



CITY COUNCIL WORKSESSION MEETING AGENDA

Online via Zoom

**Tuesday, February 22, 2022
5:30 PM**

1. Roll Call
- [2.](#) Preliminary Docket for 2022 Comprehensive Plan Map and Text Amendments and Corresponding Rezones (Brad Medrud)
- [3.](#) Olympia Tumwater Foundation Update (John Doan)
- [4.](#) Proposed Council Goals for 2023-24 (John Doan)
- [5.](#) Council Rules (John Doan)
6. Mayor/City Administrator's Report
7. Adjourn

Remote Meeting Information

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<https://us02web.zoom.us/j/83798746623?pwd=QVRLVEMxcVFXQ3JUc05sSG5pdYtIU09>

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Call (253) 215-8782, listen for the prompts and enter the Webinar ID 837 9874 6623 and Passcode 097975.

Post Meeting

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<https://tcmedia.org/channels.php>

Accommodations

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TO: City Council
FROM: Brad Medrud, Planning Manager
DATE: February 22, 2022
SUBJECT: Preliminary Docket for 2022 Comprehensive Plan Map and Text Amendments and Corresponding Rezones

1) Recommended Action:

Review the amendments and schedule consideration of which items should go forward for further study in the 2022 Comprehensive Plan Amendment Final Docket by the City Council at the March 1, 2022 regular meeting.

2) Background:

Pursuant to RCW 36.70A.130 and TMC 18.60.025(A)(2), proposed map and text amendments to the City's Comprehensive Plan and corresponding rezones are only considered once per calendar year.

The City's annual 2022 Preliminary Docket of Comprehensive Plan amendments includes two private applications for map amendments filed by the Monday, December 6, 2021 deadline and four City-sponsored Comprehensive Plan text and map amendments.

At their January 25, 2022 worksession, the Planning Commission recommended that all the items in the preliminary docket go forward for consideration as part of the final docket.

At their February 9, 2022 briefing, the General Government Committee recommended that all the items in the preliminary docket go forward for consideration as part of the final docket with the exception of the Bath Littlerock Israel Comprehensive Plan Land Use Map Amendment (TUM-21-1873) and Corresponding Rezone (TUM-21-1872).

The Planning Commission is scheduled to start consideration of the Final Docket of Comprehensive Plan amendments (Ordinance No. O2022-003) in July 2022.

3) Policy Support:

Goal LPP-1: Provide sufficient and efficient services to Tumwater and the Urban Growth Area.

Goal LU-1: Ensure the Land Use Element is implementable and coordinated with all applicable City plans and the plans of other jurisdictions in the Thurston region.

3) Alternatives:

☐ None

5) Fiscal Notes:

This is an internally funded work program task. There are no significant fiscal impacts to the City because of the proposed amendments.

4) Attachments:

- A. Staff Report
- B. Presentation
- C. Letter to the Tumwater Planning Commission from the Applicant regarding the Bath Littlerock Israel amendment

**2022 ANNUAL CITY OF TUMWATER
COMPREHENSIVE PLAN MAP AND TEXT AMENDMENTS AND
CORRESPONDING REZONES**

**PRELIMINARY DOCKET
(ORDINANCE NO. 2022-003)**

STAFF REPORT

CITY COUNCIL WORKSESSION

Introduction

Pursuant to RCW 36.70A.130 and TMC 18.60.025(A)(2), proposed map and text amendments to the City's Comprehensive Plan and corresponding rezones can only be considered once per calendar year and must be considered together.

The first part of the review process for the 2022 Comprehensive Plan amendments is a review of the preliminary docket to determine which items will move on to the final docket for staff review and consideration by the Planning Commission and City Council later this year.

The preliminary docket includes two private applications for a map amendment filed by the Monday, December 6, 2021 deadline for the 2022 Comprehensive Plan amendments from citizens or property owners, and the remaining four proposed amendments are City-sponsored Comprehensive Plan text and map amendments.

Private Map Amendments

1. Wells Littlerock Comprehensive Plan Land Use Map Amendment (TUM-21-1848) and Corresponding Rezone (TUM-21-1804)
2. Bath Littlerock Israel Comprehensive Plan Land Use Map Amendment (TUM-21-1873) and Corresponding Rezone (TUM-21-1872)

City Sponsored Text and Map Amendments

3. Neighborhood Character – Review Comprehensive Plan Housing and Land Use Elements
4. Thurston Climate Mitigation Plan – Update greenhouse gas emission (GHG) targets in the Conservation Element to address HB 2311
5. Essential Public Facilities Amendments

6. Comprehensive Plan Map Amendment and Corresponding Rezone to Change Triangle West of the Dennis Street SW and Linderson Way SW Intersection

The Planning Commission recommendation is that all the proposed amendments in the preliminary docket go forward for further study as part of the final docket.

The General Government Committee recommendation is that all the amendments in the preliminary docket go forward for further review as part of the final docket with the exception of the Bath Littlerock Israel Comprehensive Plan Land Use Map Amendment and Corresponding Rezone, which the City Council considered as part of the Sullivan amendments as part of Ordinance No. O2017-024 in 2017 and 2018.

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A. 2022 PRIVATELY SPONSORED COMPREHENSIVE PLAN MAP AMENDMENTS AND CORRESPONDING REZONES

1. Wells Littlerock Comprehensive Plan Land Use Map Amendment (TUM-21-1848) and Corresponding Rezone (TUM-21-1804)

- Proposal**
1. Amend the City-Wide Land Use Map to change the current Comprehensive Plan land use map designation of the property from Single Family Medium Density Residential (SFM) Comprehensive Plan map designation to Multi-Family Medium Density Residential (MFM).
 2. Amend the City-Wide Zoning Map to change the current zone district of the property from Single Family Medium Density Residential (SFM) to Multifamily Medium Density Residential (MFM).

Applicant Glenn Wells

Owner Marvin L. Beagles

Location Three adjacent parcels located to the south of 7223 Littlerock Road SW

Parcel Number Thurston County Assessor Parcel Numbers 1270-44-30901, 1270-44-30902, and 1270-44-30903

Property Size 2.76 acres

Background

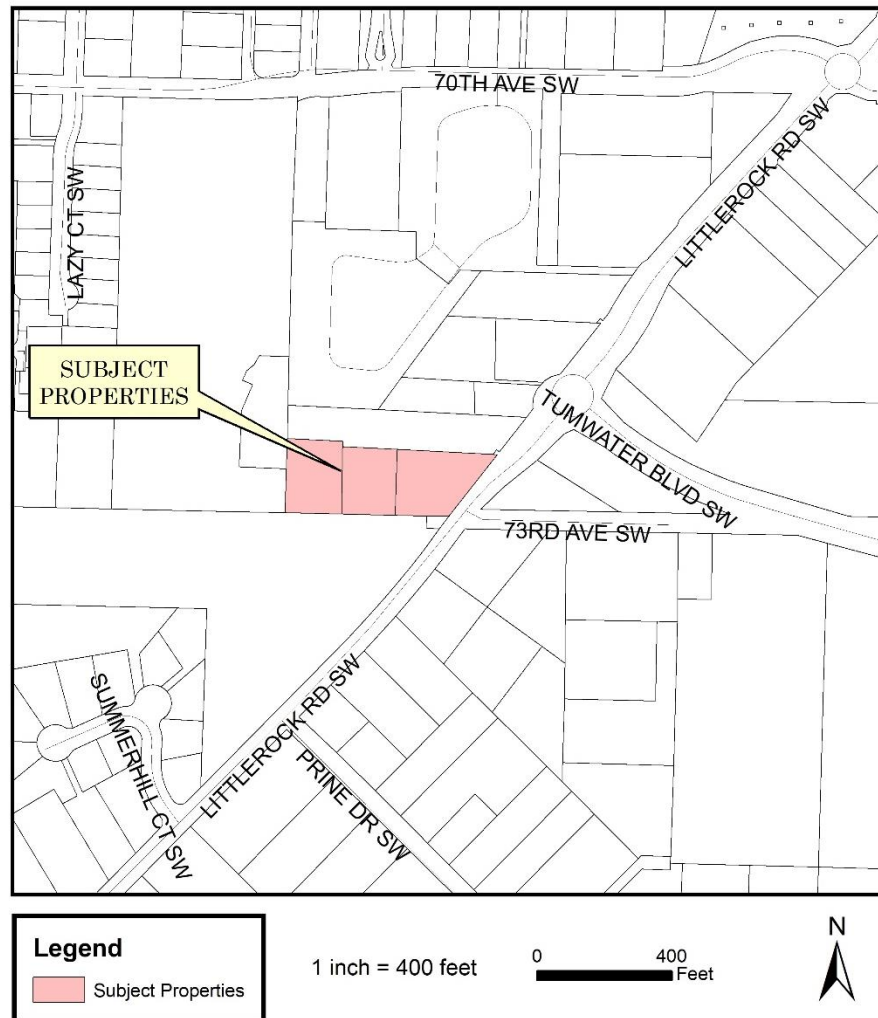
- In accordance with Tumwater Municipal Code 18.60.025(A)(5), applications for 2022 Comprehensive Plan Amendments and associated rezones were due by the first Monday in December (December 6, 2021).
- The City published notice on September 30, 2021 that applications for 2022 Comprehensive Plan Amendments and associated rezones would be due Monday, December 6, 2021.
- The City received the rezone application (TUM-21-1804 (Rezone)) on November 17, 2021.
- Staff sent out a letter of incompleteness for the rezone application (TUM-21-1804 (Rezone)) on December 6, 2021.

- The City received the Comprehensive Plan map amendment application (TUM-21-1848 (CPA)) on December 6, 2021.
- Staff sent out a letter of completeness for the Comprehensive Plan map amendment and rezone applications (TUM-21-1804 (Rezone)/TUM-21-1848 (CPA)) on December 10, 2021.

Maps

Figure 1 (Parcels and Ownership)

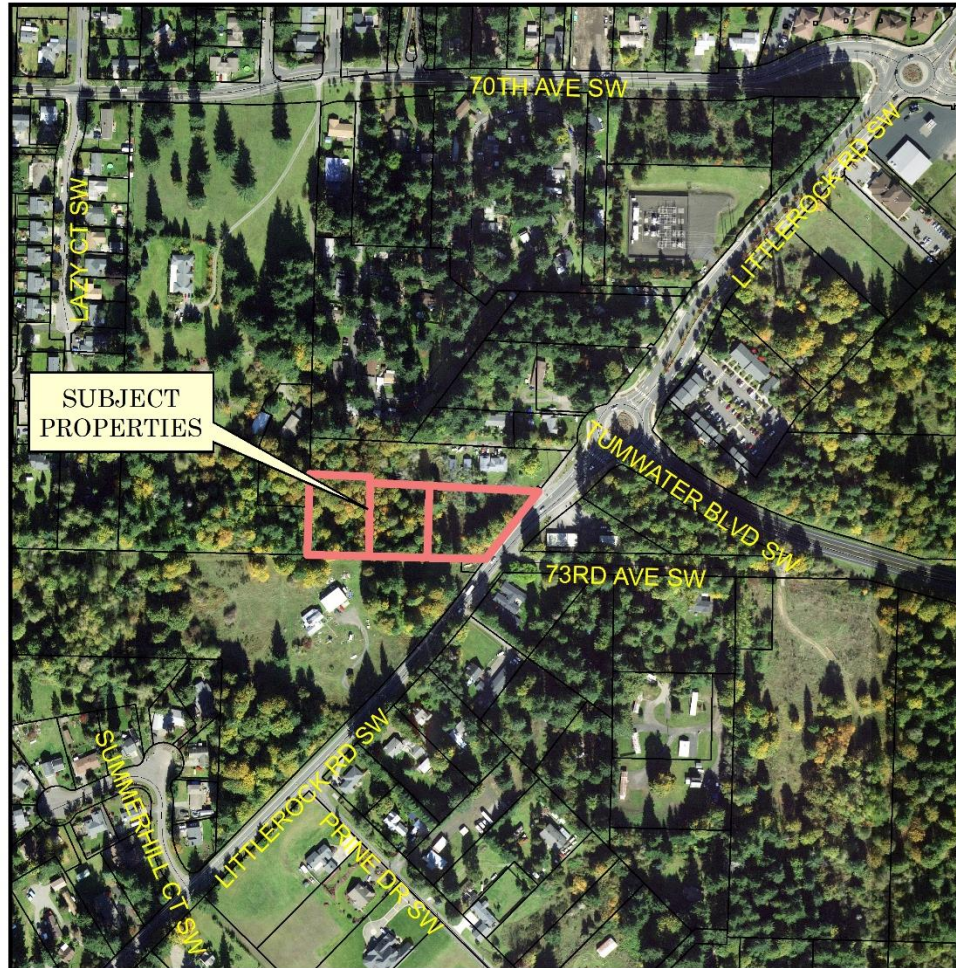
Figure 1 – Wells Littlerock Comprehensive Plan Map Amendment and Associated Rezone
Parcel Map
1270-44-30901, 1270-44-30902, and 1270-44-30903



Map Date: 1-3-2022
MXD: Wells Littlerock Rezone 2022
DISCLAIMER: The City of Tumwater does not warrant, guarantee, or accept any liability for the accuracy, precision, or completeness of any information shown hereon or for any inferences made therefrom.

Figure 2 (2019 Aerial)

Figure 2 – Wells Littlerock Comprehensive Plan Map Amendment and Associated Rezone
Aerial Map (2019)
1270-44-30901, 1270-44-30902, and 1270-44-30903

**Legend**

Subject Properties

1 inch = 400 feet

0 400
Feet



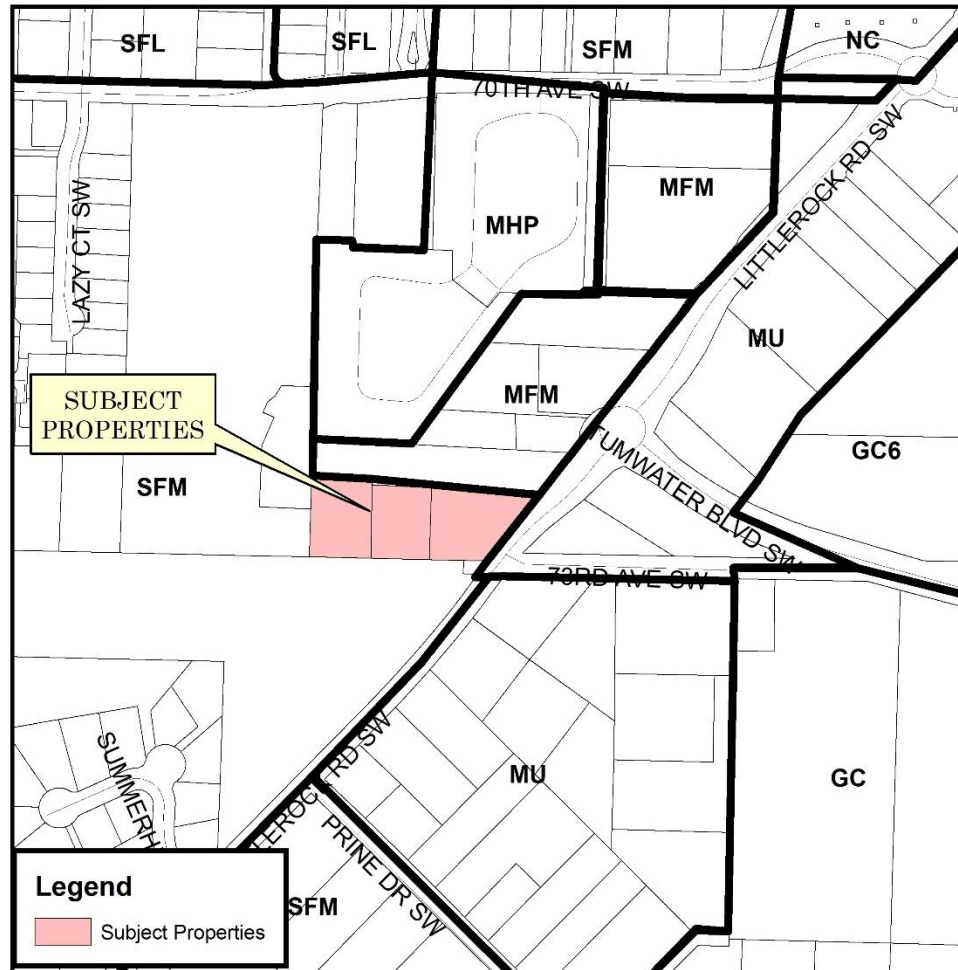
Map Date: 1-3-2022

MXID: Wells Littlerock Rezone 2022

DISCLAIMER: The City of Tumwater does not warrant, guarantee, or accept any liability for the accuracy, precision, or completeness of any information shown hereon or for any inferences made therefrom.

Figure 3 (Zoning)

Figure 3 – Wells Littlerock Comprehensive Plan Map Amendment and Associated Rezone
Zoning Map
1270-44-30901, 1270-44-30902, and 1270-44-30903



2. Bath Littlerock Israel Comprehensive Plan Land Use Map Amendment (TUM-21-1873) and Corresponding Rezone (TUM-21-1872)

Proposal	<ol style="list-style-type: none"> 1. Amend the City-Wide Land Use Map to change the current Comprehensive Plan land use map designation of the property from Mixed Use (MU) Comprehensive Plan map designation to General Commercial (GC). 3. Amend the City-Wide Zoning Map to change the current zone district of the property from Mixed Use (MU) to General Commercial (GC)
Applicant	Peter Condyles
Owner	Dayabir Bath
Location	Two adjacent parcels located at 6940 Littlerock Road SW and 1850 Israel Road SW
Parcel Number	Thurston County Assessor Parcel Numbers 1270-44-11000 and 1270-44-11200
Property Size	1.97 acres

Background

- In accordance with Tumwater Municipal Code 18.60.025(A)(5), applications for 2022 Comprehensive Plan Amendments and associated rezones were due by the first Monday in December (December 6, 2021).
- The City published notice on September 30, 2021 that applications for 2022 Comprehensive Plan Amendments and associated rezones would be due Monday, December 6, 2021.
- The City received the rezone application (TUM-21-1804 (Rezone)) on November 17, 2021.
- Staff sent out a letter of incompleteness for the rezone application (TUM-21-1804 (Rezone)) on December 6, 2021.
- The City received the Comprehensive Plan map amendment and rezone applications (TUM-21-1872 (Rezone) and TUM-21-1873 (CPA)) on December 6, 2021.

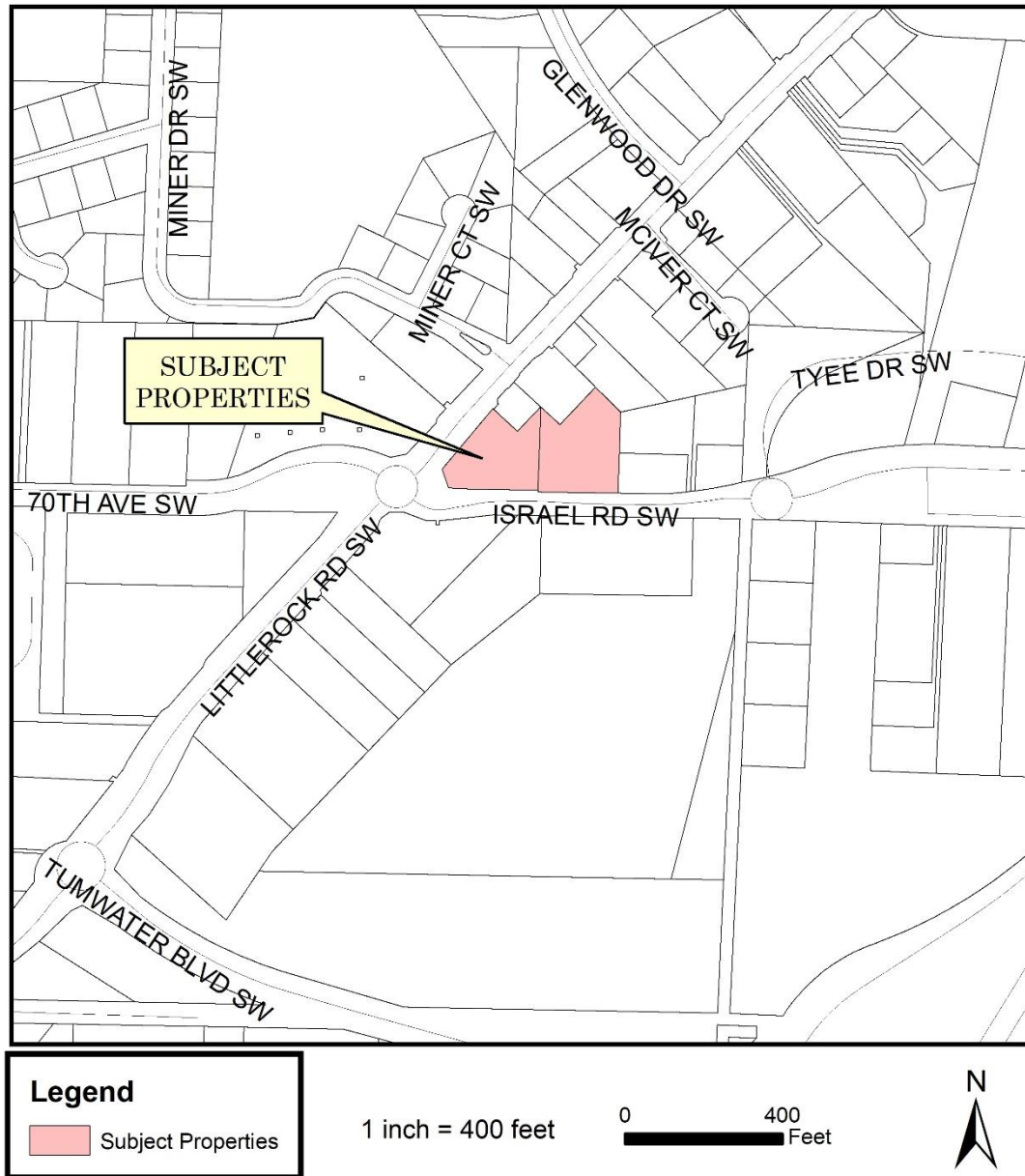
- Staff sent out a letter of incompleteness for the Comprehensive Plan map amendment and rezone applications (TUM-21-1872 (Rezone) and TUM-21-1873 (CPA)) on December 14, 2021.
- Staff sent out a letter of completeness for the Comprehensive Plan map amendment and rezone applications (TUM-21-1872 (Rezone) and TUM-21-1873 (CPA)) on January 3, 2022.
- The two adjacent parcels (1270-44-11000 and 1270-44-11200) of 1.97 acres located at 6940 Littlerock Road SW and 1850 Israel Road SW were part of the proposed 2017 Sullivan Comprehensive Plan Map and Zoning Map amendments (TUM-16-1325) that were considered by the City Council on January 16, 2018 as part of Ordinance No. O2017-024.
- The 2017 amendment changed the Bath Littlerock Israel property, along with four other parcels (Parcels #1 - #6 of Exhibit “B” of Ordinance No. O2017-024), from Mixed Use Overlay (MUO) Comprehensive Plan map designation and zone district to Mixed Use (MU).
- The City Council decided not to support a further amendment of Parcels #1 - #6 of Exhibit “B” of Ordinance No. O2017-024, which included the Bath Littlerock Israel property, to General Commercial (GC).

Maps

Figure 4 (Parcels and Ownership)

Figure 4 – Bath Littlerock Israel Comprehensive Plan Map Amendment and Associated Rezone
Parcel Map

1270-44-11000 and 1270-44-11200



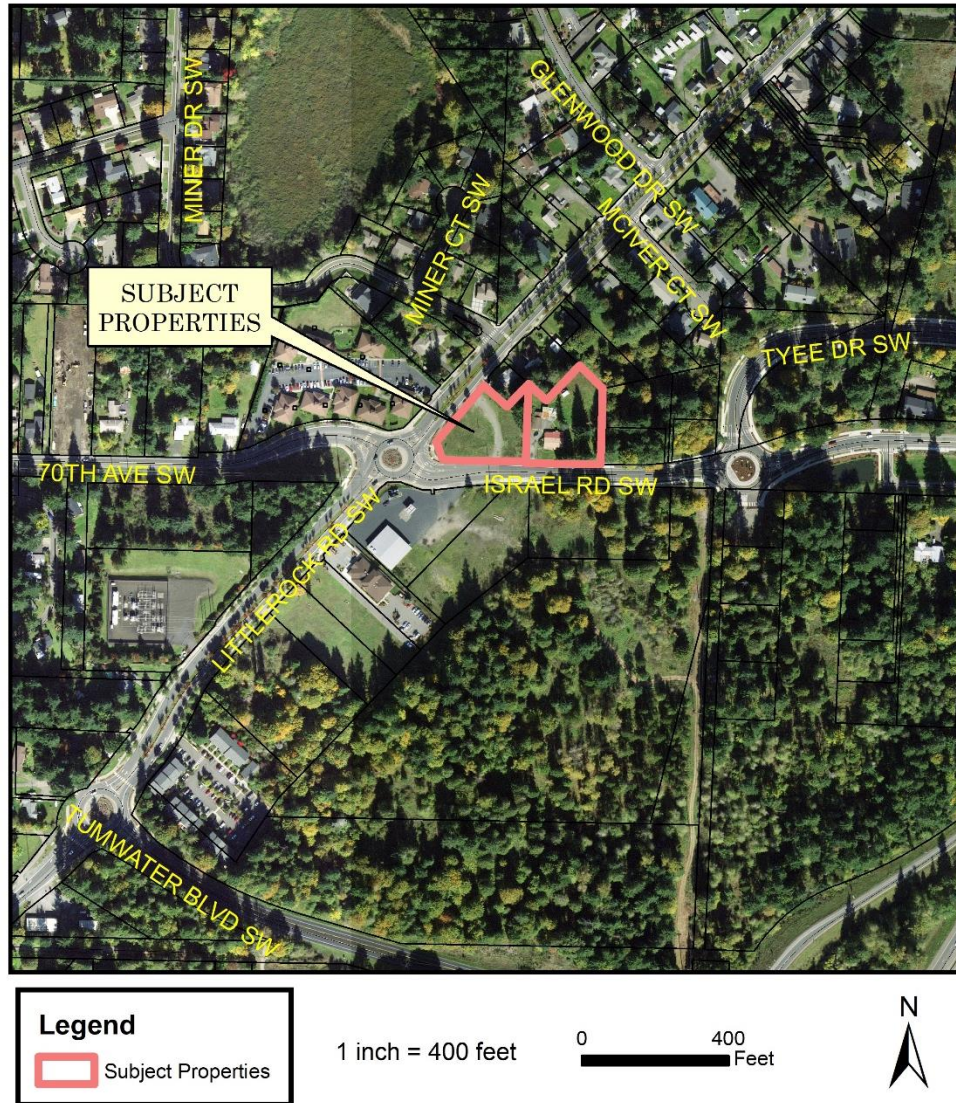
Map Date: 1-3-2022

MXD: Wells Littlerock Rezone 2022

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Figure 5 (2019 Aerial)

Figure 5 – Bath Littlerock Israel Comprehensive Plan Map Amendment and Associated Rezone
Aerial Map (2019)
1270-44-11000 and 1270-44-11200



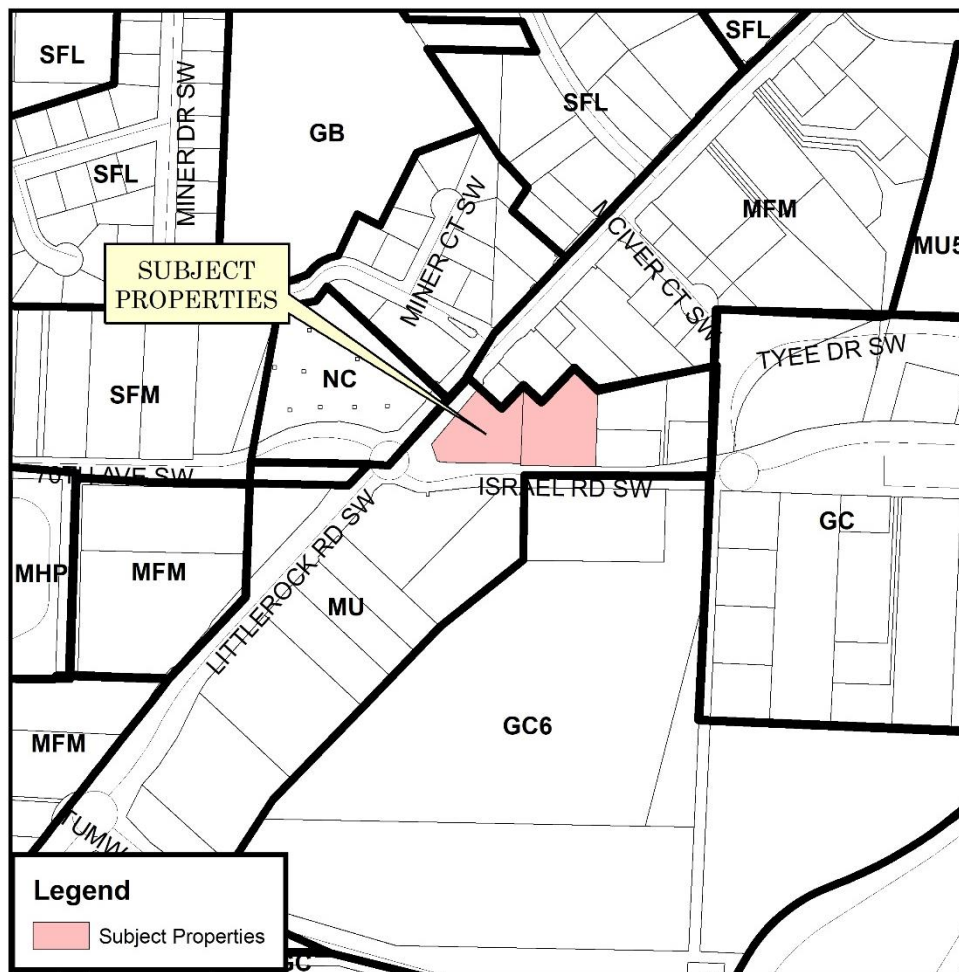
Map Date: 1-3-2022

MXD: Wells Littlerock Rezone 2022

DISCLAIMER: The City of Tumwater does not warrant, guarantee, or accept any liability for the accuracy, precision, or completeness of any information shown hereon or for any inferences made therefrom.

Figure 6 (Zoning)

Figure 6 – Bath Littlerock Israel Comprehensive Plan Map Amendment and Associated Rezone
Zoning Map
1270-44-11000 and 1270-44-11200



Designations
 GB Green Belt
 GC General Commercial
 NC Neighborhood Commercial
 MFM Multi Family Medium Density (9-15/acre)
 MHP Manufactured Home Park
 MU Mixed Use
 SFL Single Family Low Density (4-7/acre)
 SFM Single Family Medium Density (6-9/acre)

1 inch = 400 feet

0 400 Feet



Map Date: 1-3-2022

MXD: Wells Littlerock Rezone 2022

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B. 2022 CITY SPONSORED COMPREHENSIVE PLAN MAP AND TEXT AMENDMENTS AND CORRESPONDING REZONES

3. Neighborhood Character – Review Comprehensive Plan Housing and Land Use Elements

Proposal 1. Review the Comprehensive Plan Housing and Land Use Elements and determine if there are amendments needed to address “neighborhood character.”

Sponsor City of Tumwater

Background

Staff proposes to review the Comprehensive Plan Housing and Land Use Elements to evaluate the use of the term “neighborhood character” in support of the Tumwater Housing Action Plan.

4. Thurston Climate Mitigation Plan – Update greenhouse gas emission (GHG) targets in the Conservation Element to address HB 2311

Proposal 1. Review the Comprehensive Plan Conservation and Land Use Elements and determine if there are amendments needed to address HB 2311.

Sponsor City of Tumwater

Background

The proposed review of Comprehensive Plan policies would support the Thurston Climate Mitigation Plan.

5. Essential Public Facilities Amendments

Proposal 1. Review the Comprehensive Plan Land Use Element and determine if there are amendments needed to address essential public facilities.

Sponsor City of Tumwater

Background

The proposed review of the Comprehensive Plan Land Use Element and determine if there are amendments needed to address essential public facilities such as Inpatient facilities including substance abuse facilities (including but not limited to:

intensive inpatient facilities; long-term residential drug treatment facilities; recovery house facilities).

6. Comprehensive Plan Map Amendment and Corresponding Rezone to Change Triangle West of the Dennis Street SW and Linderson Way SW Intersection

Proposal

1. Amend the City-Wide Land Use Map to change the current Comprehensive Plan land use map designation of the property from Single Family Medium Density Residential (SFM) to Multi-Family High Density Residential (MFH).
2. Amend the City-Wide Zoning Map to change the current zone district of the property from Single Family Medium Density Residential (SFM) to Multifamily High Density Residential (MFH).

Sponsor

City of Tumwater

Location

6501 Linderson Way SW at the western corners of Linderson Way SW and Dennis Street SW

Parcel Number

Portion of Thurston County Assessor Parcel Number 1270-32-40303

Property Size

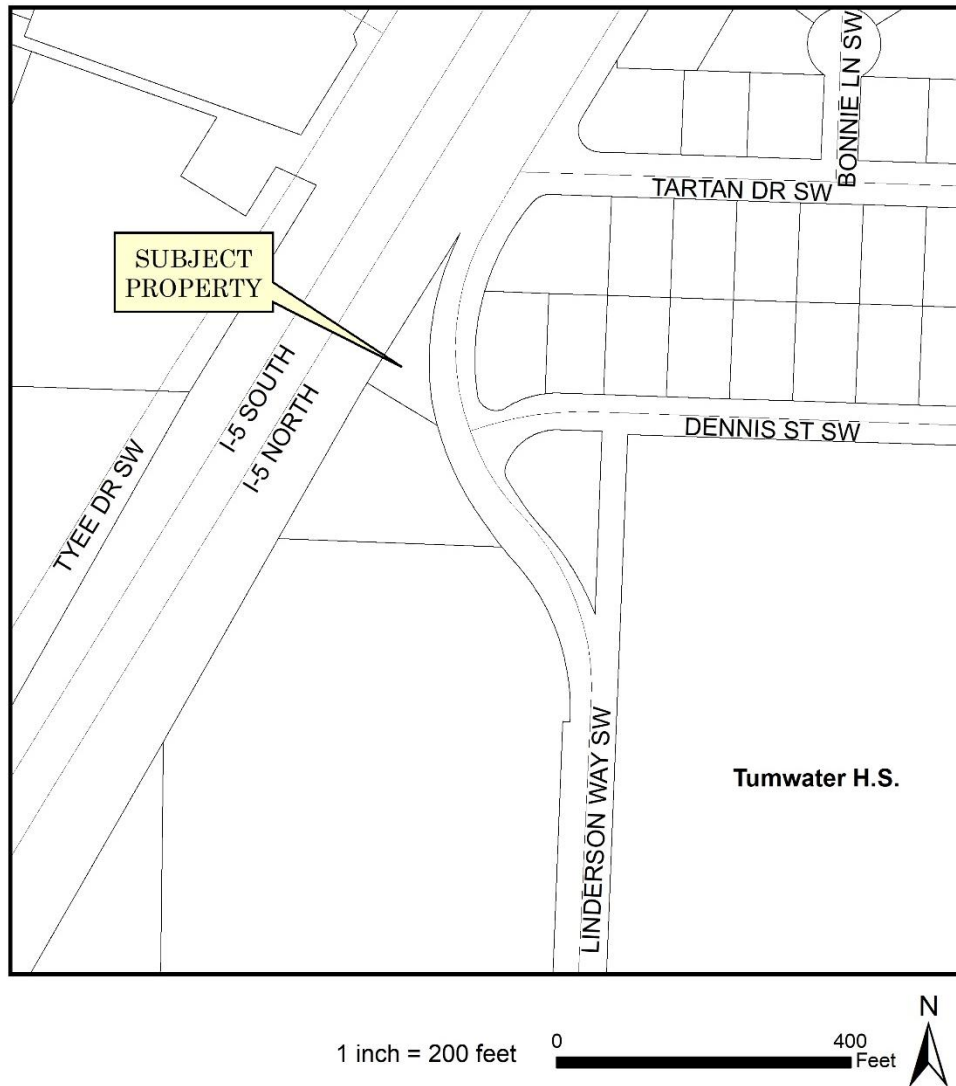
Part of 5.73-acre parcel

Background

- In 2019 Staff proposed a cleanup of the City-Wide Land Use Map and City-Wide Zoning Map
- Figure 10 contains a portion of the 1984 zoning map
- Linderson Way SW used to run along the freeway all the way to Israel Road
- When the road location was changed, the zone district was not changed

Maps**Figure 7 (Parcels and Ownership)**

Figure 7 – Triangle west of the Dennis Street SW and Linderson Way SW
 Comprehensive Plan Map Amendment and Associated Rezone
 Parcel Map
 A Portion of 1270-32-40303



Map Date: 1-3-2022

MXD: Wells Littlerock Rezone 2022

DISCLAIMER: The City of Tumwater does not warrant, guarantee, or accept any liability for the accuracy, precision, or completeness of any information shown hereon or for any inferences made therefrom.

Figure 8 (2019 Aerial)

Figure 8 – Triangle west of the Dennis Street SW and Linderson Way SW
 Comprehensive Plan Map Amendment and Associated Rezone
 Aerial Map (2019)
 A Portion of 1270-32-40303



1 inch = 200 feet 0 400 Feet

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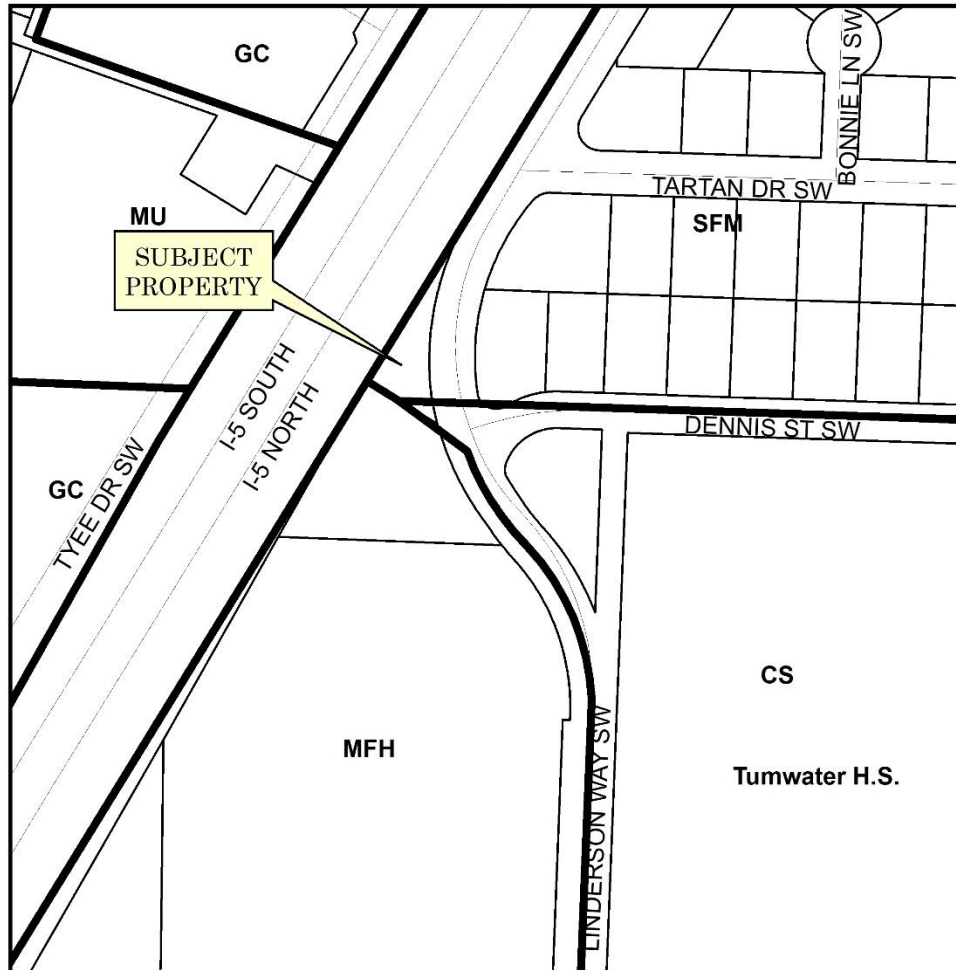
Map Date: 1-3-2022

MXD: Wells Littlelock Rezone 2022

DISCLAIMER: The City of Tumwater does not warrant, guarantee, or accept any liability for the accuracy, precision, or completeness of any information shown hereon or for any inferences made therefrom.

Figure 9 (Zoning)

Figure 9 – Triangle west of the Dennis Street SW and Linderson Way SW
 Comprehensive Plan Map Amendment and Associated Rezone
 Zoning Map
 A Portion of 1270-32-40303



Designations
 CS Community Services
 MU Mixed Use
 MFH Multi Family High Density (14-29/acre)
 SFM Single Family Medium Density (6-9/acre)

1 inch = 200 feet
 0 400 Feet

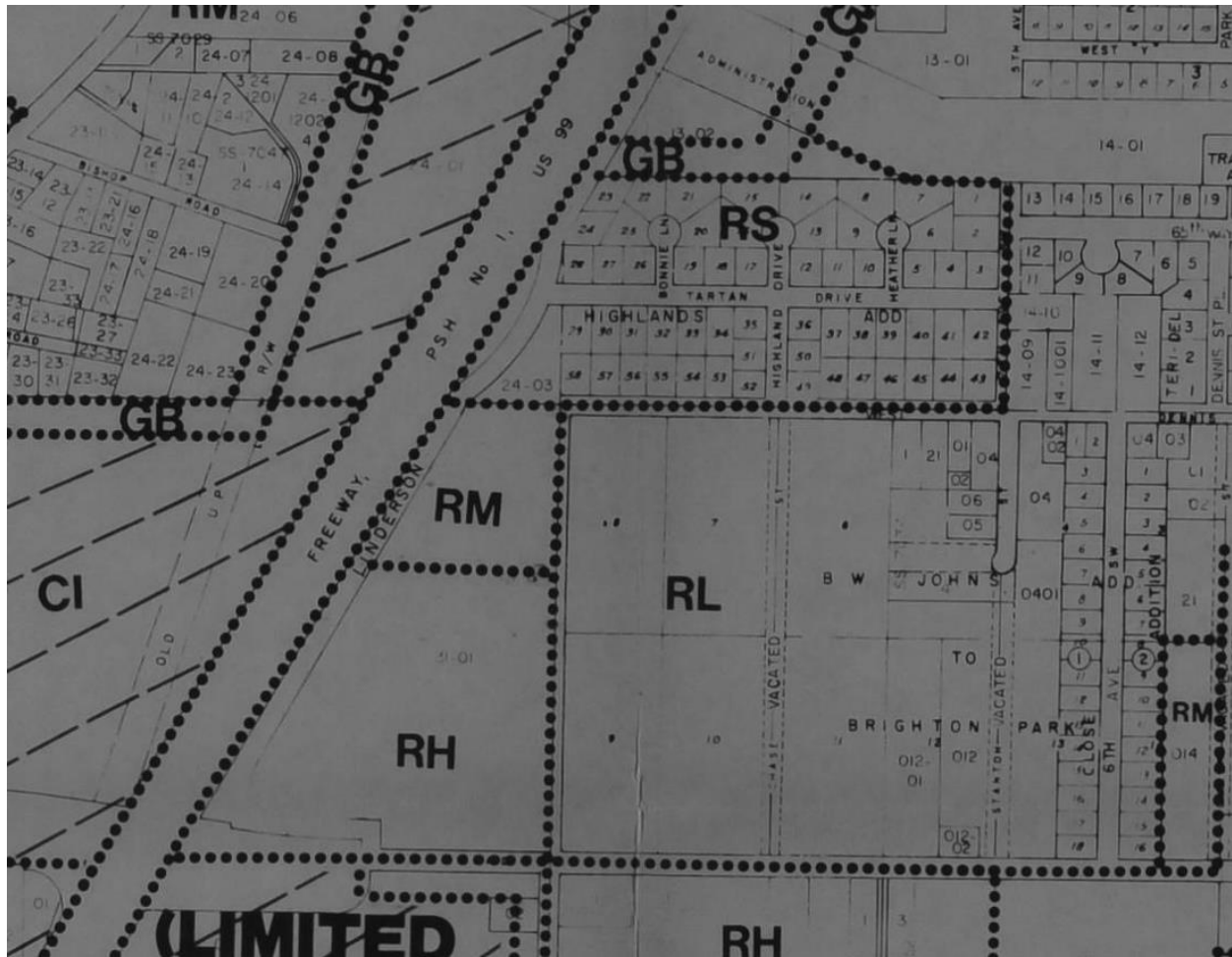


Map Date: 1-3-2022

MXD: Wells Littlelock Rezone 2022

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Figure 10 – Original Alignment of Linderson



Review and Approval Criteria

Comprehensive Plan map and text amendments are subject to the criteria below from Tumwater Municipal Code (TMC) 18.60.025(B):

1. *All amendments to the comprehensive plan must conform with the requirements of the Washington State Growth Management Act, Chapter 36.70A RCW, and all amendments for permanent changes to the comprehensive plan must be submitted to the Washington State Department of Commerce, pursuant to RCW 36.70A.106.*
2. *Text amendments and site-specific rezone applications should be evaluated for internal consistency with the comprehensive plan, and for consistency with the county-wide planning policies, related plans, and the comprehensive plan of Thurston County or cities which have common borders with Tumwater.*
3. *Whether conditions in the area for which comprehensive plan change/zoning amendment is requested have changed or are changing to such a degree that it is in the public interest to encourage a change in land use for the area.*
4. *Whether the proposed comprehensive plan zoning amendment is necessary in order to provide land for a community-related use which was not anticipated at the time of adoption of the comprehensive plan.*

Proposed 2022 Comprehensive Plan Amendment Schedule (Note dates subject to change)

2022 Preliminary Docket Process

Planning Commission

- January 11, 2022 – Planning Commission briefing – Completed
- January 25, 2022 – Planning Commission worksession – Completed

City Council

- February 9, 2022 – General Government Committee briefing – Completed
- February 22, 2022 – City Council worksession
- March 1, 2022 – City Council consideration

2022 Final Docket Process

Notice of Intent and SEPA Review

- July 2022 – Submit Notice of Intent to Commerce
- July 2022 – SEPA Review

Planning Commission

- July 26, 2022 – Planning Commission briefing
- August 9, 2022 – Planning Commission worksession
- August 23, 2022 – Planning Commission hearing

City Council

- September 14, 2022 – General Government Committee briefing
- September 27, 2022 – City Council worksession
- October 4, 2022 – City Council consideration

Public Notification

A Notice of Public Hearing for the Planning Commission will be issued after the Planning Commission establishes a hearing date on the final docket. The notice will be posted in the proposed map amendment area, published as a press release, distributed to interested individuals and entities that have requested such notices, and published in *The Olympian*. Letters notifying all property owners within 300 feet of the exterior boundaries of the proposed map amendment area of the public hearing are expected to be sent out around at the same time.

Staff Conclusions

1. All the proposed Comprehensive Plan map and text amendments and corresponding rezones will need to meet the review and approval criteria found in TMC 18.60.025(B).
2. All the proposed Comprehensive Plan map and text amendments and corresponding rezones will need to be consistent with the goals of the Washington State Growth Management Act.
3. All the proposed Comprehensive Plan map and text amendments and corresponding rezones will need to be consistent with the goals of the Conservation Element of the Comprehensive Plan.
4. All the proposed Comprehensive Plan map and text amendments and corresponding rezones will need to be consistent with the goals of the Housing Element of the Comprehensive Plan.
5. All the proposed Comprehensive Plan map and text amendments and corresponding rezones will need to be consistent with the goals of the Land Use Element of the Comprehensive Plan.

6. The potential impacts of all the proposed 2022 Comprehensive Plan map and text amendments and corresponding rezones will need to be considered together with the criteria found in TMC 18.60.025(B) and proposed amendments should not create any inconsistencies when evaluated together.
7. Based on the above review and analysis, the City Council will need to conclude that all the proposed Comprehensive Plan map and text amendments and corresponding rezones are consistent with the requirements of the Washington State Growth Management Act, Thurston County-Wide Planning Policies, the goals of Sustainable Thurston, and the Comprehensive Plan.

Planning Commission Recommendation

1. The Planning Commission recommends that all the amendments in the preliminary docket go forward for further review as part of the final docket.

General Government Recommendation

1. The General Government Committee recommends that all the amendments in the preliminary docket go forward for further review as part of the final docket with the exception of the Bath Littlerock Israel Comprehensive Plan Land Use Map Amendment and Corresponding Rezone, which the City Council considered as part of the Sullivan amendments as part of Ordinance No. O2017-024 in 2017 and 2018.

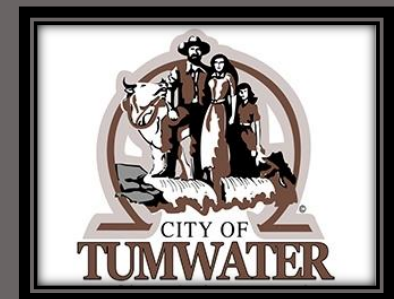
Staff Contact

Brad Medrud, AICP, Planning Manager
City of Tumwater Community Development Department
(360) 754-4180
bmedrud@ci.tumwater.wa.us

2022 Comprehensive Plan Map & Text Amendments and Associated Rezones

Preliminary Docket

February 22, 2022
City Council Worksession



2022 Proposed Amendments

1. Two proposed private map amendments and associated rezones
2. Three proposed public text amendments
3. One proposed public map amendment and associated rezone

2022 Private Amendments

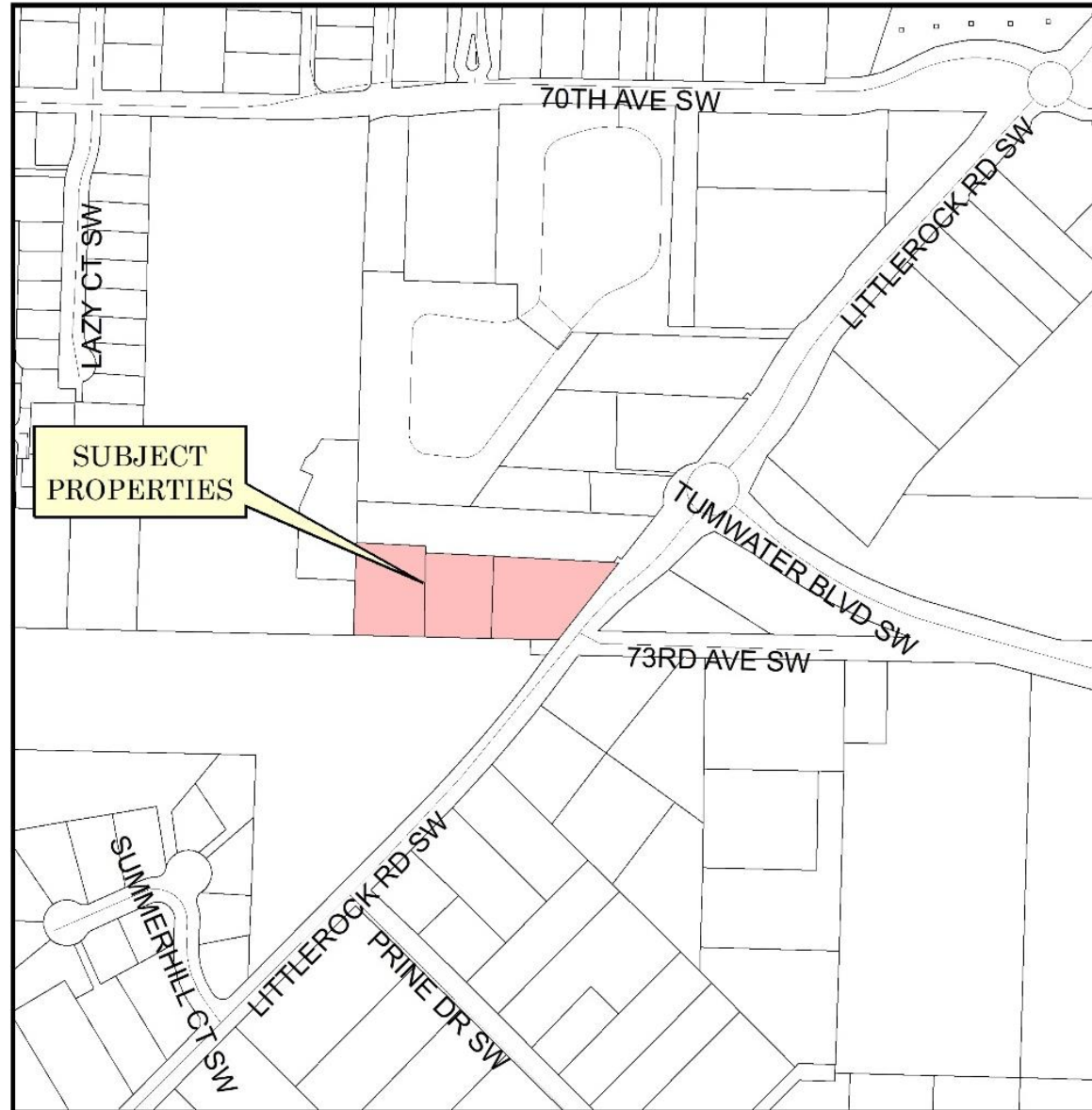
Proposed Private Map Amendments and associated rezones:

1. Wells Littlerock Comprehensive Plan Land Use Map Amendment (TUM-21-1848) and Corresponding Rezone (TUM-21-1804)
2. Bath Littlerock Israel Comprehensive Plan Land Use Map Amendment (TUM-21-1873) and Corresponding Rezone (TUM-21-1872)

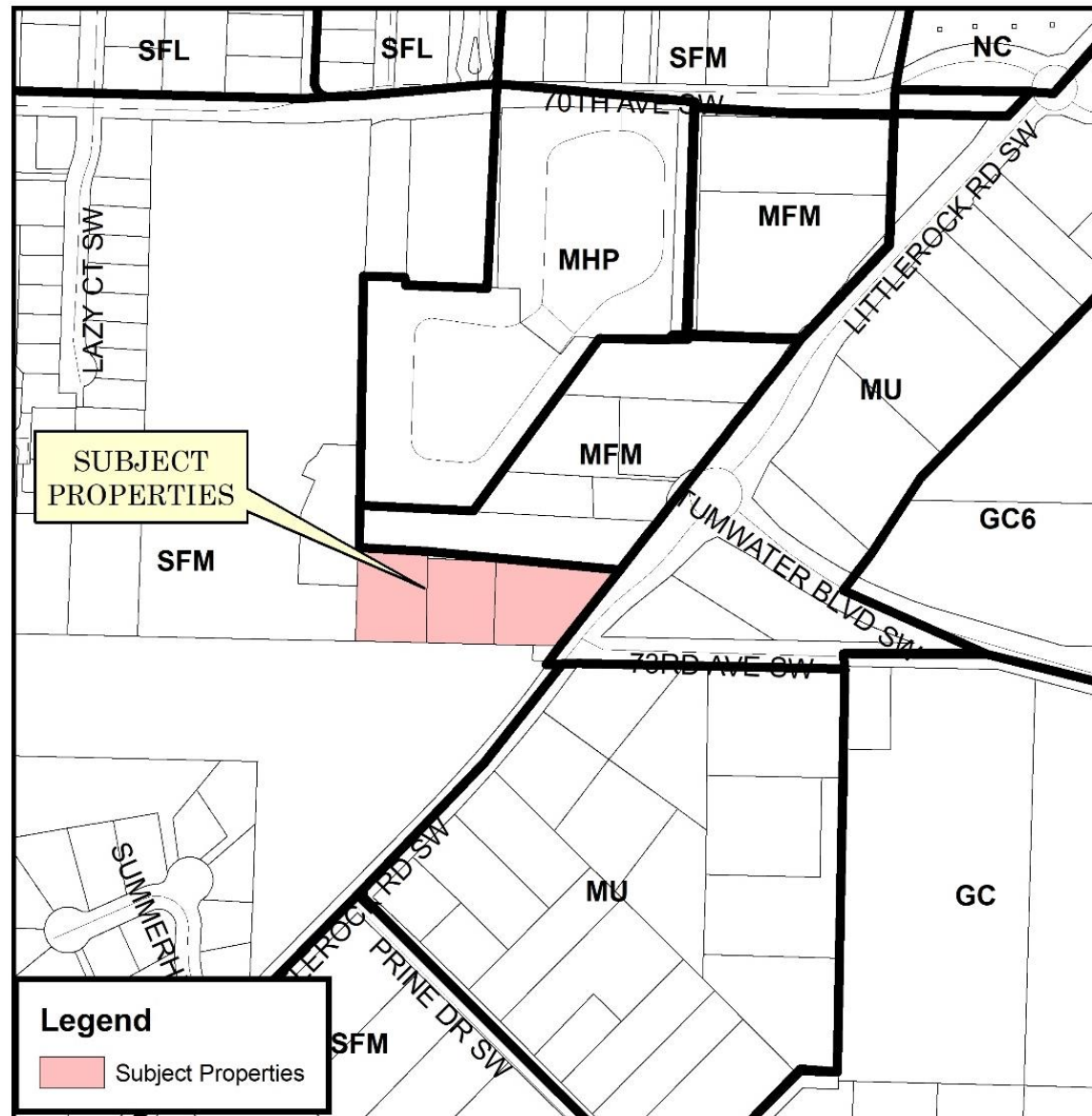
1. Wells Littlerock

Proponent:	Glenn Wells
Owner:	Marvin L. Beagles
Location:	Three adjacent parcels located to the south of 7223 Littlerock Road SW
Parcel Numbers:	1270-44-30901, 1270-44-30902, and 1270-44-30903
Area Size:	2.76 Acres
Current Use:	Vacant

1. Map of Amendment Area



1. Map of Amendment Area



1. Map of Amendment Area



1. Amendment Summary

Current Comprehensive Plan map designation and zone district:

- Single Family Medium Density Residential (SFM)

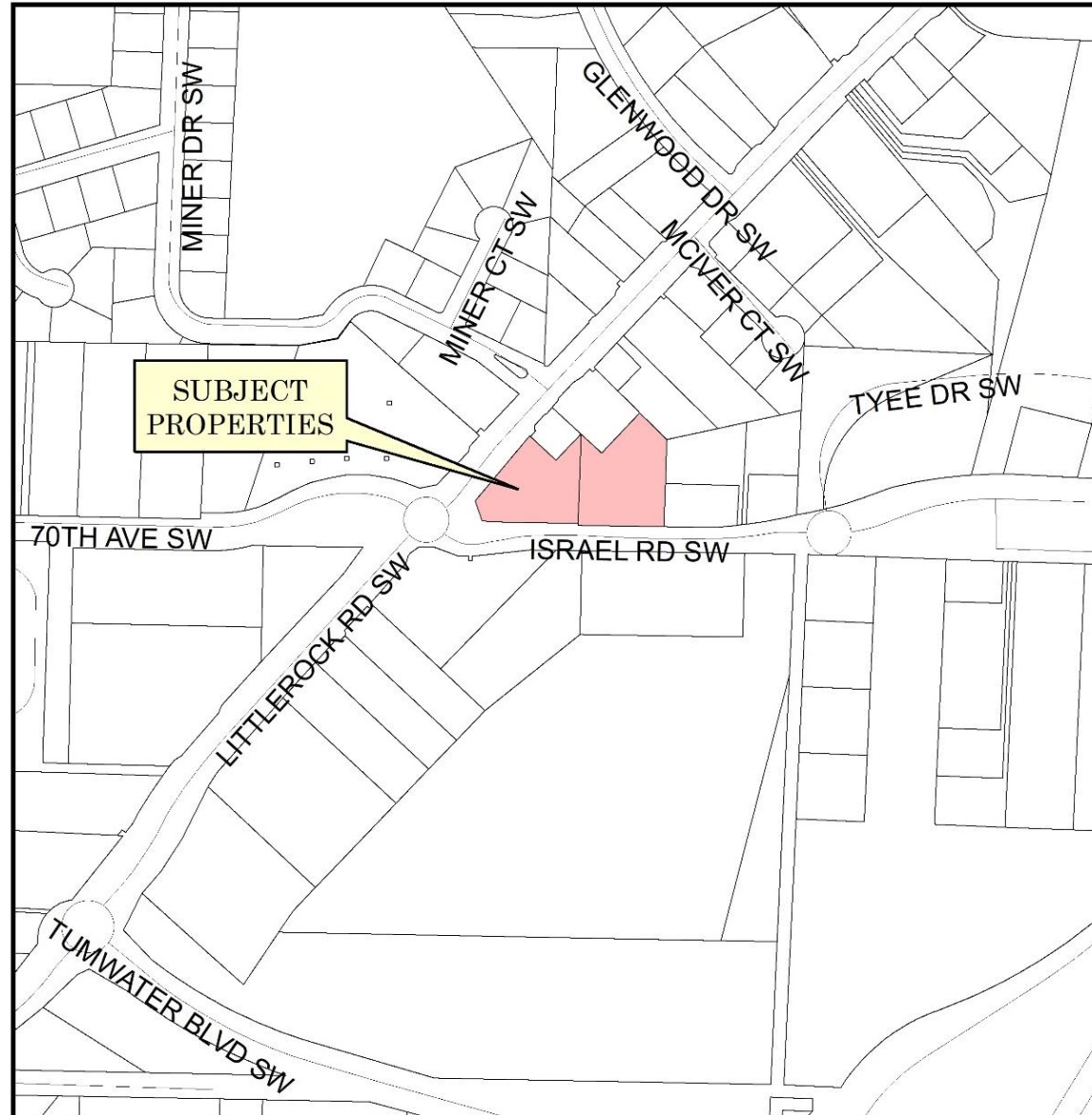
Proposed Comprehensive Plan map designation and zone district:

- Multi-Family Medium Density Residential (MFM)

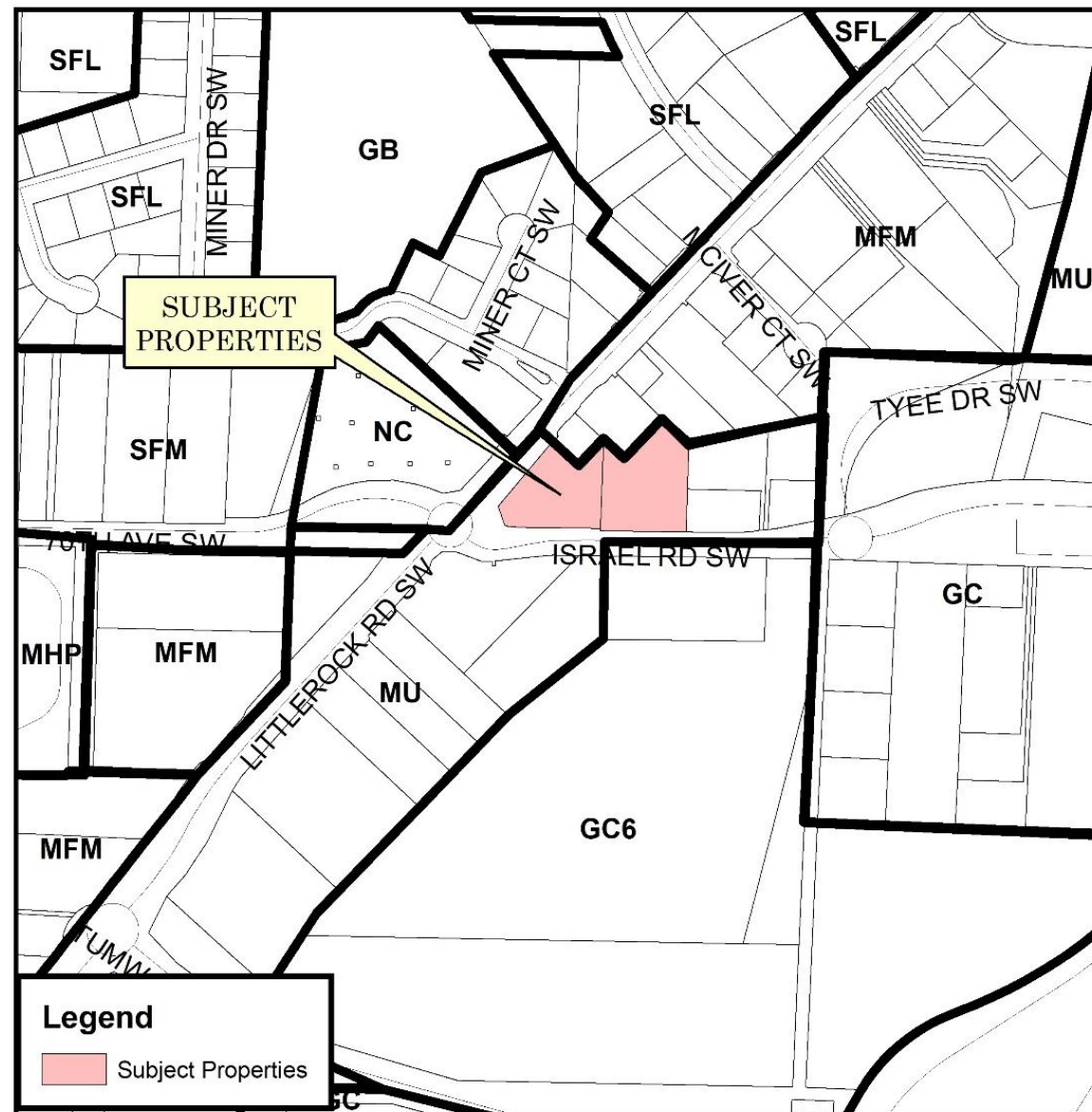
2. Bath Littlerock Israel

Proponent:	Peter Condyles
Owner:	Dayabir Bath
Location:	Two adjacent parcels located at 6940 Littlerock Road SW and 1850 Israel Road SW
Parcel Numbers:	1270-44-11000 and 1270-44-11200
Area Size:	1.97 Acres
Current Use:	Single family house and vacant

2. Map of Amendment Area



2. Map of Amendment Area



2. Map of Amendment Area



2. Amendment Summary

Current Comprehensive Plan map designation and zone district:

- Mixed Use (MU)

Proposed Comprehensive Plan map designation and zone district:

- General Commercial (GC)

2. Amendment Summary

- The two parcels were part of the proposed 2017 Sullivan Comprehensive Plan Map and Zoning Map amendments (TUM-16-1325) that were considered by the City Council on January 16, 2018 as part of Ordinance No. O2017-024

2. Amendment Summary

- The 2017 amendments changed the Bath Littlerock Israel property, along with four other parcels (Parcels #1 - #6 of Exhibit “B” of Ordinance No. O2017-024), from Mixed Use Overlay (MUO) Comprehensive Plan map designation and zone district to Mixed Use (MU)

2. Amendment Summary

- The City Council decided not to support a further amendment of Parcels #1 - #6 of Exhibit “B” of Ordinance No. O2017-024, which included the Bath Littlerock Israel property, to General Commercial (GC)

2022 Text Amendments

- 3. Neighborhood Character – Review Comprehensive Plan Housing and Land Use Elements and determine if there are amendments needed to address “neighborhood character”**
- 4. Thurston Climate Mitigation Plan – Update greenhouse gas emission (GHG) targets in the Conservation Element to address HB 2311 – Review Comprehensive Plan Conservation and Land Use Elements and determine if there are amendments needed to address HB 2311**

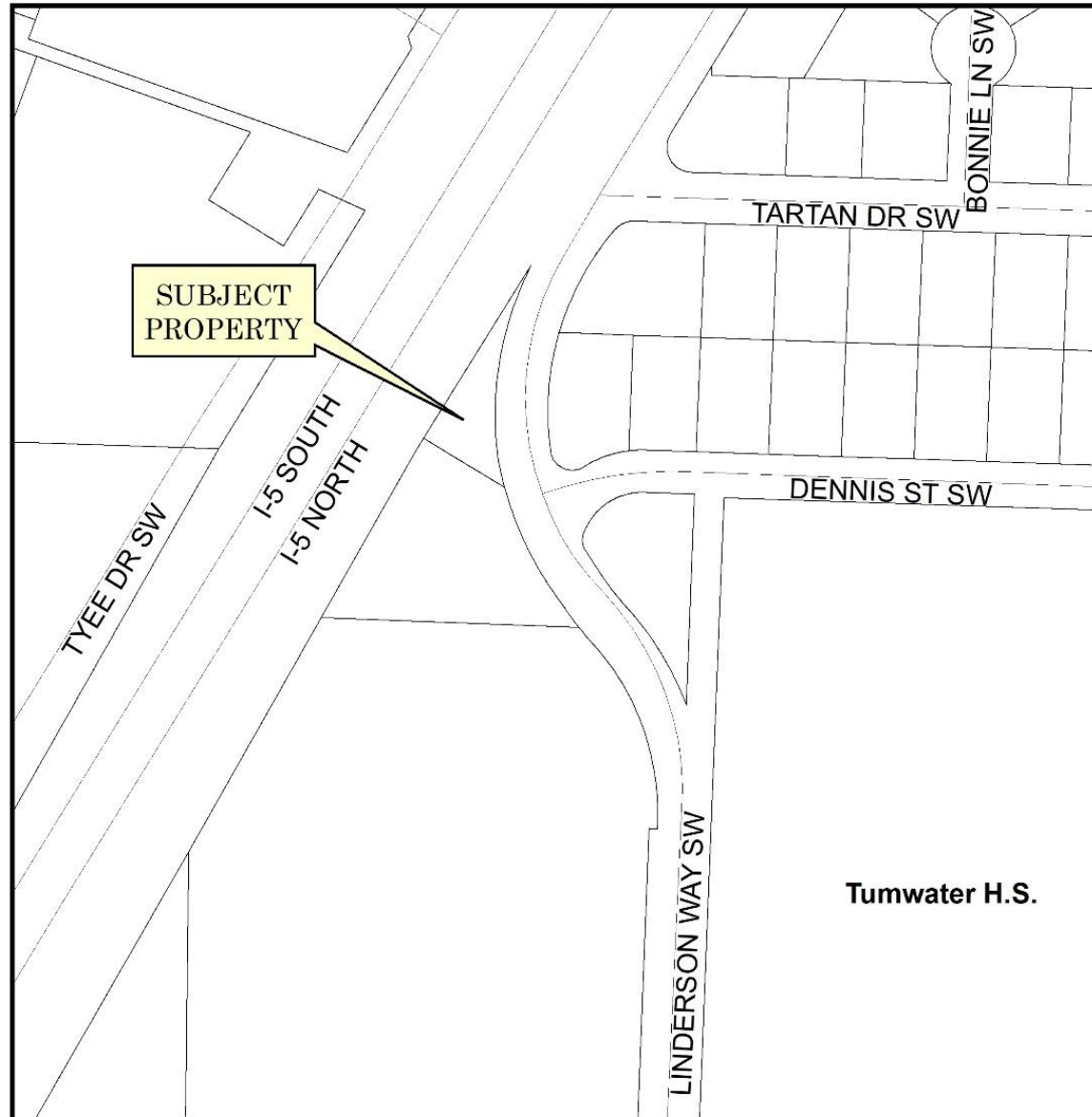
2022 Text Amendments

- 5. Essential Public Facilities Amendments –**
Review the Comprehensive Plan Land Use Element and determine if there are amendments needed to address essential public facilities, including but not limited to: intensive inpatient facilities; long-term residential drug treatment facilities; recovery house facilities

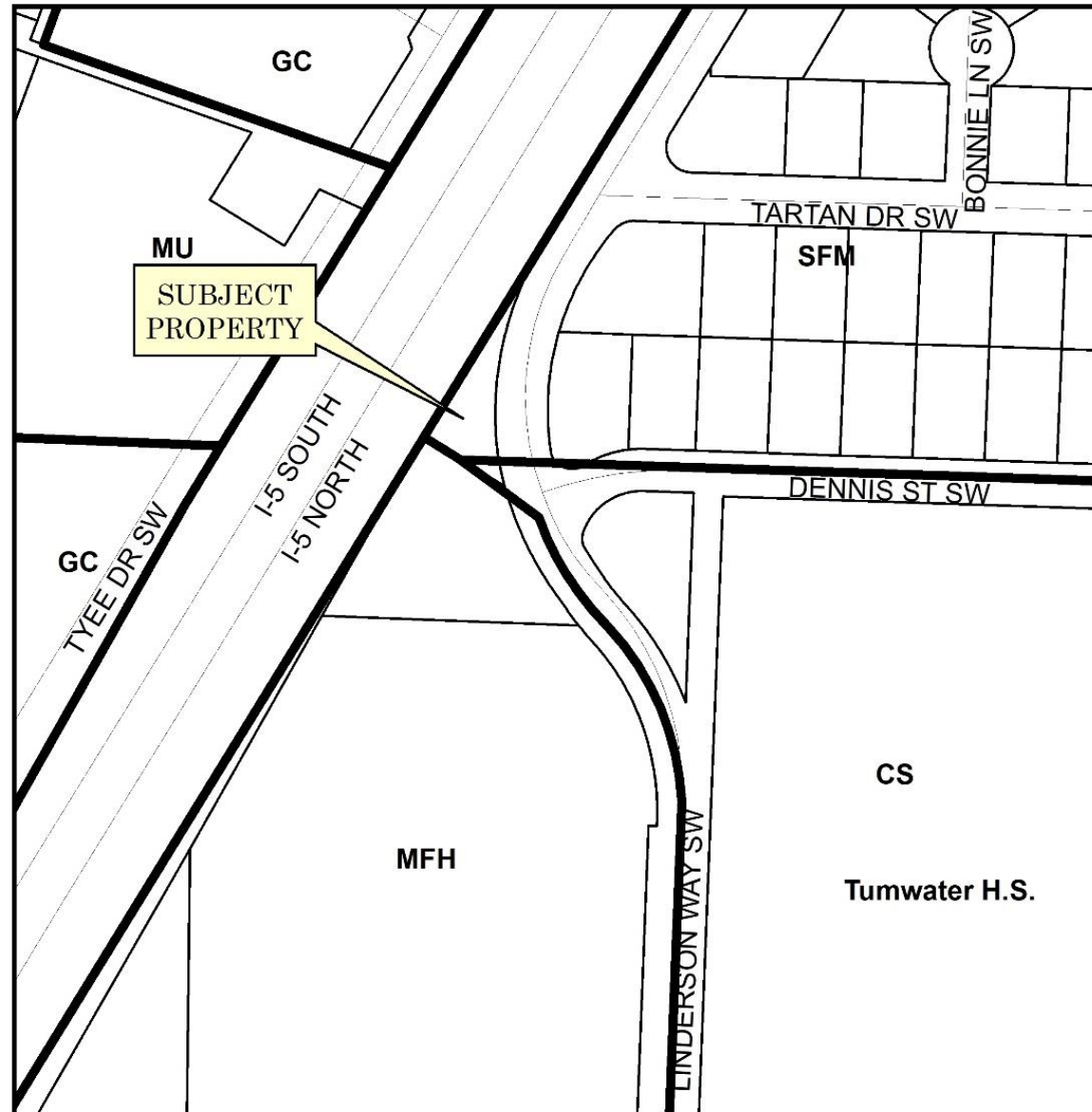
6. Dennis/Linderson Triangle

Proponent:	City of Tumwater
Location:	6501 Linderson Way SW at the western corners of Linderson Way SW and Dennis Street SW
Parcel Numbers:	Portion of 1270-32-40303
Area Size:	Portion of 5.73 Acres
Current Use:	Vacant

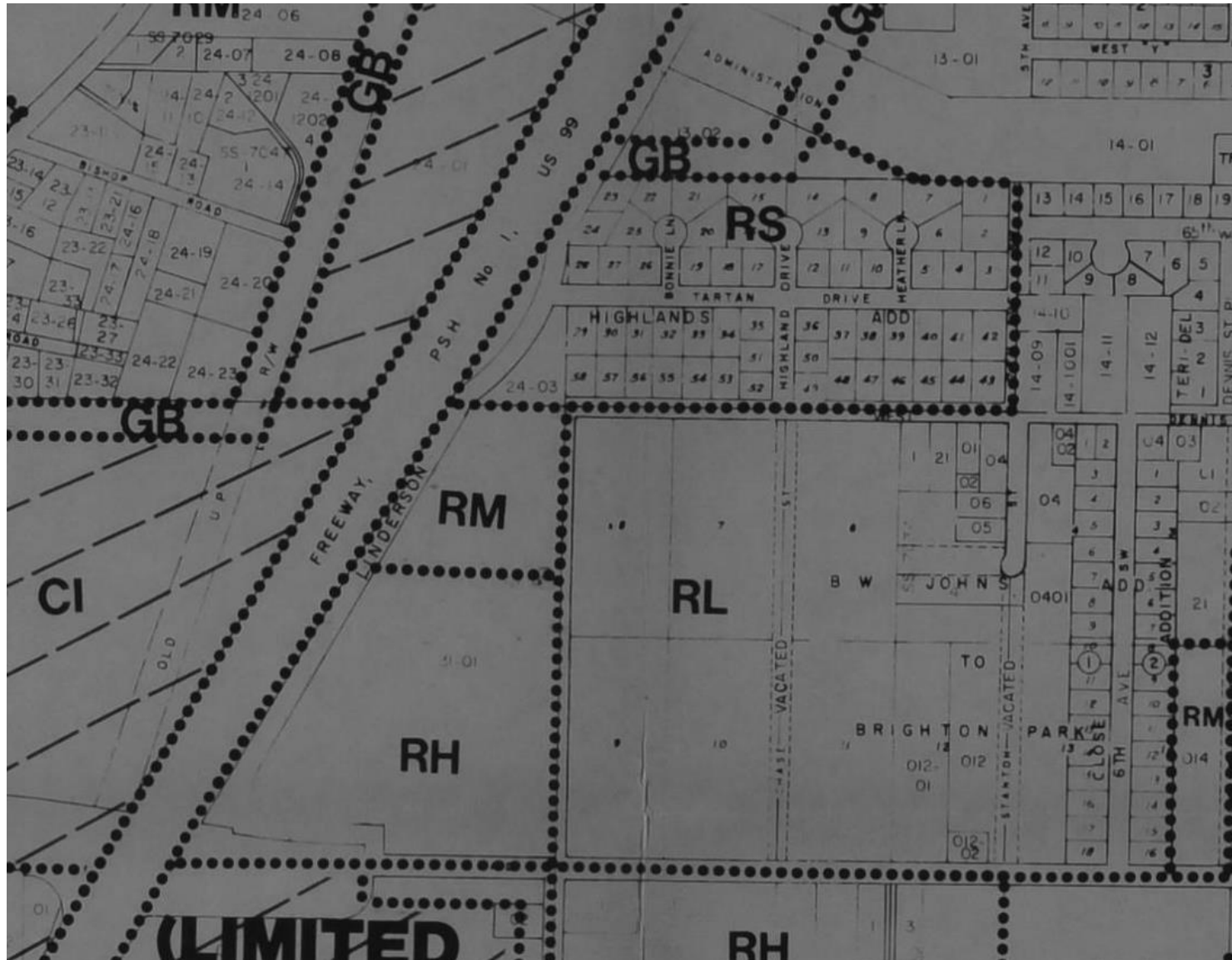
6. Map of Amendment Area



6. Map of Amendment Area



6. Map of Amendment Area



6. Map of Amendment Area



6. Amendment Summary

Current Comprehensive Plan map designation and zone district:

- Single Family Medium Density Residential (SFM)

Proposed Comprehensive Plan map designation and zone district:

- Multifamily High Density Residential (MFH)

Recommendations

Planning Commission Recommendation

- All the amendments in the preliminary docket go forward for further review as part of the final docket

Recommendations

General Government Committee Recommendation

- All the amendments in the preliminary docket go forward for further review as part of the final docket with the exception of the Bath Littlerock Israel Comprehensive Plan Land Use Map Amendment and Corresponding Rezone, which the City Council considered as part of the Sullivan amendments in 2017 and 2018

Next Steps

Preliminary Docket Process:

- March 1, 2022 – City Council consideration

Staff review of the Final Docket would start in March 2022 and the Final Docket is expected to come back to the Planning Commission in July 2022

January 20, 2022

Tumwater Planning Commission
555 Israel Road SW
Tumwater, WA, 98501

Dear Commission Members,

Our firm represents Dayabir Bath, who has submitted a docket application for a rezone and comprehensive plan amendment on a property located at the corner of Littlerock Road SW, and Israel Road SW.

The property is currently zoned mixed use, and our application requests that it be changed to general commercial. This proposal, previously referred to as the Sullivan Amendment, was recommended for approval by the Planning Commission in 2017, as a part of a larger update to the Littlerock Road Subarea Plan, but ultimately this property was not approved at the former mayor's request in 2018. During this process there were no citizen or neighbor comments against the rezone. In the subsequent years there has been no development activity on the property and very little interest due to the restrictive zoning.

The cost of mixed-use development is higher than other development types and with parcels this small, development as presently zoned is not economically viable nor likely to be anytime soon.

The Littlerock Road Subarea was first adopted in 1997 and envisioned this portion of Tumwater as an urban mixed-use village where residents could live above employment opportunities, or near transit opportunities to take them to employment hubs. This was a twenty-year plan; however, it was amended in 2006, 2013, and most recently in 2017 to account for updates in development patterns and market conditions. Our client's proposed application comes five years after the most recent plan update, which a pattern of prior reviews of this plan suggests is an acceptable amount time in which to reconsider past decisions. In the 2017 update a portion of land surrounding the subject property was rezoned from mixed-use to general commercial. The subject property was included in the list of properties to be rezoned and the Planning Commission recommended the changes. However, when reviewed by the mayor at the time, Mr. Bath's request was singled out and denied while the City Council the other rezones. This left Mr. Bath's property with the original and restrictive mixed-use zoning.

In the 2017 update of the subarea, this update was given on development in the area:

*"Since adoption of the plan in 1997, some development in the subarea has occurred, primarily in the northern portion. The Home Depot, Tyee Center, American Legion Hall, Twin County Credit Union and the Bigrock medical clinic on Littlerock Road have all been developed since plan adoption. Fred Meyer has also been built during this time period, but this area was not included in the subarea boundary as defined in 1997. **Very little development has occurred in the mixed-use and residential portions of the subarea**"¹*

This request in 2021 resembles 2017's purpose for review, **"no mixed-use development has taken place"**. Since the plan was passed in 1997 as a twenty-year plan the Planning Commission should take note it has now been twenty-five years and the mixed-use village goals have not come to fruition. The applicant has owned this property since 2006 and attempted to market this site for mixed-use development. There has been interest from business such as Walgreens and Starbucks, however they require a drive-thru component, which is currently not allowed under the mixed-use designation. Mr. Bath also attempted to sell the property, but it sat on the market for five years without any interest from buyers or developers. As the Puget Sound Region continues to grow at a record pace and land is becoming more and more scarce, it should give Tumwater pause that a property with such great visibility, close proximity to Interstate 5, and along a busy transit line is not creating any interest in the market as mixed-use project.

We also must acknowledge the time that we are living in. The COVID-19 pandemic has forever altered the way citizens live, work, and do business. Many companies have phased out in-person office work, and many businesses have shifted to drive-up methods

¹ City of Tumwater, Littlerock Road Subarea Plan, 2017 Update Page 2.

(finding it is quicker and more cost effective) and the market for small office and retail space under apartments is flat except in very dense urban cores, which this area is not. Because of this, it can be expected that mixed-use development will continue to go to Tumwater or Olympia's downtown core, Lacey, or Hawk's Prairie area. Additionally, with so many businesses embracing pick-up orders, and people continuing to be weary of in-person business or consumption, the demand for land zoned for drive-thru or convenience retail options will continue to increase. Mr. Bath's property, as mentioned, has already seen interest from businesses that require drive-thru components, and this will only continue. By not allowing this type of development, the city is not meeting its stated goals of changing with the markets and adapting to the needs of its citizenry.

In summary, the Planning Commission had it right in 2017 when they recommended to rezone this property from mixed-use to general commercial. They understood where the market was then, which is more so true today. These trends have continued at a rapid pace given the realities of the COVID-19 pandemic. We request that the Planning Commission look at the data from 2017 to present and come to the same conclusion they did five years ago. This site will continue to sit vacant as an eyesore if nothing is done, and it will better serve the community of Tumwater zoned for general commercial. This is the Commission's opportunity to respond to the council not accepting its 2017 recommendation.

We ask that you place this on the final docket for further review and consideration in the comprehensive plan amendment cycle.

If you have any questions, or would like to discuss this proposal further, please feel free to contact me

Thank you

Peter Condyles
Project Manager

425-501-6578

TO: City Council
FROM: John Doan, City Administrator
DATE: February 22, 2022
SUBJECT: Olympia Tumwater Foundation Update

1) Recommended Action:

No action required.

2) Background:

Representatives with the Olympia Tumwater Foundation will provide an update on current events and programs.

The Olympia Tumwater Foundation contracts with the City to help promote Tumwater's history and cultural heritage through history talks/walks and tours of the Schmidt House and Brewmaster's House, as well as promoting Tumwater's brewing history. This contract is supported through the City's lodging tax fund.

3) Policy Support:

VISION | MISSION | BELIEFS

Our Vision:

Tumwater of the future will be people-oriented and highly livable, with a strong economy, dynamic places, vibrant neighborhoods, a healthy natural environment, diverse and engaged residents, and living connection to its history.

Strategic Priorities and Goals 2021-2026

Build a Community Recognized for Quality, Compassion and Humanity

- Preserve and showcase Tumwater's cultural heritage
-

4) Alternatives:

This is an update only.

5) Fiscal Notes:

There is no cost associated with this update.

6) Attachments:

No attachments.

TO: City Council
FROM: John Doan, City Administrator
DATE: February 22, 2022
SUBJECT: Proposed Council Goals for 2023-24

1) Recommended Action:

Discuss the goals from the Council Retreat.

2) Background:

A significant component of the recent Council Retreat was the proposal of goals to guide the development of the City's biennial budget for 2023-24. Attached is the summary of your input from the Retreat in the raw form. It has also been provided in a format that presents it under the existing Strategic Priorities. The Strategic Priorities are intended to be based on a 10-year view into the future. The goals are for things you would want to reasonably accomplish in 2023 and 2024, corresponding to that biennial budget. The proposed budget would propose any additional resources to accomplish these goals.

The notes submitted by the facilitator are also attached. They relate to the Council Rules and the goal setting.

3) Policy Support:

Strategic Priority: "*Refine and Sustain a Great Organization.*"

4) Alternatives:

This discussion will result in potential alternatives.

5) Fiscal Notes:

The costs of the goals will be assessed in the preparation of the City's biennial budget.

6) Attachments:

- A. Raw Goal Data from Council Retreat
- B. Goals Organized under Strategic Priorities
- C. Facilitator Retreat Notes

Council Goals 2023 – 2024 Draft

These goals from the Council Retreat are listed by priority of the grouping. Where a specific goal was identified with a “dot,” the number of votes are listed. The total votes for a grouping are also identified and include the votes cast for that grouping plus those cast for individual goals under that grouping. These are listed in their raw form and not converted to goal language.

Economic Development (8)

Economic Development (1)
Economic Development Implementation (1)
Hire Economic Development Staff (1)
Build on Craft Legacy

Housing (5)

Intergenerational Housing
Affordable Housing and Houselessness (1)
Explore Alternative Building Materials (Cargo containers, Composite, 3D Printing)
Housing Stability Policies/Programs
Tenant Protections (3)

Metropolitan Park District - MPD (4)

Budget for Environmental Priorities (1)
MPD Projects
Community Center Concept and Siting
Community Center and Pool
Arts and Culture Program

Trees/Urban Forestry (3)

Environment Tree Protections
Implement Urban Forestry Plan
Tree Ordinance Update (1)
Code Enforcement around Tree Removal

Climate (1)

Recruit Green Jobs and Employers
Streamline Permits – Solar and ADUs
Ordinance Requiring New City Buildings to be Electric (1)
Climate Action Plan

Transportation (1)

Implement Capitol Boulevard Plan
Bike and Pedestrian System
Implement Sidewalk Plan

Fire Department (1)

BLS Transport

“FD Cares” Social and Human Services Response

RFA Regional Planning

Community Risk Reduction - “Community Health”

Workforce

Safe and Healthy Workforce

Update Employee Compensation Plan

Talented DEI Workforce

Continuous Learning Organization (including Council)

Stand-Alone Goals

Law Enforcement Strategic Plan

Trades Training with LOTT, SPSCC and Olympia

Habitat Conservation Plan

Septic to Sewer Conversion

Long Term Plan/Home for Farmers Market (1)

Update Transportation Impact Fee Program

Water Source Development Supply

Food Insecurity

Raise Minimum Wage for all of Tumwater

Tribal Relations

Emergency Management

City of Tumwater

Strategic Priorities and Goals 2023 – 2024

A. Pursue Targeted Community Development Opportunities

1. Implement the City's Economic Development Plan
2. Hire Economic Development Staff Person
3. Continue to Build the Craft Beverage Legacy
4. Find a Permanent Home for Farmer's Market

B. Build a Community Recognized for Quality, Compassion and Humanity

1. Support and Advance Intergenerational Housing Opportunities
2. Complete the Affordable Housing and Houselessness Action Plan
3. Update the Affordable Housing and Houselessness Action Plan
4. Explore Alternative Building Materials for Housing (Cargo containers, Composite, 3D Printing)
5. Support Housing Stability Policies/Programs
6. Adopt and Implement Tenant Protections
7. Streamline Permitting for Housing Projects
8. Build Tribal Relations
9. Implement MPD
10. Plan and Site Community Center
11. Implement Arts and Culture Program
12. Raise the Minimum Wage for Everyone in Tumwater

C. Create and Maintain a Transportation System Safe for All Modes of Travel

1. Implement Capitol Boulevard Plan
2. Bike and Pedestrian System
3. Implement Sidewalk Plan
4. Update Transportation Impact Fee System

D. Provide and Sustain Quality Public Safety Services

1. Law Enforcement Master Plan
2. Study BLS Transport in Fire Department
3. Complete RFA Planning Work
4. Expand Community Risk Reduction Program
5. "FD Cares" – Social and Human Services Response
6. Implement City Emergency Management Program

E. Refine and Sustain a Great Organization

1. Ensure a Safe and Healthy Workforce
2. Update Employee Compensation Plan
3. Promote a Talented DEI Workforce
4. Create a Continuous Learning Organization (including Council)
5. Construct the M & O Facility
6. Explore Trades Training with LOTT, SPSCC and Olympia
7. Implement the ERP*

F. Be a Leader in Environmental Sustainability

1. Recruit Green Employers and Jobs
2. Streamline Permitting for Green Projects
3. Require New City Buildings be All Electric
4. Continue to Update and Advance the Climate Action Plan
5. Implement Urban Forestry Plan
6. Update Tree Protection Ordinance
7. Integrate Code Enforcement and Tree Protection
8. Include Environmental Protection in City Projects
9. Complete and Implement Habitat Conservation Plan
10. Continue Septic to Sewer Conversion
11. Ensure Ample Water Supply
12. Remove Obstructions to Fish Passage*

(45 goals)

***Not prioritized but appeared on director suggestions.**

February 16, 2022 Draft

City of Tumwater City Council Retreat Notes
February 11-12, 2022
Recorded by Nancy M. Campbell

The retreat opened on Friday evening with a shared meal, updating the history map and reviewing interview feedback. On Saturday, the Council reached the following shared understanding.

Operating Agreements for Retreat

- Assume positive intent
- Create space for other voices
- Be aware of your body language
- Risk being honest
- Respect each other
- Go to the person

Defining Success

- Making progress on policy choices and challenges
- Gaining the confidence and trust of the community
- Working effectively together

Need from each other to Succeed

(In order of greatest agreement)

- Open Communication
- Honesty
- Learn from each other
- Grace
- Advice
- Patience
- Have fun

What Members are willing to invest

- Listening first and without judgement
- Being available to each other
- Sharing experience
- Willingness to learn from each other
- Risking vulnerability

Other topics that were discussed included:

Councilmembers expressed their desire to have Mayor Sullivan meet with each of them about their priorities. It was also agreed that each Councilmember will share with Mayor Sullivan their

preferred communication method. Councilmembers expressed the hope that Mayor Sullivan would check in individually with them on a regular basis.

City Priorities and Goals

The City Administrator overviewed the Strategic Priorities and Goals for 2021-2026. The Council identified its priorities for 2023-2024 which include in order of agreement: economic development, housing, MPD and climate and urban forestry. Goal areas for this period include:

- Economic Development
- Housing
- MPD
- Climate
- Trees
- Fire Department
- Transportation
- Workforce

Follow Up Issues

Issues that some Councilmembers requested follow up on included changes in the budget process to include input by members earlier in the budget cycle. Councilmembers indicated they would like input into the final priority setting early enough so there is still time to make changes in the budget process. The issue of how to reassess priorities when changes are needed was discussed.

Issues regarding the changes to the Council code were deferred and it was agreed these would be revisited in another Worksession. It was also suggested that there needs to be a Worksession on the economic development issues.

Finally, the facilitator suggests that the conversation regarding Council role be revisited. Some members see the Council's role as setting policy and delegating implementation to Mayor Sullivan and staff while other members believe the Council should be involved in administrative issues. Finding greater agreement on the role of Councilmembers will enhance working relationships between members. It is also suggested that the Councilmembers review the operating agreements, modify as needed and use them to guide their interactions.

TO: City Council
FROM: John Doan, City Administrator
DATE: February 22, 2022
SUBJECT: Council Rules

1) Recommended Action:

Discuss potential changes to the Council rules.

2) Background:

The Council rules establish the procedures and norms for Council meetings, Council activities, and interpersonal relations between Council and Council and staff. The rules were first adopted in 2012 and have been amended regularly since then, most recently in 2020. The attached version includes proposed changes from the City Attorney to address virtual and hybrid meetings and other minor adjustments.

At the retreat, the Council identified the following as Operating Agreements:

- *Assume positive intent
- *Create space for other voices
- *Be aware of your body language
- *Risk being honest
- *Respect each other
- *Go to the person

The Council can decide whether to include these agreements as overarching direction in the rules.

3) Policy Support:

Strategic Priority: *"Refine and Sustain a Great Organization."*

4) Alternatives:

This discussion will result in potential alternatives.

5) Fiscal Notes:

There is no anticipated cost to amendment of the rules.

6) Attachments:

A. Council Rules - redline - 2.8.22

City of Tumwater City Council Rules and Procedures

Section 1. Authority

~~1.1~~ The Tumwater City Council hereby establishes the following procedures for ~~the conduct of~~ 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.

~~1.2 Eligibility for Council office shall be determined by Washington State law.¹~~

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 Worksessions. 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~~ 2.1.1 Formal Meetings. A F~~ormal M~~meeting ~~for the purpose of conducting 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 ~~televised~~ cablecast locally.

a. Council's ~~regular~~ Formal M~~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. ~~The time and place of regular meetings is established in TMC 2.04.~~

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.

~~e. A regular meeting may be canceled by motion of the Council or by failure to produce a quorum.~~

¹ RCW 35A.12.030: "No person shall be eligible to hold elective office under the mayor council plan unless the person is a registered voter of the city at the time of filing his or her declaration of candidacy and has been a resident of the city for a period of at least one year next preceding his or her election. Residence and voting within the limits of any territory which has been included in, annexed to, or consolidated with such city is construed to have been residence within the city. A mayor or councilmember shall hold within the city government no other public office or employment except as permitted under the provisions of chapter."

~~2.2~~ 2.1.2 Worksession. An informal meeting ~~for the purpose of receiving briefings~~ to receive briefings from staff, discussing forthcoming significant programs or projects, or similar activities.

~~a.~~ a. Council Worksessions will be held ~~, if needed,~~ on the second and fourth Tuesday of each month beginning at 5:30 p.m. Worksessions will be held in a publicly accessible location, generally within City Hall or other City meeting space ~~the Fire Department Headquarters. They shall begin at 5:30 p.m. and shall generally not last longer than two hours in length. A quorum is required to convene and conduct a worksession.~~

~~a.~~ b. Worksessions shall generally not last longer than two hours in length.

~~b.~~ b. ~~Additional worksessions may be called by the Mayor or majority of the City Council at any time, subject to the provision of adequate public notice.~~

~~c.~~ c. ~~No final action may be taken at a worksession. Decisions on those issues will be scheduled for a regular or special Council meeting. If action is needed, a special meeting may be held in conjunction with a worksession.~~

~~d.~~ d. A Worksessions will not include public comment or participation unless the Mayor allows it.

~~e.~~ e. A Worksession will generally not be cablecast. ~~may be canceled by the Mayor or by a majority of the City Council.~~

~~2.23~~ Special Meetings. Any Council meeting other than the Regular Council Mmeeting, which has been called for the purpose of conducting official action, is a Special Mmeeting. 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, fax or regular mail. A Special Council Mmeeting may be scheduled by the Mayor or by a majority of the members of the City Council.

~~2.34~~ Emergency. A Special Council Mmeeting called in the event of an emergency without 24 hours' notice is an Emergency Mmeeting. An Emergency Mmeeting 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 Mmeetings may be called

by the Mayor as provided under RCW 42.30.070. The minutes will indicate the reason for the emergency.

2.4~~5~~ 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 sSpecial Council meetings, ~~worksessions,~~ or as separate meetings, and will be announced by the Mayor. Executive Session topics are strictly limited to those matters authorized by ~~law~~ RCW 42.30.110 or RCW 42.30.140. 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 ~~time~~ certain 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, ~~if appropriate,~~ the public meeting will reconvene to formally adjourn the meeting, ~~for taking 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 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~~ Clerk or designee, (hereafter referred to as City Clerk), will keep minutes of all proceedings of the Council in accordance with the statutory requirements, along with summaries of Council comments and committee report proceedings, and will be entered into a journal constituting the official record of the Council.

Section 3. Scheduling

3.1 Holidays. If a regularly scheduled meeting ~~or worksession~~ falls on a legal holiday, the Regular Mmeeting ~~or worksession~~ 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 ~~M~~meetings ~~or work~~sessions which fall on a primary or general election day may be moved to the Monday immediately prior ~~Monday~~ at the discretion of the Mayor.
- 3.3 Summer Recess. The Council will generally not schedule ~~R~~regular ~~M~~meetings, ~~work~~sessions, and Meetings and committee meetings during a two-~~weeks~~ period inof 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 include at least one positive presentation or item at the start of each regular meeting, not more than two 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 ~~that is~~ not scheduled for a public hearing. Comments may be limited to three (3) ~~five (5)~~ minutes, or another time limit, at the discretion of the Mayor. A "public comment sign-~~in~~up sheet" will be available at each ~~regular and/or special Council~~ meeting for the use of people wishing to address the Council. The Mayor may allow people to also comment on

individual agenda items ~~during a regular or special meeting~~. These comment times may similarly be limited in duration at the discretion of the Mayor.

- 4.7 Consent Agenda. Consent ~~A~~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 ~~C~~committee or a ~~W~~worksession. 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 ~~C~~consent ~~A~~agenda is considered for action without that item. After the consent agenda has been considered, the ~~item which was removed~~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~~up~~ sheet" will be available at each meeting for the use of ~~people~~individuals wishing to give testimony. ~~People~~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 ~~persons~~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 67.
- 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 ~~be responsible for assigning~~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 ~~W~~worksession.

4.11 Mayor and City Administrator Reports.

- a. The Mayor makes announcements of upcoming meetings and events, and reports on meetings and events in which ~~he/she has~~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 ~~to the Council.~~

4.12 Council Reports. At the end of each ~~regular~~Formal Mmeeting, every Councilmember will be allowed up to 5 minutes to be used at their discretion for the following:

- a. 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 Worksessions.
- b. 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~~ed~~, 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 ~~to~~ 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.
- c. The Mayor may allow up to 2 minutes of follow-up questions and answers in response to each Councilmember presentation.
- d. Comment and follow-up time may not be yielded to other Councilmembers or the public.

- 4.13 Any Other Business. This is an opportunity for the Council to introduce new items or ~~to~~ make announcements regarding specific City business. Because it is at the end of the meeting, Councilmembers should strive to bring up new items for announcement or action at earlier portions of the meeting if appropriate.
- 4.14 Executive Session. An Executive Session may be held in compliance with these rules and ~~RCW 42.30.110 or RCW 42.30.140~~ state law. At the conclusion of the Executive Session, ~~if appropriate~~, the public meeting will reconvene to adjourn or, if properly noticed, to take action.
- 4.15 Adjournment. The Mayor shall adjourn Council meetings upon the conclusion of the agenda.
- 4.16 Worksession Announcements. As part of a Worksession, 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.
- 4.17 Special Meetings. Following lawful notice of a Special Mmeeting, items may be added to the agenda, but no final action is allowed on items ~~that are added to the agenda~~ not included in the written notice of a Special Mmeeting.

Section 5. Agenda Preparation

- 5.1 The City Clerk will prepare an agenda packet for each Council meeting and Worksession 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 for finalizing by 11:00 a.m. on the ~~Thursday~~ Wednesday prior to the following Tuesday meeting. The ~~"agenda bill"~~ staff report form will be used for all items submitted for a meeting agenda of committees, Regular Meetings or Special Meetings, ~~and worksessions~~.
- 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 Mmeeting ~~or worksession~~ 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. ~~Hard copies will be in the mailboxes of Councilmembers requesting hard copies by 5:00 p.m. on the Friday prior to a meeting. There will be no home delivery of packets. Other m~~Mail ~~which 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 will prepare and keep current a calendar of agenda items for all Council ~~R~~regular ~~Meetings, and S~~special ~~M~~meetings, ~~worksessions,~~ 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~~~~Persons~~ 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 ~~five (5)~~~~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, worksession or~~ 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 law², 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~~² After a motion and a second, the Mayor will state the names of the Councilmembers making the motion and second.

² 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.*"

- 9.43 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.
- 9.45 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.
- 9.65 ~~A motion to table is not debatable, and requires a second. It shall preclude all amendments or debate of the issue under consideration. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future regular or special meeting at which time discussion will continue. If an item is tabled, it cannot be reconsidered at the same meeting.~~
- 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.
- 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 ~~public meetings and public records~~ 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.³

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, 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.

³ RCW 35A.12.~~130~~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.”

- 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 ~~the administration or internal operation and practices of any City department~~ 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, copies 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 ~~regular~~ 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 or ~~designee~~ Deputy City Clerk shall attend ~~regular, special, and worksession~~ 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 or Executive Assistant/Deputy City Clerk 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.⁴

Section 15. Media Representation at Council Meetings

- 15.1 All public meetings of the City Council and its advisory committees, except ~~E~~ Executive ~~S~~ essions, 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

⁴ 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."

- 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~~^{which} have a direct financial impact on Tumwater finances, the level of service provided in Tumwater, or are ~~issues~~^{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 ~~Thursday~~ Wednesday 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. The City Clerk will maintain minutes of meetings, 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. ~~If a committee member cannot attend, that committee member shall arrange for another Councilmember to attend in their place.~~ Except in bona fide emergencies, failure to attend two consecutive committee meetings ~~and to provide an alternate~~ 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 ~~he or she is~~ they are not a regular member shall provide the Chair of that committee and the Executive Assistant/Deputy City Clerk with sufficient advance notice of ~~his or her~~ 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, ~~said~~ 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 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 expenses will be determined by the City's administrative policies. Individual luncheons or other events that are not fundraisers and ~~which~~ 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 required meetings and conferences such as the AWC Annual Conference and the Legislative Workshop. 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 ~~to~~ 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 ~~with the offending Councilmember~~ 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 ~~by majority vote shall consider and adopt the applicable findings~~ 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. 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.
 - 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.
 - 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~~ and/or develop a corrective action plan that is mutually agreed upon.
- g. 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 Computer Policy

- 27.1 Intent. The following policies apply to the use of City-provided portable computers and electronic devices (hereafter "computer" or "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. Computers provided to the Elected Officials shall remain the property of the City of Tumwater.
- b. Computers 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 pay check.
- c. Elected officials will use due care and caution in the maintenance and care of the computer.
- d. The computers 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 computers will be reviewed by the City Administrator on a case-by-case basis.
- e. The City will provide routine maintenance of the computers consistent with City operation policies. (Policies: 5.03.04, 5.07.02)
- f. The computer shall not be loaned or otherwise accessed by non-City employees.

27.3 Appropriate Use.

- a. The computer 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. Computers may be used during Council meetings, but members should be mindful of the appearance ~~to those in the audience and watching on TV~~ 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. No communication between Councilmembers, postings, blogging, messaging, or social media activity is allowed during meetings. Computer use during meetings shall be solely related to the business of the meeting.

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 computer, 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 computer. (Policies: 5.06.01, 5.07.03)

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, ~~in regular Council meetings 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~~ 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 ~~regular~~ Formal Council ~~M~~meetings, but it is not required and shall be left up to each individual's discretion at informal meetings and ~~worksessions~~ committee meetings.
- k. Be respectful of Council time, as staff, by scheduling full ~~and complete~~ meetings and not having ~~W~~worksessions 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.

~~t. Come to meetings prepared and having read the materials.~~

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 ~~regular meetings or work sessions~~.
- 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. ~~To strive~~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 ~~paper~~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 ~~you may need~~ a positive relationship ~~later~~will be needed.
- f. Regularly check email ~~, if available,~~ 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 ~~flesh-out~~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 Worksession, 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 Mmeetings ~~and worksessions~~
 - 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 ~~prerogative~~ 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 Council members 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, ~~etc.~~).
- 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 may request the entire Council review major requests for studies and policy initiatives in order~~ 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 ~~at~~ 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 ~~in the process of~~ reviewing candidates for key positions within the City, whenever possible.
- 28.6 The Mayor, City Council, City Administrator, and senior staff agree ~~that an informed policy body is the most effective means to establishing sound public policy and therefore shall strive to both ask and answer any question that~~ is 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 ~~personal inquiries~~ 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 ~~situation-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 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~~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 Councilmembers should not have their own City-related social media accounts. 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.⁵

⁵ 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."

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.

30. Remote Meetings

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).

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 physically 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 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.

Every formal City Council meeting is cablecast and livestreamed on cable television and the internet. Formal council meetings can be viewed on cable television or 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 and Security

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. If 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: _____ ~~August 4, 2020~~