



City of Olympia

900 Plum Street SE, Olympia, WA 98501

City Council Office: 360 753-8447

VALUES

The City Council of the City of Olympia seeks to work efficiently and effectively. We hold the following values, and we seek to do the business of the City to the best of our ability.

The Olympia City Council values:

- Personal Accountability
- Honesty and candor
- Creativity
- Diversity of opinion
- Public input
- Leadership
- Respect
- Cooperation
- Trust

The principles by which we work together are:

1. We arrive at meetings on time, prepared and with an open mind for informed dialogue.
2. We are engaged advocates for the citizens of Olympia.
3. We are respectful and civil in all of our actions.
4. We practice unity, and decisions made by the Council as a whole are not undermined by individual Councilmembers, though Councilmembers are free to publicly and respectfully disagree with a Council decision.
5. We keep information discussed in Executive Session confidential.
6. We are committed to a process to make policy that is workable, cost-effective, creative and consistent with our Comprehensive Plan.
7. We strive for cooperation and believe reasonable people can disagree, yet still work together productively.
8. We support each other's leadership by encouraging integrity, accountability, and confidence.



Operating PROTOCOLS

1. Commit to the “No Surprise” rule – If Councilmembers plan to bring up new information about issues on the table or new issues at Council meetings, they should provide their fellow Councilmembers and the City Manager no less than 48 hours notice. Information should be as inclusive as possible and address such issues as: Why are you bringing this issue forward? What outcome do you hope to accomplish?
2. Talk to one another –communication, both formal and informal, is essential to an effective working relationship.
3. Work issues, not people – Councilmembers are expected to work on issues without personalizing them.
4. Vote and move on – once an issue has been voted upon, Councilmembers should accept the vote and continue on with the important work that must be done, though this should not restrict debate on similar or related issues that come up for a future vote. If we are working together, we will achieve the best outcomes.
5. Work to build Council credibility – Council is most effective when it works as a whole. Individual Councilmembers should work to promote the credibility and positive image of the full Council.
6. Agree to not use the media for personal gain or to make other councilmembers look bad.
7. Agree that requests to the City staff for legal analysis will be brought to the full City Council for consideration.



Disciplinary SANCTIONS

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.

- 1) Findings that a Councilmember has violated adopted Council operating protocols, rules, or ethics shall be determined by a majority vote of the Council. The process for this action shall be consistent with adopted Council procedures.
- 2) If the Council determines that an investigation is required in order to determine a finding, the Council shall, where appropriate, follow generally accepted management and supervisor procedures as outlined in the relevant City Administrative Guidelines.
- 3) Imposing sanctions for violation of operating protocols, rules, or ethics shall be determined by a majority vote of the Council. The process for this action shall be consistent with adopted Council procedures.
 - Consequences and sanctions could include, and range between, a verbal admonition, a written reprimand, censure, or removal of Councilmember from Council committee chair positions or committee memberships, or removal of intergovernmental duties.
 - The Council shall consider the intent, risk, and severity of the violation to determine the appropriate level of sanction or punishment.
 - Additional consequences may include leadership development. The Councilmember in question may spend time with the City Manager, Mayor, or Human Resources staff to develop leadership skills and / or develop a corrective action plan that is mutually agreed upon.
- 4) 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 for appropriate action.



ETHICS Rules and Ethics Laws

City Administrative Guidelines

Administrative Guidelines state the policies of the City of Olympia as they relate to employee status, conduct, benefits, personnel actions and remedies. The Administrative Guidelines for Personnel Administration apply to all individuals employed by the City of Olympia, Councilmembers, and volunteers of the City of Olympia unless otherwise governed by statute.

1. All City employees are expected to follow strict standards of conduct, set forth in the City's Administrative Guidelines. City Councilmembers are not exempt from these standards and shall operate under the City's Administrative Guidelines where applicable. These guidelines shall be considered Council Rules and include, but are not limited to, guidelines addressing computing resource, nepotism, drug and alcohol, and harassment.
2. Among other things, improper use of an employee's position for personal gain or for political or religious reasons is strictly prohibited. In addition, the use of City property or facilities for reasons other than City business is prohibited.
3. City Councilmembers and City employees who participate in Executive Sessions are not allowed to disclose information provided in an Executive Session unless a majority of the City Council authorizes such disclosure.

Washington State Law

Washington State statutes contain provisions designed to prevent local officials from using elected office for personal benefit.

RCW 42.23 provides that:

1. No municipal officer may use his or her position to secure special privileges or exemptions for himself, herself, or others.
2. No municipal officer may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law.

3. No municipal officer may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.
4. No municipal officer may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.

RCW 42.23 provides that:

- No Councilmember shall be beneficially interested, directly or indirectly, in any contract which may be made by, through, or under the supervision of such Councilmember, in whole or in part, or which may be made for the benefit of his/her office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein.

Appearance of Fairness Doctrine

From time to time, the City Council will act in a quasi-judicial role, which is distinct from the Council's usual legislative role. Maintaining a clear appearance of fairness is crucial to maintaining a trusting relationship with the citizens of Olympia. While local elected officials may have communication with interested citizens in matters that could potentially come before them in the form of a quasi-judicial proceeding, RCW 42.36 provides that:

- While a quasi-judicial proceeding is pending, Councilmembers may not engage in ex parte communications with proponents or opponents about a proposal involved in the pending proceeding, unless the Councilmember:
 - Places on the record the substance of such oral or written communications, and
 - Provides that a public announcement of the content of the communication and of the parties' rights to rebut the substance of the communication shall be made at each hearing where action is taken or considered on that subject.

Gifts

- As a general matter, all City employees and Councilmembers are discouraged from accepting gifts from any entity that conducts business with the City of Olympia or seeks to do business with the City of Olympia.
- Councilmembers shall not receive a salary or anything of monetary value from a private source as compensation for services to the City of Olympia.
- Councilmembers shall not accept gifts, gratuities, or anything of value if it could be perceived to influence his/her vote, judgment or actions.
- This policy does recognize that circumstances may arise in conducting City business where declining receipt of some gifts, meals, beverages, or hosted items can be socially

- awkward or culturally inappropriate. In these instances, the provisions in this policy relating to the receipt and disposal of gifts shall apply.
- The disposal of gifts, items of entertainment or favors of more than de minimus value may be properly handled under the following procedure:
 - Decline and explain City Policy in rejecting item, entertainment or favor
 - Accept the item and ask the City Manager to approve of disposition. Examples of disposition might include auctioning item off, sharing contents with City employees, or displaying item in Council office.
 - Councilmembers may accept payment of travel, lodging and meal expenses by another governmental entity in connection with a presentation or trade mission made in the Councilmember's official capacity of the City of Olympia.
 - Councilmembers may accept other gifts as follows:
 - Unsolicited advertising or promotional items such as pens or promotional items given to all attendees at an event.
 - Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item or similar item.
 - Items from friends or family members not given to gain or maintain influence at the City of Olympia.
 - Items of de minimus value

Conflicts of Interest

- Councilmembers may not have interests, financial or otherwise, direct or indirect, or engage in a business transaction or professional activity, or incur an obligation of any nature that is in conflict with the proper discharge of the Councilmember's official duties as a Councilmember.
- A Councilmember shall not falsely represent himself/herself as performing acts or giving information on behalf of the City of Olympia, or engage in outside personal or private activities, that could reasonably be construed to be official acts of the City of Olympia.
- No Councilmember shall intentionally engage in any act which conflicts with his or her performance of City duties.

Governmental, Non-Governmental and Civic Organizations

Involvement in civic organizations is encouraged and desired for City Councilmembers. Councilmembers shall, however, fully disclose any association he or she may have with any civic organizations when that organization has dealings with the City of Olympia. When a Councilmember is designated by the Olympia City Council to serve on the board of or as a representative to a local, regional, state, national, or international association or nongovernmental organization for the purpose of representing the City of Olympia's interests, such appointments are considered part of the Councilmember's official duties. A Councilmember may participate in City Council decisions relating to such organizations so long as participation is consistent with requirements of RCW 42.23 and a full disclosure of the Councilmember's participation in the organization is provided at the meeting and reflected in the minutes.



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OLYMPIA CITY COUNCIL RULES OF PROCEDURE:

Section 1. Regular Meetings - Established

The Olympia City Council shall meet at the times and location established by City ordinance. Should any of these scheduled meetings occur on a legal holiday, or an election day, the meeting shall be held at another time and date, as determined by the City Council.

For public hearings, the Mayor shall determine and announce the amount of time allowed for each speaker based upon the number of persons wishing to speak and the time allotted for the matter being heard.

Full Council business meetings shall normally be held on the first and third Tuesdays of the month. Study Sessions shall normally be held on the second and fourth Tuesdays of the month with a short business meeting following in order to act upon the Consent Calendar. Special Study Sessions may be held on any Tuesday, as needed to carry out business in a timely manner. Unless agreed to by a majority of the City Council, no meetings will be held on the fifth Tuesday of the month.

Section 2. Regular Meetings – Procedure

The Mayor, or in his/her absence, the Mayor Pro Tem, shall preside over all meetings of the Council. If both the Mayor and Mayor Pro Tem are absent, the Council shall, by majority vote, select a Chair from the Councilmembers present to preside over the meeting in question.

Each meeting of the Council shall be conducted in accordance with “Robert’s Rules of Order” insofar as said rules are appropriate for a seven member body and do not conflict with any provision of these rules. If Robert’s Rules of Order conflict with these rules, these rules shall govern.

Robert’s Rules of Order define minutes as the record of the proceeding which state what action was taken. The essentials of the record include all main motions (except such as were withdrawn) and points of order and appeals, whether sustained or lost, and all other motions that were not lost or withdrawn. Should a Councilmember desire a record of his or her remarks verbatim, this desire will be

indicated to the secretary. When a motion is made and seconded, it shall be repeated by the Mayor before a vote is taken. A motion may not be withdrawn by the mover without the consent of the member seconding the motion.

A motion to adjourn is in order at any time except when made to interrupt a member while speaking, when the previous question has been ordered, or while a vote is being taken. A motion to adjourn is debatable only as to the time to which the meeting is adjourned.¹

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

¹ This sentence does not relate to the time of adjournment but only to the time to which the meeting is adjourned, if any. For example, the Council could adjourn a meeting to an executive session or to another open meeting at another time certain.

Section 3. Regular Meetings – Agenda

Each regular meeting of the Council shall be conducted in accordance with a printed agenda setting forth the business to be transacted. The proposed agenda shall be prepared by the City Manager in consultation with the Mayor and/or Mayor Pro Tem and shall be available by 3:00 p.m. on the Friday immediately preceding the Tuesday meeting in question. In addition, a Councilmember may request a matter be placed on the agenda of a future regular meeting subject to concurrence by a majority of the Council present. Such matter shall not be considered by the Council at the same meeting it is submitted to the Council without the concurrence of the majority of the Council present.

Items of business on the Council agenda shall be in the following order:

1. Opening
 - a. Changes to Agenda
2. Public Communication
3. Special Recognition (Including Proclamations)
4. Consent Calendar
5. Public Hearings
6. Other Business
7. Continued Public Communications
8. Reports
 - a. Intergovernmental Assignments
 - b. City Manager's Report
9. Adjournment

The order of business may be revised by a majority vote of the Council.

After preparation and circulation of the agenda, no matter may be added, changed, or removed from the agenda without approval of a majority of the Council.

Section 4. Public Communication

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

Individual comment is generally limited to three minutes or less. In order to hear as

many people as possible, the Council will refrain from commenting on individual testimony until all public comment has been taken, or at the end of the 30-minute time allotment. The Council may, in its discretion, allow for additional testimony to be taken at the end of the meeting.

Interested citizens may sign up to speak before the Council regarding any item related to City business. Exceptions include items that have been the subject of a public hearing within the previous 90 days, and items that are appeals of a quasi-judicial matter. The Council may also hear citizen comment on matters of pending litigation, but may not be able to respond to those comments.

Section 5. Special Meetings

A special meeting may be called at any time by the Mayor or by a majority of the Council by delivering written notification personally or by mail notice to each member of the Council; and to each local newspaper of general circulation and to each local radio station of such special meeting or of all special meetings. Such notice must be delivered least twenty-four (24) hours before the time of such meeting as specified in the notice. The notice shall specify the time and place of the special meeting and the business

to be transacted. If more than three Councilmembers attend or participate in an official capacity at any meeting, it shall be considered a special meeting and notice shall be given. In addition to the foregoing, the City Manager shall follow up with City Councilmembers by telephone, fax, email or such other convenient communication method reasonable to apprise the members of special meetings. The City Manager may also, at his/her discretion, provide notice to interested parties.

Section 6. Council Action

Any action of the Council shall be by ordinance, resolution, proclamation, or motion and shall be conducted only in open public meetings unless otherwise provided by law. Any such action shall be deemed approved by an affirmative vote of a majority of those Councilmembers who are present and vote (i.e. do not abstain),² except that passage of any ordinance and the granting or revocation of any license or franchise shall require the affirmative vote of at least a majority of the whole membership of the Council.

A vote on any matter shall be taken by voice vote except where the Mayor or Council Chair is unable to discern whether

the ayes or nays prevail, in which case a roll call vote shall be taken. Any Councilmember may abstain from voting on any matter.

An ordinance or budget resolution shall undergo two separate readings and final passage may not be accomplished before the second reading. The readings shall occur at regular meetings. This rule may be suspended by an affirmative vote of at least two-thirds of the Councilmembers present, in which case final passage may be accomplished at the same meeting the ordinance or budget resolution was introduced, unless precluded by law.

Section 7. Executive Sessions

The Council may hold executive sessions before, after, or during a regular or special meeting to consider such matters permitted by RCW 4230 or other applicable state laws as they be amended from time to time. Such matter may include, but are not limited to, national security, purchase or sale of real estate, litigation, collective bargaining, appointments of Council members and/or advisory board members,

performance of publicly bid contracts, complaints against or evaluation of the performance of a public employee, and quasi-judicial matters. Decisions on any of the above subjects may be made at a subsequent regular meeting.

² Requiring an affirmative vote of only those members present, except for votes on ordinances, licenses, or franchises, is intended to avoid the possibility of Councilmembers staying away from meetings for the purpose of opposing a measure by default.

Section 8. Council Committees

By Chapter 2.06, OMC, the Olympia City Council establishes committees of the Council and provided for their appointments.

All committee meetings shall be held at City Hall unless the committee determines that it be held elsewhere. The presence of two Councilmembers shall constitute a quorum.

Each committee establishes a schedule of its regular meetings, distributes same to the Council and to the press, and makes the schedule available to the public. A

Councilmember who is not a member of a specific committee may attend a meeting of that committee only if he/she attends as an observer and does not participate.

An agenda describing the subjects to be discussed shall be prepared and be available to the Council, press, and public before each committee meeting. The City Manager's office shall keep minutes of each committee meeting, describing any business conducted and giving the names of persons attending.

Section 9. Council Committees – Council Referrals

The Council, by majority vote, may from time to time refer matters to any of the Council committees. At the time of referral of any matter by the Council, the Council may establish a reasonable date on which the committee in question shall complete its

consideration and report back to the Council. The committee shall report back to the Council on the date established, which report may be presented orally or in writing, depending on the wishes of the Council.

Section 10. Legislative Process

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

All proposed measures, except Consent Calendar items, must be referred to a Council committee of proper jurisdiction, unless the majority of the Councilmembers

present approve a suspension of the rules and one of the following alternative dispositions of the proposal:

1. Referral to the Committee of the whole for later consideration, or
2. Immediate consideration, or
3. Referral to an advisory committee, or
4. Referral to staff for investigation and report.

Section 11. City Council – Staff Interaction

Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager and neither the Council nor any

committee or member thereof shall give orders to any subordinate of the City Manager, either publicly or privately (RCW 35A.13.120)

Section 12. Appearance of Fairness/ Conflict of Interest

In all its dealings, the Council and individual Councilmembers shall be governed by RCW 42.36 relating to the Appearance of Fairness doctrine, by RCW

42.20 relating to Misconduct of Public Officers, and by RCW 42.23 relating to Code of Ethics for Municipal Officers and Contract Interests.

Section 13. Advisory Committees

The Council, upon its own initiative or upon the recommendation of any Council committee, may create any citizens committee deemed necessary for any purpose. The Council shall define the

function, size, term, and appointment criteria of any such committee, and may do so based upon the recommendation of the General Government Committee.

Section 14. Posting of Councilmember Information on the City’s Website

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

Individual Councilmembers may initiate a request to the full Council to post information on the City’s website in a manner that is consistent with the Council’s “no surprise rule.” The initiating Councilmember must draft the copy to be posted and present it at a public meeting of the full Council for approval. The City’s Communications Manager or designee will publish the copy after approval by a majority of Councilmembers. The infor-

mation will be posted on or linked from the individual Councilmember’s biographical page unless otherwise agreed to by the Council. Only information about activities approved by the Council will be considered for posting (e.g. report of attendance by a Councilmember at a City funded or endorsed conference; participation by a Councilmember in a Sister City exchange; etc).

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

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

(Amended November 6, 2006 to add Section 14)

APPROVED by a majority of the Olympia City Council this 5th day of April, 2005.

/s/ Mark Foutch
MAYOR

ATTEST:

/s/ Jane Ragland Kirkemo
CITY CLERK/TREASURER