, periods of sustained drought can impact water levels which have the potential to reduce well production capacities.

Using the environmental indicators described above, staff can forecast the ability of the water utility to meet summer demand. City staff should begin monitoring environmental conditions in February or March in anticipation of the yearly summer demand spike.

INFRASTRUCTURE CONDITIONS

The City of Tumwater operates 11 groundwater wells. Three of these wells (wells 9, 10 and 11) are typically only used in the summer months while the rest are used year-round. Table 2 shows the percentage of monthly production that each well provided from January thru September 2017.

Table 2: Percentage of Monthly Production for Each City Well.

Well Field	Well	January - May	June - September
Palermo	Well 4	7%	6%
	Well 6	8%	6%
	Well 8	6%	5%
	Well 16	6%	5%
	Well 17	6%	5%
Port	Well 9	0%	6%
	Well 10	0%	2%
	Well 11	0%	3%
	Well 15	6%	11%
Bush	Well 12	14%	12%
	Well 14	49%	40%

City staff monitor specific capacity annually at production wells to identify when a well requires rehabilitation. When capacity declines noticeably the City will investigate rehabilitation. In addition to specific capacity, staff should regularly assess well yield, pump limitations, and other operational conditions that could reduce well production.

CUSTOMER PORTFOLIO AND DEMAND CYCLE

Demand patterns are addressed in detail in the 2019 Water System Plan. The information provided below is meant to provide context for the WSRP. As of July 2017 the City of Tumwater has approximately 7,900 active service connections. The vast majority (84%) of these accounts are residential with institutional, commercial, and industrial (ICI) accounts making up the second largest category. Residential and ICI accounts are also the largest users of water, making up nearly 80% of all the consumption in the City. Table 3 shows the full summary of the main account types and their associated consumption.

Table 3: Water Consumption by Account Type

Account Type	Percent Active Accounts	Percent Total Consumption
Mobile Home Parks	0.1%	1.2%
Fill Stations & Hydrant Meters	1.2%	0.3%
Multi-Family	2.5%	8.6%
Irrigation	3.1%	11.2%
ICI	8.6%	35.9%
Residential	84.5%	42.8%

Every summer water consumption increases dramatically. From 2014 to 2016 monthly average consumption during the non-irrigation season (October – May) averaged 90,000 ccf compared to an average of 167,000 ccf during the irrigation season (June – September). Maximum day demand (MDD) is the highest 24-hour demand that occurs in a calendar year. MDD generally occurs on or near the

warmest day of the year, or within a prolonged period of warm, dry weather in July or August. For forecasting purposes, MDD can be estimated by multiplying average day demand ADD by 2.04, the City's current peaking factor as described in the 2019 Water System Plan. Table 4 below shows MDD and date of MDD for 2012-2017.

Table 4: Maximum Day Demand 2012 - 2017

	2012	2013	2014	2015	2016	2017
Maximum Day Demand (mgd)	5.969	5.396	5.758	6.975	5.933	6.8
Date of Maximum Day	8/16	8/19	8/11	7/8	8/15	8/2

In 2017 the MDD occurred on August 2nd after the 3-day average temperature reached 93 degrees. The Figure 1 illustrates demand fluctuations over the summer 2017 which are typical for the City.

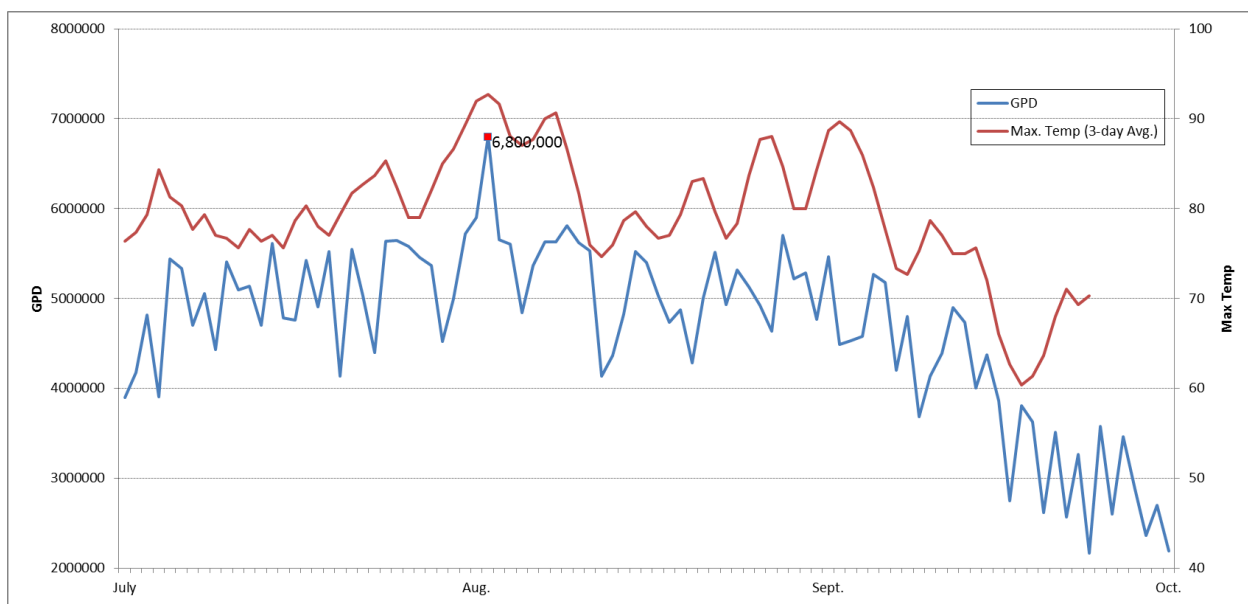


Figure 1: GPD Production and Maximum Temperature, Summer 2017

RESPONDING TO A WATER SHORTAGE

The WSRP involves four stages of phased response. These different stages can be triggered by environmental, infrastructure, or emergency factors. When possible, the stages will be implemented progressively to provide City staff, cooperating agencies and the general public with time to adjust to any new requirements.

The four stages of the WSRP are as follows:

- **Stage 1: Advisory – Voluntary Reductions.** Water Resources staff evaluate operational and environmental conditions and collaborate with other departments to determine the likelihood of a shortage and to facilitate next steps. The public is encouraged to use water wisely. This stage is implemented every summer in preparation for high seasonal demand.
- **Stage 2: Minor Shortage – Voluntary Reductions.** This is the first step in reducing water consumption during a real or impending water shortage. Based on previous studies, a 5% - 10%

reduction in water consumption can realistically be achieved with a voluntary program.

- **Stage 3: Moderate Shortage – Mandatory Restrictions.** Under a mandatory program, it is possible to achieve a 10% - 20% reduction in water usage. An appropriate response at this level is to institute mandatory conservation measures for nonessential outdoor uses and revising the utility rate schedule. These activities are enforceable under the authority of City's water code (TMC 13.04.170).
- **Stage 4: Severe Shortage – Emergency Curtailment.** After implementing emergency curtailment measures, it is possible to achieve a 30% reduction in water consumption. Appropriate responses might include fixed allotments or percentage cutbacks, but should only be initiated during a severe shortage. This type of program will allow the City to conserve the maximum amount of water without creating hardship, and would have to be enforced through action by Council.

TRIGGERS

ENVIRONMENTAL

In anticipation of high demand each summer the City will enter Stage 1 of the WSRP. Other environmental conditions, such as low aquifer levels, may trigger implementation of the WSRP or an increase in stage. Tumwater's water system operators will work with water resources staff to identify environmental conditions that may impact well performance or water availability.

SUPPLY LIMITATIONS

The City uses a metric called Present Possible Production (P3) to assess the water utility's ability to meet demand. P3 is expressed in million gallons per day (MGD) and represents the upper limit of sustainable production capacity based on a maximum pumping duration of 22 hours per day to allow adequate downtime for the pumps. To calculate P3, first determine the current capacity of each useable well expressed in gallons per minute (GPM). Current capacity is considered the average GPM, during a pumping cycle, for each well over a week of production. Sum the capacities for each well and calculate the total production potential over 22 hours of pumping. Different stages of the WSRP are triggered when daily demand exceeds certain thresholds relative to the P3 value. These thresholds are shown in Table 5.

Table 5: WSRP Daily Demand Triggers

Stage	Stage Triggers
1	Every Summer
2	> 90% of P3 for 3 days, or
	> 95% of P3 for 1 day
3	> 95% of P3 for 3 days, or
	> 97% of P3 for 1 day
4	100% of P3 for 1 day

Other infrastructure considerations that may trigger WSRP implementation include water main

breaks, booster pump failures, etc.

EMERGENCY

The context of a specific emergency will determine if it's necessary to initiate the WSRP. For example, during a theoretical emergency at the Palermo treatment plant during the winter months that requires removing that wellfield from production, the City could make up the lost production by running other wells longer or (with approval from Ecology) activating seasonal wells in the Port wellfield. If this same emergency occurred in the summer when all 11 primary wells are pumping 20+ hours per day, making up lost production would not be possible with operational adjustments alone. In this scenario the City would likely need to activate some of the conservation measures and/or restrictions outlined in this plan to keep up with high demand.

If an emergency occurs that will impact the water supply Water Resources staff will work with Operations to calculate the new P3 value based on revised production capacity. Staff will look at daily demand for the preceding month and determine if any of the P3 triggers described above would have been met. Staff will forecast demand for the coming months to determine if it is necessary to activate the WSRP. The severity and timing of the emergency will be critical factors to consider. For example, if the water supply impact is expected to last a long time or worsen over time staff should consider implementing the WSRP even if it looks like the short-term impact is not significant. Or, if the emergency occurs in the fall after the peak demand season, staff should consider that demand will naturally decrease in the winter months.

IMPLEMENTATION

The Operations and Maintenance and Water Resources Program managers within the Public Works Department have the primary responsibility of identifying water system supply and demand conditions that may lead to a water shortage. When environmental or operational conditions trigger a need for demand reduction these managers will convene a meeting to discuss options. This group will evaluate conditions and develop recommendations regarding the implementation of the WSRP. Pending approval from the Director of Public Works, this group will coordinate with other departments and staff to implement the plan.

By April of each year Water Resources staff will prepare a brief memo summarizing recent and forecast environmental conditions that could impact the water supply such as low groundwater levels or drought predictions. Every summer the City will implement Stage 1 of the WSRP, but if environmental conditions warrant it staff may choose to take extra steps to promote water conservation.

Each year after the City activates seasonal wells (typically by early to mid-June) and implements Stage 1 of the WSRP staff will calculate the P3 value and begin tracking daily demand. Staff will track daily demand every year from July thru September and as needed any time the WSRP is activated. At the end of the summer staff will prepare a brief memo summarizing the peak demand season.

Actions the City can take to address a water shortage can be grouped into two categories: supply augmentation and demand reduction. Because demand is significantly lower in the fall, winter, and

spring there are more options for keeping up with demand through increased production without relying on reducing consumption. In the event of a summer water shortage keeping up with demand would rely more heavily on conservation (demand reduction), although the City does have some flexibility to augment supply with emergency sources.

Water rights are an important consideration with any type of supply augmentation. Each well that the City operates is allowed a certain maximum flow rate (Q_i) and annual volume (Q_a). The City currently operates within its water rights, but a significant increase in the pumping rate or duration at any single well could put the City out of compliance. Before undergoing any drastic supply augmentation the City will analyze the impact to its annual allowance. If the added pumping is projected to exceed water rights then the City will work with Ecology to secure emergency authorization.

SUPPLY AUGMENTATION

INCREASE PUMPING TIME

The day to day cycles of the water system are largely automated by a supervisory control and data acquisition (SCADA) system. Pumps are switched on and off when reservoir levels reach certain set points. Figure 2 shows the average monthly on/off time for the City's 11 wells.



Figure 2: Typical ON/OFF Duration by Month for City Wells

This figure helps illustrate the typical amount of surplus capacity that exists each month from January thru August. On August 2nd, 2017 when the City reached its maximum daily demand (6.8 mgd) each well pumped for approximately 20 hours. To provide adequate downtime for the pumps they should

generally not operate longer than 22 hours a day.

ACTIVATE SOURCE

Wells 9, 10, and 11 are used as seasonal sources of supply and in the summer these wells account for a total of 11% of the City's production. The water rights for these wells restrict their use to May – October, but in the event of a water shortage emergency the City can request authorization from Ecology to pump outside of this timeframe.

Prior to 2019 the City maintained an emergency source of supply on the Tumwater Valley Municipal Golf Course near the Palermo wellfield. This well, known as well 24, was formerly used by the Olympia Brewery and is capable of yielding approximately 500 gpm with an appropriately sized pump. This well no longer serves as an emergency source of supply to the City and has been disconnected from the distribution system. The City will operate this well as an exempt well and has agreed to allow access to no more than five customers who intend to use this untreated source for non-consumptive commercial purposes.

ACTIVATE INTERTIE

The City of Tumwater and City of Olympia maintain two emergency system interties to share water in the event either jurisdiction suffers a critical loss of service. The specific requirements for use of these interties are outlined in the 2001 Mutual Aid Agreement between the Cities of Tumwater and Olympia for the Use of Emergency Water System Interties. A copy of this agreement is found as an attachment to the 2019 Water System Plan.

Both interties must be manually operated by Olympia and Tumwater. Water transfer to the City of Tumwater through the 8-inch intertie at SR 101/Crosby requires a portable booster pump as Olympia's pressure zone is at a substantially lower elevation than the adjacent Tumwater 454 Zone. At the 6-inch intertie located near Capital Boulevard the two jurisdictions' pressure zones are almost hydraulically equivalent. A portable booster pump can be installed to pump water from either system through either intertie as necessary.

DEMAND REDUCTION

In the event of a water shortage the City can maintain an adequate water supply by reducing demand. Staff has the discretion to use whatever tools are appropriate given the severity of the water shortage.

PUBLIC OUTREACH

Public outreach is critical to reducing water demand. Every spring prior to the peak demand season the City will conduct public outreach to stress the importance of water conservation through social media, the City's consumer confidence report (CCR), etc. If indicators point to a supply concern beyond normal summer peak demand staff will increase outreach efforts. These efforts will outline

the severity of water shortage, actions the City will take to alleviate the problem, and what individual consumers can do to help. Outreach for water shortages associated with summer peak demands should focus on outdoor water use while shortages during other times of the year should focus on indoor water use. Table 6 describes some specific tools the City may elect to use.

Table 6: Public Outreach Tools Available to the City Related to Severity of Water Shortage

Water Shortage Severity	Public Outreach Toolkit
Low  High	Reminders to use water wisely (social media, bill inserts, CCR, Johnson box, etc)
	Promote City and LOTT incentive programs (social media, bill inserts, CCR, Johnson box, etc)
	Conservation banner over Tumwater Blvd
	Prepare and distribute technical conservation information to specific consumer types
	Special purpose utility mailing
	News release to announce severe shortage
	News release to announce water use restrictions and prohibitions

WATER CONSERVATION ON CITY ACCOUNTS

The City of Tumwater irrigates many different properties including parks, City buildings, and right(s)-of-way and is one of top water users in the summer. The City can achieve significant water savings by reducing consumption on City properties. Doing so can send an important message to customers about water scarcity and the importance of conservation. If the City is asking its customers to cut back on water use during a shortage it is important that we demonstrate that we are willing to do so as well. Conservation messages posted on the City's irrigated landscapes could be an effective component of an outreach campaign. The Table 7 shows irrigation related conservation measures the City should take at different stages of a summer water shortage.

Table 7: Irrigation Related Conservation Measures Related to Severity of Water Shortage

Water Shortage Severity	City of Tumwater Conservation Toolkit
Low  High	Promote water conservation practices within the City through internal publications, conversation, etc.
	Reduce irrigation on City properties
	Reduce water use for main flushing, car washing, street cleaning, power washing, etc.
	Let irrigated turfgrass go dormant (include educational signage)
	Convert turfgrass to a drought tolerant landscape
	Restrict irrigation on City properties
	Restrict main flushing to emergencies only
	Reduce system pressure to permissible levels

COOPERATIVE DEMAND REDUCTION

The City has a few significant commercial/institutional water users in its customer portfolio. Through cooperation with these entities the City may be able to reduce overall demand or peak summer demand for a short period of time. In the event of a water shortage staff will use the City's database tools to determine who the current major users are and reach out to these customers directly to request that they reduce consumption. The City may ask large users to reduce consumption by a certain percentage or may offer to conduct a free water use audit to determine if further reductions are possible.

RESTRICTIONS AND PROHIBITIONS

Water use restrictions and prohibitions are applied differently to three separate types of use. *Essential* uses are those needed to sustain human and pet life, maintain standards of hygiene and sanitation, and firefighting. *Social* uses include commercial applications such as car washes, laundromats, restaurants, agricultural irrigation, schools, churches, motels, etc. *Non-essential* uses are outdoor uses such as landscape watering, golf course irrigation, power washing, personal car washing, etc.

The demand reductions for Stage 1 of the WSRP are achieved through voluntary measures. Restrictions begin in Stage 2 for non-essential uses and expand to social uses in Stage 3 and essential uses in Stage 4. Prohibitions apply to non-essential uses in Stages 3 and 4. Table 8 below shows how restrictions and prohibitions are applied at different stages of the WSRP.

Table 8: Application of Restrictions and Prohibitions Based on WSRP Stage

Use Type	Stage 1: Advisory	Stage 2: Minor Shortage	Stage 3: Moderate	Stage 4: Severe Shortage
Essential Uses	Voluntary Conservation	Voluntary Conservation	Voluntarily Conserved	Restrictions
Social & Economic Uses	Voluntary Conservation	Voluntary Conservation	Restrictions	Restrictions
Non-Essential Uses	Voluntary Conservation	Restrictions	Prohibitions	Prohibitions

The specific regulations enacted by the City are at the discretion of the Public Works Director. These restrictions or prohibitions may target specific uses or broadly address use types depending on the nature and severity of the water shortage. The Table 9 lists a variety of measures the City could implement to reduce water consumption during a shortage.

Table 9: Water restriction measures the City may consider in a water shortage.

Water Shortage Severity	Water restrictions and prohibitions toolkit
Low  High	Require that customers use the minimum quantity of water needed to maintain landscapes in a healthy, non-dormant condition
	Implement odd/even watering schedule for irrigation (even numbered addresses on even numbered days, odd numbered addresses on odd numbered days)
	Time of day restriction for irrigation (6 am to 9 am, 6 pm to 9 pm)
	Sprinkler bans (hand watering only)
	Prohibit potable water use for golf course irrigation
	Prohibit filling wading pools, swimming pools, and hot tubs
	Prohibit vehicle washing except at commercial facilities that reuse water
	Prohibit washing driveways, sidewalks, buildings, fences, or windows.
	Prohibit outdoor water use for aesthetic fountains or ponds
	Prohibit "water waste"
	Prohibit firefighting training activities
	Rescind hydrant permits
	Prohibit or limit the installation of new water meters
	Prohibit water waste from leaks or breaks in private distribution systems. Require repairs within reasonable timeframe.
	Restrict water for construction purposes (dust control, etc.)
	Require commercial kitchens to post bulletin alerting customers to water shortage. Businesses advised to only offer water when specifically requested
	Water consumption permitted for essential indoor use only
	Require that residential customers reduce water use by a percentage
	Require that commercial customers reduce water use by a percentage
	Implement severe restrictions on irrigation accounts
	Water rationing

Variances

To soften the impact of these restrictions the City may elect to establish certain variances that would allow certain types of uses when restrictions or prohibitions are in effect. Some variances that the City may consider include:

- Newly planted flowers, plants, shrubbery, groundcover or trees may be hand watered any day of the week if the watering done is the minimum needed to sustain plant life
- Outdoor water use allowed for food production
- Outdoor washing permitted if it is required to prevent imminent damage
- Single-family and multifamily residential customers using less than 400 cubic feet of water

per month per customer or per housing unit shall be exempt from the requirement to reduce non-irrigation use

- Reclaimed water allowed for dust control or power washing
- Golf course watering allowed on greens and tees
- Certain recreational outdoor uses allowed if temperature is over 90 degrees

Authority

Tumwater Municipal Code, Chapter 13.04.170 contains provisions that allow the City to restrict water use in the event of a water shortage. This section of the water service regulations states the following:

The City reserves the right in the case of shortage of waters, or for any other cause, to make any order regulating, forbidding or restricting the use of water for irrigation or sprinkling or any other nonessential outside usage.

The Public Works Director, or their designee, is authorized to enforce the provisions of this section and any adopted use restrictions; the Director shall have the authority to authorize other City employees and departments to enforce such provisions and restrictions as deemed necessary, in consultation with the City Administrator. The City Council may need to be called on to take legal action through an ordinance, motion, resolution, and/or proclamation in order to restrict essential uses or social and economic uses during a severe shortage.

Enforcement

To enforce water use regulations during a stage 2 water shortage City staff will be directed to discuss regulations with customers and request compliance when these regulations are violated. During a stage 3 or 4 water shortage the City will begin to assess penalties to incentivize conservation. To facilitate the enforcement of water use regulations by Water Resources staff at these stages the City will do the following:

- Print self-duplicating “Notice of Violation” forms. One to be given to the customer and the other will be kept on file at the City
- Provide informational memo to all City staff alerting them to the new regulations
- Establish a process for reporting violations observed by City employees and the general public
- Establish a process for recording violations

Initial contact with violators will be made by Water Resources staff following visual confirmation of the reported violation. Contact will be in person or by phone and the goal will be to educate the customer about new regulations. Staff will record this as a first violation and inform the customer about the penalties to be levied after further violations. Future violations at the same location or by the same owner/operator will be subject to the terms outlined below. Multiple violations occurring on the same day will be treated as one violation. Each separate daily violation, and each day any violation is committed or permitted to continue, will be considered a separate offense as follows:

- Second Violation
 - On a second offense, the violator will be issued a formal written warning describing

the violation, requiring immediate cessation of the use in question, and advising that future violations will result in penalties. This Notice of Violation will be delivered by registered mail or hand delivered with date and initials of recipient. These written notices will be processed by the City's Public Works Department. There will be no monetary penalty for the second violation.

- Third, fourth, and fifth violations
 - On a third, fourth or fifth offense, the violator shall be issued another written notice and penalties will be imposed. The fine for a third offence is \$50, fourth is \$150, and fifth is \$350.
- Further violations
 - Sixth or subsequent violations will be fined a penalty of \$400.

Any monetary penalty imposed under the framework above that is not paid within 30 days from the issuance of the written notice will be added to the customer's water utility bill and collected in the same manner as delinquent accounts.

SUPPLY MONITORING

Throughout the water shortage incident water resources staff will monitor daily water production. If daily production surpasses any of the infrastructure triggers shown in the Triggers section of this plan, water resources and operations staff will discuss implementing a more advanced stage of the WSRP. Staff may elect to *not* increase the WSRP stage if the elevated daily production is believed to be temporary. However, if environmental, emergency or infrastructure conditions suggest a challenge to the water supply staff will increase the WSRP stage and implement the more proactive water conservation measures described above.

ADDITIONAL RESOURCES

The following websites catalogue additional resources that may be useful for planning a response to a water shortage.

- American Water Works Association (AWWA) drought resource community
 - <https://www.awwa.org/resources-tools/water-knowledge/drought.aspx#4429414-response-and-contingency-plans>
- EPA Drought Response and Recovery Guide
 - [https://www.epa.gov/waterutilityresponse/drought-response-and-recovery-water-utilities#Drought Guide](https://www.epa.gov/waterutilityresponse/drought-response-and-recovery-water-utilities#Drought%20Guide)
- Municipal Research and Services Center (MRSC) guide to water shortage use restrictions
 - <http://mrsc.org/Home/Explore-Topics/Environment/Water-Topics/Water-Shortage-Use-Restrictions.aspx>
- The Washington Water/Wastewater Agency Response Network (WAWARN)
 - <https://wawarn.org/>
- Washington Department of Health (DOH) guidance for preparing water shortage response plans
 - http://www.watersupplyforum.org/docs/6/773f6f0d95152843a051c624d028d80d5841da51/Dept.ofHealth_PreparingWaterShortageResponsePlans1.pdf