



## **GENERAL GOVERNMENT & PUBLIC SAFETY COMMITTEE**

**TUESDAY, JULY 27, 2021**

**9:30 A.M.**

**REMOTE ATTENDANCE**

To comply with Governor Inslee's [Proclamation 20-28](#), the General Government & Public Safety Committee Meeting will be conducted remotely, not in person. However, you may view the meeting by watching live through Zoom.

Link: <https://us02web.zoom.us/j/89357905681>

The public may also listen to the meeting via telephone by dialing toll-free:

**(888) 788-0099** or **(877) 853-5247** – when prompted, enter Webinar ID: **893 5790 5681**  
press # (participant ID not required)

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### **CITY COUNCIL POLICIES – PROCEDURES MANUAL UPDATE**

*KELLY ADAMS, MANAGEMENT ANALYST  
(STAFF REPORT)*

### **2021 FIREWORKS CALL UPDATE**

*ROBERT ALMADA, POLICE CHIEF  
(PRESENTATION)*



**GENERAL GOVERNMENT & PUBLIC  
SAFETY COMMITTEE MEETING**  
July 27, 2021

**SUBJECT:** Council Policies-Procedures Manual Update

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**RECOMMENDATION:** Bring the updated Council Policies-Procedures Manual to the full Lacey Council for approval through a Council resolution.

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**STAFF CONTACT:** Shannon Kelley-Fong, Assistant City Manager, *SKF*  
Acting City Manager  
Kelly Adams, Management Analyst

**ORIGINATED BY:** City Manager Department

**ATTACHMENTS:**

1. [Draft Lacey City Council Policies-Procedures Manual](#)
2. [Draft Lacey City Council Policies-Procedures Manual with redlines](#)
3. [Recommended Table of Contents Changes to the Lacey City Council Policies-Procedures Manual](#)

**FISCAL NOTE:** None

**PRIOR REVIEW:** See Background

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**BACKGROUND:**

On June 9, 2011, the Lacey City Council adopted the Council Policies-Procedures Manual ("Manual") to standardize the process for implementing current and new Council practices, procedures, and policies. Per the existing Manual's Forward, a review of the Manual is performed by the General Government Committee as needed. The last comprehensive review and update to the Council Policies-Procedures Manual occurred on July 7, 2016.

**RECOMMENDATION:**

To increase readability, accessibility (consistent formatting and organization), inclusivity, and incorporate changes and new sections of the Manual more effectively, staff recommends that the

City Council adopt the updated Manual provided in **Attachment 1**. Notably, no substantive policy changes occurred in this update process.

A redline copy of the changes reflected in **Attachment 1** is provided in **Attachment 2**. For ease of reading, **Attachment 2**, does not reflect reorganizational changes to the updated Manual. **Attachment 3**, provides an overview of organizational changes to the Manual as found in **Attachment 1**.

Sections added to the draft Manual as a result of City Council action since the last comprehensive update include:

- Lacey Youth Council
  - Naming of Public Parks, Trails, Parkways, etc.
  - Naming of Historical Buildings
- 

#### **ADVANTAGES:**

1. The draft updated Manual is more accessible and incorporates new sections created by the City Council since 2016.
2. The draft updated Manual establishes a consistent process for future updates to the Manual through City Council resolution.

#### **DISADVANTAGES:**

1. None.

**Attachment 1**  
**Recommended Draft of the**  
***Lacey City Council Policies-Procedures Manual***

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# FOREWORD

The Council Policies-Procedures Manual provides a standardized process for implementing current and new Council practices, procedures and policies. The intent is to provide a comprehensive resource book for City Council actions and practices.

Copies of the document are available in the Council Workroom and posted on the City of Lacey's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us).

The appropriate Council Committee (or Committees) will review amendments or additions to the Council Policies-Procedures Manual, as needed. Committees may forward amendments or additions to the Council Policies-Procedures Manual to a regular council meetings for action or to a Council Worksession or additional committee meeting for further review. All amendments or additions to the Council Policies-Procedures Manual will be adopted by Lacey Council Resolution.

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## Lacey Council Policies-Procedures Manual

Approved: June 9, 2011  
Amended: May 9, 2013  
June 25, 2015  
May 12, 2016  
July 28, 2016  
August 23, 2018  
September 13, 2018  
November 1, 2018  
March 14, 2019  
June 25, 2020  
November 2, 2020  
January 21, 2021  
March 18, 2021  
May 20, 2021  
June 17, 2021  
Month XX, 2021 (*placeholder for possible adoption*)

# CHAPTER 1

## Introduction and Overview

### Municipal Code City

The City of Lacey ("City") was incorporated in December 1966 and is designated as an optional municipal code city. The optional municipal code, [RCW 35A](#), was devised as an alternative to the existing statutory system of municipal government in Washington. The basic objective of the code was to increase the abilities of cities to cope with complex urban problems provided by broad statutory home rule authority in matters of local concern to all municipalities, regardless of population.

Under the optional municipal code, cities may take any action on matters of local concern so long as that action is neither prohibited by the State Constitution nor in conflict with the general law of the state. The powers granted to code cities includes all the powers granted to any other class of city in any existing or future legislative enactment, unless the legislature specifically makes a statute inapplicable to code cities.

### City Mission Statement

The City has adopted a Mission Statement that guides the actions of the organization, defines the City's overall goals, provides a sense of direction and purpose, and guides decision-making.

*Quality Service  
Community Leadership  
Innovation in Local Government*

*"Our mission is to enrich the quality of life in Lacey for all our citizens... to build an attractive, inviting and secure community. We pledge to work in partnership with our residents to foster community pride, to develop a vibrant, diversified economy, to plan for the future, and to preserve and enhance the natural beauty of our environment."*

### City Vision Themes

In 1990, the City developed eight guiding themes to implement the City's vision.

- Environmental Stewardship
- A Vibrant Place to Live, Work and Play
- Coordinated and Collaborative Planning
- Excellence in Programs and Services
- An Engaged Community
- Quality Transportation and Utility Infrastructure
- A Safe and Secure Community
- Financial Stewardship and Accountability

## Organizational Values

The City adopted a set of core values that guide the organization, its behavior, beliefs and performance.

- Integrity
- Productivity
- Stewardship
- Empathy
- Leadership
- Collaboration
- Service
- Professionalism
- Innovation
- Diversity
- Accountability
- Honesty

### **1.01 Council Manager Form of Government**

The City is a Council-Manager form of government ([RCW 35A.13](#)). The City Council ("Council") is the elected governing body of the City. The Council is comprised of seven members elected at large by its citizens, each serving four year staggered terms. The Council is a non-partisan body and represents all residents within city limits. In a Council/Manager form of government, all legislative and policy-making powers are vested in the Council. Councilmember's act as the City's legislative body with authority to enact laws, adopt the budget, determine service priorities, make public policy, and appoint citizen boards, commissions, and committees.

By statute, the Council selects the Mayor from among its members. The Mayor's responsibilities are primarily to preside at council meetings, and act as head of the City for ceremonial purposes and for purposes of military law. The Mayor votes as a councilmember and does not have any veto power. The Council elects a Mayor and Deputy Mayor every two years.

The Council appoints a professionally-trained and experienced public administrator, the City Manager, who implements the goals, policies and vision of the Council as chief administrative officer of the City.

### **1.02 Interpersonal Standards, Protocols, and Ground Rules**

The Council values a positive and productive working relationship amongst itself and with neighboring colleagues, City staff, and the public. Toward that end, the Council adopted a set of interpersonal standards, operating protocols, and ground rules to foster and promote collaborative, respectful, and healthy working relationships as follows:

- Always conduct oneself in a professional, courteous, and respectful manner.
- Never compromise your personal integrity or the honor and good faith of the City.
- Do not criticize in public. Issues should be addressed in private when possible.

- Listen attentively. Avoid interrupting. Be respectful, even with those you disagree.
- Do not act as a committee of one. Governing a city requires a team effort.
- Remember, we represent all of the people, not a select few interests.
- Arrive on time. Be prepared for meetings. Read and study your materials.
- Avoid engaging in debates with the public or individual citizens.
- Avoid texting, e-mailing, making or receiving calls during meetings.
- Strive for consensus as an operating goal.
- Always be respectful of one another, the public, city staff.
- Be open, honest and diplomatic when communicating.
- Accept constructive input and feedback.
- Return calls and respond to inquiries in a timely manner.
- Do not spring surprises on colleagues and staff, especially at formal meetings – notify others of issues and concerns ahead of time.
- Respect and support decisions of the majority of Council.
- Make decisions on the basis of public policy and be consistent.
- Do not be misled by the strong demands of special interest groups – find the long term public interest of the community as a whole.
- Do not rush to judgment. Seek out the facts before drawing quick conclusions.
- Do not give quick answers when you are not sure.
- Do not make promises you cannot deliver. Many decisions and actions require the approval of the governing body or must be consistent with adopted policy.
- Be respectful of differences. Accept disagreements. Vote and move on.
- Participate in official meetings with the dignity and decorum fitting of those who hold a position of public trust.
- Do not be afraid to ask questions. It is one of the best ways to learn.
- Vote yes or no on motions. Do not abstain, except when you have a conflict of interest.
- Respect the letter and the intent of the open meetings law.
- Do not bypass the system. Stick to policy and avoid personal involvement in the day-to-day operations of the City.
- Be friendly and deal effectively with the news media. Make sure what you say is what you mean.
- Know your neighbors. Get to know the officials of neighboring jurisdictions.
- Never allow conflicts of interest to arise between your public duties and your private interests.
- Do not personally criticize other Council members who vote against or disagree with you.

### **1.03 Overview of Key City Documents**

The following is a summary of some of the key documents that establish Council direction. Many other laws, regulations, plans and documents bind the Council to specific actions and practices.

#### *Lacey Municipal Code (LMC)*

The municipal code contains laws and regulations adopted by ordinances. [LMC Chapter 2](#), Administration and Personnel, defines the role of Mayor, Deputy Mayor and Councilmembers,

and describes the organization of Council meetings, and responsibilities and appointment of City staff positions and advisory boards and commissions. In addition to these administrative matters, the municipal code contains a variety of laws including, but not limited to, zoning standards, health and safety issues, traffic regulations, building standards, and revenue and finance issues. The municipal code is available in the Council workroom, and on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) (Lacey Municipal Code).

#### *Personnel Policies and Procedures Handbook*

The Personnel Policies and Procedures Handbook provide operating rules and requirements for employees, including compensation, benefits, hiring, and supervision. A copy of the Personnel Policies and Procedures Handbook is located in the Council workroom.

#### *Revised Code of Washington (RCW)*

State laws contain many requirements for the operation of city government and the administration of meetings of Councils throughout the state. The City is a Code City and is governed by [RCW 35.A.13](#). The [Washington Administrative Code](#) (WAC) outlines procedures for implementing state laws set forth in the RCW. Copies of both the RCW and WAC are available online.

#### *Annual Budget*

The annual budget promotes fiscal prudence while maintaining all service levels, and funding for important capital improvement projects. The budget is the foundation, upon which the Council makes policy decisions, sets priorities, allocates resources, and provides the framework for government operations. The City Manager prepares and submits a proposed budget to the Council for approval and adoption. The budget is available in the Council workroom and on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) (Reports & Plans-Library).

#### *Comprehensive Plan*

State law mandates that each municipality develops and implements a Comprehensive Land Use Plan to address its long-range planning needs. Elements of the plan include land use, transportation, economic development, water, wastewater, parks, utilities, and housing. State law requires updates every six years, although sections of the plan may be revised more frequently, as needed. The Comprehensive Plan is located on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) (Reports & Plans-Library).

#### *Development Guidelines and Public Works Standards*

This document is a supplement to the WSDOT/APWA Standard Specifications for Road, Bridge, and Municipal Construction as adopted by [LMC 14.20.10](#). While these infrastructure construction standards apply to all projects within the City limits, they are also intended to be used in applicable circumstances when the City's service areas, annexation areas or planning areas extend outside its City limits. These standards are minimum standards and are intended to assist, but not substitute for competent work by engineering and design professionals. Special conditions or environmental constraints may require a more stringent design than

would normally be required under these standards. The Development Guidelines and Public Works Standards are located on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) (Reports & Plans-Library).

#### *Six-Year Capital Improvement Plan*

The Six-Year Capital Improvement Plan serves as a guide for determining priorities, planning, financing and constructing capital projects which improve the physical infrastructure, capital assets, or productive capacity of City services. A copy of the Capital Improvement Plan is located on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) (Reports & Plans- Library).

#### *Comprehensive Emergency Management Plan (CEMP)*

The City maintains a disaster preparedness plan that outlines actions to be taken during times of extreme emergency. The Mayor is called upon to declare the emergency, and the City coordinates emergency efforts with a regional county team. A copy of the plan is available through the City Clerk's office.

#### *Shoreline Master Plan*

The City's Shoreline Master Plan regulates the development and use of shorelines within City boundaries in compliance with [RCW 90.58](#). No land use, water alterations, or development can occur within the jurisdiction of the Shoreline Management Act without first obtaining a permit. Permit processes and fees related to implementation of this Shoreline Master Program (SMP) are contained within the City's Development Guidelines and Public Works Standards. A draft of the Shoreline Master Plan is located on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) (Reports & Plans-Library).

# CHAPTER 2

## Council: General Powers and Responsibilities

### Overview

The powers of the Council are to be used for the benefit of the community and its residents to provide for the health, safety and general welfare of its citizens. The City values personal honesty and integrity, open and accessible government, fiscal responsibility, fair treatment of individuals, and commitment to customer service.

It is important to note that the Council acts as a body. No member has any extraordinary powers beyond those of other members. Although the Mayor has additional ceremonial and presiding officer responsibilities, all members are equal when establishing policies, voting and performing their Council duties.

Policy is established by a majority vote of the Council. While individual members may disagree with decisions of the majority, a decision of the majority binds the Council to a course of action. Councilmember's should respect the decision of the majority and are expected to follow adopted Council rules, policies and protocols.

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

### **2.01 Eligibility for Office**

In order to be eligible to hold elective office as a Councilmember, a citizen must be a registered voter of the City at the time of filing their declaration of candidacy and have been a resident of the City for a period of at least one year preceding the election ([RCW 35A.12.030](#)).

### **2.02 Elections – Terms of Elective Officers**

The seven member Council is elected at biennial municipal elections by majority vote from the City at large. Elected Councilmembers serve four-year staggered terms. The Council is a non-partisan body and represents all residents within City limits ([RCW 35A.12.040](#)).

### **2.03 Lacey Council: General Powers and Responsibilities**

#### Council and Administration

Councilmember's act as the legislative body with authority to enact laws, adopt the budget, determine service priorities, make public policy, and appoint citizen boards, commissions, and committees ([RCW 35A.13.230](#)). The City Manager and staff serve as the executive/administrative branch. In order to uphold the integrity of the council-manager form of government, and to provide proper checks and balances, members of Council refrain from becoming directly involved in the administrative activities of the City.

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

#### *Non-Participation in Judicial Matters*

The City contracts for court services with the Thurston County Superior Court. The City Manager, Council and staff may not interfere with judicial processes or decisions. The Council has no policy direction over judicial matters.

#### *Legislative Role of Councilmembers*

Councilmembers serve important legislative roles in the Community. Councilmembers work to establish policy, enact local laws, appoint and supervise officials, decide appointments to boards and commissions, and call special elections, when necessary. Elements of these roles include:

- *Establish Policy*
  - o Adopt goals and objectives
  - o Establish priorities for public services
  - o Approve/amend the operating and capital budgets
  - o Approve intergovernmental agreements and certain contracts
  - o Adopt resolutions
- *Enact Local Laws*
  - o Adopt ordinances
- *Appoint and Supervise Officials*
  - o Appoint City Manager ([RCW 35A.13.050](#))
  - o Evaluate performance of City Manager
  - o Appoint Hearings Examiner ([LMC 2.30.020](#))
  - o Establish advisory boards and commissions ([LMC 2.32](#), [2.42](#), [2.44](#), [2.46](#))
  - o Make appointments to advisory boards and commissions ([RCW 35A.13.080](#))
  - o Provide direction to advisory bodies
- Decide *Council appointments* to Committees and Intergovernmental Boards and Commissions
- Call *Special Elections* when necessary

#### *Council's Role in the Community*

Councilmembers serve several community support roles, which are:

- Provide public leadership
- Represent constituents to promote representative governance
- Mediate conflicting interests while building a consensus
- Communicate the City's vision and goals to constituents
- Represent the City's interest at regional, county, state and federal levels

- Make decisions
- Analyze problems/issues
- Review alternatives/solutions
- Determine best course of public policy

### Representation on Council Committees

The Lacey Council established six standing committees by City ordinance:

- Community Relations & Public Affairs Committee
- Finance & Economic Development Committee
- General Government & Public Safety Committee
- Land Use Committee
- Transportation Committee
- Utilities Committee

Three Councilmember's serve on each committee. The Mayor appoints committee members with the consent of Council. The committee elects a Chair who presides over the meetings. Each committee member has equal representation on their respective committee.

Council may vote to establish ad hoc committees. Ad hoc committees must follow Robert's Rules of Order.

### Committee Recommendations

Council committee recommendations are presented to the full Council by the respective Committee Chair. The committee chair reports on committee recommendations during a regular Council Meeting under Standing General Committee Reports. If an item does not have a majority recommendation from the committee, or needs further discussion, it is forwarded to a Council Worksession.

### Non-Committee Member Attendance at Committee Meetings

In compliance with the Open Public Meetings Act, if a fourth Councilmember decides to attend a committee meeting, he/she should notify the City Manager's office in a timely manner in order for the meeting to be noticed to the public appropriately. Where a fourth Councilmember attends, and proper public notice has not been provided, the fourth member should refrain from participating at the meeting and must sit in seating provided for the public.

## **2.04 Role of Mayor and Deputy Mayor**

The Mayor serves as Chair of the Council and presides over meetings of the Council. The Mayor retains all the rights, privileges, and immunities of a member of the council. The Mayor serves as the head of the City for ceremonial purposes and is recognized by the governor for purposes of military law. The Mayor has no regular administrative duties (RCW 35A.13.030; [LMC 2.09.005](#)).

The Council has authorized the Mayor to sign, on behalf of the Council, proclamations which are non-controversial in nature and comply with Council policy on proclamations.

The Deputy Mayor serves as Mayor in the absence of, or temporary disability of, the Mayor and has all the powers of the Mayor when serving. In addition to the powers conferred upon the Deputy Mayor, they shall continue to have all the rights, privileges and immunities of a member of the Council ([RCW 35A.13.035](#); [LMC 2.09.005](#)).

Biennially, at the first meeting of the New Year, the Council, by majority vote, shall choose a Mayor and a Deputy Mayor.

## **2.05 Incompatibility of Offices**

There are certain restrictions on a Councilmember holding any other public office or employment within City government. [RCW 35A.12.030](#) provides that a Mayor or Councilmember cannot hold other public office or employment within City government unless permitted under the code of ethics for municipal officers ([RCW 42.23](#)). Councilmembers can serve as volunteer fire-fighters or reserve law enforcement officers if authorized by resolution by a two-thirds vote of the full City Council.

## **2.06 Election of Officers**

Prior to the election of officers, all newly-elected members of Council will be administered the oath of office by the City Attorney or a judge. Once sworn in, the full Council will proceed with the election of officers ([RCW 35A.13.035](#)).

### Procedure

1. If there is no sitting Mayor, prior to the election of the new Mayor, Council nominates and elects an Interim Chair from among its members.
2. In such case, the Interim Chair conducts the election of the Mayor.
3. The Interim Chair calls for nominations.
4. Each member of the Council may nominate one person. Nominations do not require a second.
5. A nominee who wishes to decline the nomination announces this at time of their nomination.
6. The Interim Chair closes nominations.
7. The Interim chair conducts the election by voice ballot for each candidate.
8. The City Clerk records into the minutes of the meeting the manner in which each vote was cast.
9. A nominee must receive a majority vote of the members present in order to be elected.

10. The newly elected Mayor chairs the nominations and election of the Deputy Mayor.

11. The Council follows the same nomination and election process to elect the Deputy Mayor.

If the Mayor or Deputy Mayor resigns, the Council appoints a new Mayor or Deputy Mayor, following the same procedure.

## **2.07 Absence of Mayor**

In the absence of the Mayor, the Deputy Mayor shall perform the duties of the Mayor. In the absence of both the Mayor and Deputy Mayor, the Council elects, by majority vote, a Chair to preside over the meetings of the Council, using the following procedure:

1. The senior Councilmember convenes the meeting and announces that the Mayor and Deputy Mayor have excused absences and will not be in attendance that evening.
2. The senior Councilmember announces that the Council officially needs to select a chair to run the meeting and be authorized to sign any proclamations, resolutions, or ordinance to be acted on that evening.
3. The senior Councilmember calls for a nomination(s) from the Council. No second is required.
4. The senior Councilmember calls for a vote on the nomination(s) and announces the result.
5. The Councilmember elected presides over the meeting.

## **2.08 Council Attendance**

At the beginning of each Council Meeting, the Mayor will excuse any Councilmember who has contacted the Mayor or City Manager's office prior to the meeting to notify them of their absence. A council position becomes vacant if a Councilmember fails to attend three consecutive regular meetings of the Council without being excused by the Mayor ([RCW 35A.12.060](#) as now or hereafter amended).

## **2.09 Council Vacancy**

A Council position is officially declared vacant upon the resignation, recall, forfeiture of position, or death of a Councilmember. The remaining members of the governing body shall appoint a qualified person to fill the vacant position ([RCW 35A.13.020](#)).

### Resignation Process

Council must receive a written notice with an effective date of resignation. The resignation is effective as of the date provided in the written notice. Council accepts the resignation by a motion and vote.

### Appointment Process

The City Manager's office coordinates the recruitment process.

1. The City Manager's office issues an advertisement to the local paper and other media outlets for a 2-3 week period. The announcement includes the requirements necessary to hold office, time to be served in the vacant position, election information, salary information, Council duties, and the deadline date and time for submitting applications ([RCW 35A.13.020](#)).
2. The City Manager prepares an application form that requests appropriate information for Council consideration of the applicants. Applications will be available at City Hall, and posted on the website.
3. Applications received by the deadline are copied and distributed to the Council. Packets may contain additional information, such as resumes and references.
4. Prior to interviews, the Mayor requests and accepts suggested interview questions from each Councilmember.
5. The Clerk's office publishes the required public notice for the meeting scheduled for interviewing applicants for consideration for the vacant position.
6. The Clerk's office notifies applicants of the location, date and time of the Council interviews.

### Interview Requirements

- Interviews with candidates must be held in an open public meeting.
- The applicants' order of appearance will be determined by the date and time when the application was received.
- The decision as to which applicants to interview will be determined by the Council based on the information contained in the application form.
- The Council will ask the predetermined set of questions which must be responded to by the applicant. Each applicant will be asked and answer the same set of questions. Follow-up questions, based upon responses, are permitted.
- An informal question and answer period in which Councilmembers ask and receive answers to miscellaneous questions may be set aside for 10 minutes upon approval of a majority of Councilmembers.

### Voting

1. Upon completion of the interviews, the Council may convene into Executive Session to discuss the qualifications of the applicants. However, all interviews, deliberations, nominations, and votes taken by City Council must be in open public session. The Council may not determine who to select or reach a consensus on a preferred candidate in Executive Session.
2. The Mayor asks for nominations from Councilmembers for the purpose of creating a group of candidates to be considered. No second is needed.
3. Nominations are closed by a motion, second and majority vote of Council.
4. Councilmembers may deliberate on matters such as criteria for selection and the nominated group of candidates.
5. The Mayor polls the Councilmembers to ascertain if they are prepared to vote. Voting must take place in a manner in which the public is notified as to the vote of each existing Councilmember for which candidate. If there is more than one candidate, a vote must be taken for each candidate to record each Councilmember's vote.
6. The City Clerk records the votes in the meeting minutes.
7. The selection of a candidate to fill the vacancy is made by a majority vote of the remaining six members of the Council.
8. If a majority vote is not received for a candidate, the Council may postpone elections until another date.
9. The Mayor declares the nominee receiving the majority vote as the new Councilmember to be sworn in immediately after the effective date of the resignation.
10. The term of the candidate selected to fill the vacancy will be in effect until a person is elected at the next regular election for municipal officers. The interim term would then end, and the new term begin upon certification of election results.
11. If the Council does not appoint a qualified person to fill the vacancy within 90 days of the occurrence of the vacancy, the County Commissioners will appoint a person to fill the vacancy ([RCW 42.12.070](#)).

## **2.10 New Councilmember Orientation**

As newly-elected Councilmembers, elected officials become an integral part of the City team. The City Manager's office coordinates an orientation process, schedules interviews with the City Manager and Department Directors, and provides opportunities for tours of City facilities and infrastructure. The City Manager's office also coordinates Open Government Trainings, as required by state law ([RCW 42.56.150](#)). Councilmembers are encouraged to attend the Association of Washington Cities (AWC) annual new member orientation. The Mayor and existing Councilmembers welcome and mentor new members, share perspectives and insights, and discuss priorities, procedures, and protocols.

## **2.11 Appointment and Role of City Manager**

The City Manager is the chief administrative officer of the City, appointed by and accountable to the Council.

The City Manager is responsible for the effective administration and management of the City and the efficient delivery of all City services. The City Manager appoints and supervises all Department Directors. The City Manager is responsible for all hiring and employment decisions, the approval of all operating rules and procedures, ensuring quality performance, proper financial management of City funds, and carrying out the policy directives of the Council.

The City Manager prepares the annual budget for Council approval, assists in the identification of community priorities, and facilitates public involvement and participation in key areas of policy development and service delivery. The City Manager proposes policy recommendations to the Council, advises on matters of community interest, and supplies facts and information as appropriate to provide the Council with a comprehensive basis for making decisions and establishing annual goals and priorities for the City. The City Manager also attends and represents the City on various intergovernmental committees ([RCW 35.A.13.080](#)).

The Council evaluates the City Manager's performance on an annual basis, generally in the first quarter of the calendar year, to ensure that both the Council and the City Manager are in agreement about performance and goals based upon mutual trust and common objectives. The Human Resources Director coordinates the evaluation process with the Mayor. The Council discusses the City Manager's evaluation in Executive Session.

## **2.12 Organization and Procedures of Council**

### Council Meetings

1. The City Clerk's office prepares a proposed agenda prior to each meeting of the Council. The proposed agenda, together with copies of all information for consideration by the Council at the forthcoming meeting, is posted to the City's website, and each Councilmember will be notified by email when it is available by 4 p.m. the Friday before the meeting.
2. The reading of the minutes of the previous meeting shall be dispensed with, provided that such minutes are made available to each Councilmember prior to the meeting, unless the Council directs otherwise. Any amendments or corrections to the minutes are stated and agreed to by the Council.
3. Councilmembers shall attempt to conduct business at all Council Meetings in a manner, which will allow for adjournment no later than 10:00 p.m.
4. *Robert's Rules of Order, revised*, shall govern the deliberations of the Council, except when such rules are in conflict with state law, ordinances of the City or resolution.

### Standing Council Committees

The standing committees of the Council and the scope of their jurisdiction are as follows:

1. The Community Relations and Public Affairs Committee is responsible for policy development and review concerning the City's art, cultural, community relations, historic preservation and parks and recreation activities.
2. The Finance and Economic Development Committee is responsible for policy development and review concerning the financial matters of the City. The committee shall periodically review the City's budget and financial status and make recommendations to the Council relating to the City's expenditures and revenues, including the level and appropriateness of various non-utility fees and charges. The committee shall also consider and make recommendations to the Council regarding such other budget, financial and economic development matters it deems appropriate.
3. The Land Use Committee is responsible for policy development and review of matters referred to the Council by the City's Planning Commission and Thurston Regional Planning Council, as well as urban growth policy, and housing issues. Committee members shall also review matters concerning the environment including stewardship, conservation, regulations, policy, initiatives, and projects.
4. The General Government & Public Safety committee is responsible for policy development and review concerning the general administrative and regulatory functions of the City, including licensing, intergovernmental relations not falling within the jurisdiction of another standing committee, social and health services, library services, and such personnel policy matters as may be properly before the Council. Committee members shall also review public safety matters, including police, fire, criminal justice, dispatch and communication systems, disaster and emergency services, and water safety.
5. The Transportation Committee is responsible for policy developments and review concerning streets, highways, public transit, sidewalks, bicycle routes, traffic safety, rail, parking, and all other transportation matters. The committee shall review and make recommendations to the Council on matters relating to local and regional comprehensive transportation plans, transportation improvement proposals and matters referred to the City by the Transportation Policy Board and the Thurston Regional Planning Council.
6. The Utilities Committee is responsible for policy development and review concerning all City utilities including water, wastewater, stormwater, reclaimed water, and energy related matters. The committee reviews utility comprehensive plans and improvements, existing and proposed utility service delivery areas, boundaries, and issues relating to utility service fees and rates and the boundaries for all proposed annexation areas.

### Authority of Standing Committees

To recognize the relationship between standing committees and the full Council, standing Council committees shall be concerned primarily with policy matters and responsibilities vested in the legislative body of the City. Each committee shall review those policy matters assigned by the terms of [Resolution 1071](#) as may be determined by direction of the Council and shall formulate recommendations to the Council for action. Standing committees are subordinate to the Council and the activities of such committees shall not substitute for Council action, but will be designed to facilitate Council business, unless specific or limited authority is granted by the full Council to conduct business on behalf of the full Council.

#### *Appointment of Committee Members*

The Mayor appoints all members of standing and special committees of the Council, with the approval of the Council. Committee members elect the Chair, who presides over the meeting.

#### *Special Committees*

The Council may create special committees by motion to accomplish specific tasks of limited duration.

#### *Committee Meetings*

All committees should coordinate their activities with one another and with the Council as a whole. The schedule of committee meetings is maintained at City Hall and provided to Councilmembers through regular distributions. All committee meetings are open to the public unless the subject matter at such meeting is one upon which the Council as a whole would meet in Executive Session, pursuant to state law. A Councilmember who is not a member of a particular committee may attend a meeting of that committee, but may not be involved in the committee discussion. Also, that Councilmember should provide sufficient advance notice so that the City can assure compliance with the advance notice provisions of the State Open Public Meetings Act.

#### *Committee Reports*

Committee reports may be oral or in writing. However, when complex or particularly significant action is requested of the Council, a recommendation of a committee should be contained within a written report distributed to Councilmembers prior to Council consideration.

#### *Staff Assistance to Committees*

The City Manager assigns staff assistance to committees, as the committee Chairs may request. If it appears to the City Manager that the amount of staff assistance requested exceeds budget allocations or interferes with the administrative operations of the City, or interferes with established Council priorities, the City Manager shall bring the situation to the attention of the Mayor and Council.

### Community Involvement

Any standing or special committee of the Council may seek involvement or advice of members of the community through advisory task forces, focus groups, neighborhood or other area meetings, or by such other means as the committee may deem appropriate.

*(Refer to Attachment 2.12A - Resolutions 1071, 893, 842, 620; also refer to Chapter 7.)*

## **2.13 Council Committees and Intergovernmental Boards & Commissions**

### Council Committees

Members of the Council hold Committee meetings on a monthly basis to discuss issues related to community affairs, transportation, finance/economic development, land use, utilities and general government/public safety. Meeting times and dates are determined by Committee members' meeting schedules, posted on the City's website, and available on the Committee Schedule, which is distributed weekly to Council and staff. Three Councilmembers serve on each committee to discuss emerging issues, review City programs and policies; and provide recommendations to the full Council. Committee issues can be forwarded to regular Council Meetings for action or to a Council Worksession or committee meeting for further review. Generally, audience participation is not allowed during committee meetings, unless permitted by the Chair. *(Refer to section 2.12 Organization and Procedures of City Council and Attachment 2.12A – Resolution 893, 842, 620.)*

The Council Committees are:

- Community Relations and Public Affairs
- Finance and Economic Development
- General Government and Public Safety
- Transportation
- Utilities
- Land Use

### Intergovernmental Boards, Commissions, and Ad Hoc Committees

Councilmembers represent the City on regional intergovernmental boards, commissions, and ad hoc committees to facilitate communication relating to a variety of matters including planning, transportation, utilities, housing, the environment, and social services.

Councilmembers participating in policy discussions at regional meetings represent the consensus of the Council. Personal positions, when given, will be identified and not represented as the position of the City. Councilmembers present reports on intergovernmental boards, commissions, and ad-hoc committee activities during regular Council Meetings. When an intergovernmental board, commission, or ad-hoc committee addresses a significant issue or key topic (i.e., costs or service impacts to Lacey residents, Lacey Businesses, Lacey taxpayers, and Lacey Utility customers that are not routine but substantial), the Councilmember assigned to the board, commission, or ad-hoc committee informs the full Council, and/or invites the agency to a Council Worksession to provide an update on the issue.

### Appointments

The Mayor appoints Councilmembers to committees, intergovernmental boards, and commissions. Appointments occur at the beginning of a Mayor's new term and with the approval of the Council. Councilmembers provide a list of preferred choices to the newly elected Mayor for consideration at the first Council Meeting in January. The Council confirms these appointments at the following Council meeting in January, after consultation with the full Council. The Mayor makes a good-faith effort to accommodate Councilmembers' preferred choices.

Council appoints a primary delegate and an alternate delegate to each intergovernmental board, commission, and ad hoc committee. Alternate delegates attend meetings when the primary delegate is unable to attend to ensure the City has representation at the meeting. The City Manager assigns and directs staff to serve at regional meetings.

If the primary delegate cannot attend a meeting, they will contact their alternate as a replacement. The primary delegate should notify the alternate as soon as possible when they are not able to attend an upcoming meeting. If no designated representative can attend the meeting, the primary delegate will contact the City Manager's office as notification as well as to coordinate a potential attendee from Council.

If a Councilmember participates in a new Intergovernmental Board or Commission, the Mayor makes an appointment with consent of the Council. Prior to an appointment to a new Intergovernmental Board or Commission, other jurisdictions should be contacted to provide a regional representative. To be recognized as a new Intergovernmental Board or Commission, the body will have one or more elected officials from other jurisdictions other than Lacey.

Intergovernmental Boards & Commissions are as follows:

- Community Action Council
- Economic Development Council
- Emergency Medical Services
- Intercity Transit
- Joint Animal Services Commission
- LOTT Clean Water Alliance
- Mayor's Forum
- Nisqually River Council
- Olympia Lacey Tumwater Visitor & Convention Bureau
- Olympic Region Clean Air Agency
- Regional Housing Council
- Solid Waste Advisory Committee
- TCOMM 911
- Thurston County Law & Justice Council
- Thurston Regional Planning Council
- Transportation Policy Board

Ad Hoc Committees are as follows:

- Lacey South Sound Chamber
- Law Enforcement Officers and Fire Fighters (LEOFF) Disability Board
- Lodging Tax Advisory Committee
- Thurston Chamber Shared Legislative Committee
- Thurston County Coalition Against Human Trafficking (TCCAT)
- Thurston Thrives

## **2.14 Advisory Boards and Commissions**

Community members serve on Lacey's Boards and Commissions in an advisory role and make recommendations on issues related to land use, zoning, social services, parks, library services, and historical matters. Community involvement is a key element in the Council's decision-making process. The duties and responsibilities of advisory boards and commission members are defined in the [Lacey Municipal Code](#) (LMC), the [Revised Code of Washington](#) and through intergovernmental agreements. Prior to serving on one of Lacey's Advisory Boards and Commissions, the full Council shall confirm all advisory board and commission appointments forwarded by the Mayor.

If a member resigns prior to his/her term expiration, a letter of resignation will be submitted to the Mayor, or City Manager for the Civil Service Commission. If a member serves a complete term and does not seek reappointment, they will be recognized by the Mayor at a regular Council meeting. The City Clerk's office coordinates the recruitment process to fill vacancies on Council Boards and Commissions. Positions are advertised on the City's website, through local media, and by word of mouth. Prior to interviews, copies of applications, letters of interest, and resumes are forwarded to Council to provide an opportunity to comment to the Mayor. Potential candidates are interviewed by the Mayor and staff liaison to the Board/Commission. The Mayor appoints, subject to confirmation by Council, at the next regular Council meeting, with the exception of the Civil Service Commission.

Codified Boards and Commissions are defined in the [Lacey Municipal Code](#) as City law, or in the Revised Code of Washington as state law. Additionally, the [Boards and Commissions Standards, Protocols, and Ground Rules Handbook](#) is available online.

### *Planning Commission*

The nine-member Planning Commission develops recommendations for long-range comprehensive planning goals and policies in the City and areas outside the City, which may seek annexation. The Planning Commission determines its own meeting times and location.

|                    |                          |
|--------------------|--------------------------|
| Reference:         | <a href="#">LMC 2.32</a> |
| Length of Term:    | Three Years              |
| Term Limit:        | Two Terms                |
| Number of Members: | Nine Commissioners       |

Residency Requirements: Seven of the nine Planning Commissioners must be Lacey City residents. The remaining two Commissioners may be either Lacey residents or residents of Lacey's Urban Growth Area.

Who Appoints: The Mayor appoints Planning Commissioners, subject to confirmation by the Council.

### Historical Commission

The eight-member Historical Commission provides leadership in raising awareness of Lacey's history and preservation of local historic resources. The commission guides creation of public education and interpretive programs, encourages conservation of items and properties that are of historic significance, and reviews nominations to the Lacey Register of Historic Places. The Historical Commission determines its own meeting times and location.

Reference: [LMC 2.42](#)  
Length of Term: Three Years  
Term Limit: Two  
Number of Members: Seven Commissioners, plus one youth representative

Residency Requirements: Five of the seven Commissioners must be Lacey City residents. Two of the seven Commissioners must be professionals with a background in history, architecture, planning, or American studies. The Lacey Youth Council appoints one member to serve as the youth representative to the Historical Commission.

Who Appoints: The Mayor appoints Historical Commissioners, subject to confirmation by the Council. A member of the Lacey Youth Council serves as the Youth Representative, as appointed by the Mayor and confirmed by Council.

### Board of Parks Commissioners

The six-member commission makes recommendations to the Council regarding planning, promotion, acquisition, construction, and development of parks and open spaces, recreation facilities and recreation programs. The Board of Parks Commissioners determines its own meeting times and location.

Reference: [LMC 2.44](#)  
Length of Term: Three Years  
Term Limit: Two Terms  
Number of Members: Five Commissioners, plus one youth representative  
Residency Requirements: Four of the five Commissioners must be Lacey City residents. One of the five Commissioners can be either a Lacey City resident or a resident of Lacey's Urban Growth Area. The

Lacey Youth Council appoints one member to serve as the youth representative to the Board of Parks Commissioners.

Who Appoints: The Mayor appoints Board of Parks Commissioners, subject to confirmation by the Council. A member of the Lacey Youth Council serves as the Youth Representative, as appointed by the Mayor and confirmed by Council.

#### Library Board

The six-member Lacey Library Board, comprised of five general members and one youth representative, assists in facilitating long-range planning for library capital facility needs and recommends building improvements for the Lacey Timberland Library. The Board selects its own chairperson and officers from its membership. Lacey's Timberland Library has one of the highest circulations of the 27 libraries in the Timberland Regional Library system. The Library Board determines its own meeting times and location.

Reference: [LMC 2.46](#)  
Length of Term: Five Years  
Term Limit: Two Terms  
Number of Members: Five Board Members, plus one youth representative

Residency Requirements: Four of the five Board Members must be Lacey City residents. One of the five Board Members can be either a Lacey City resident or a resident of Lacey's Urban Growth Area. The Lacey Youth Council appoints a Lacey Youth Councilmember to serve as the youth representative.

Who Appoints: The Mayor appoints Library Board Members, subject to confirmation by the Council. A member of the Lacey Youth Council serves as the Youth Representative, as appointed by the Mayor and confirmed by Council.

#### Commission on Equity

The eight-member Commission on Equity, comprised of seven general members and one youth representative, work to identify and advance opportunities that will create a more welcoming community, continue critical conversations on race and equity, seek greater participation from underrepresented community members, and identify existing gaps and barriers which could prevent full participation in government and public policy.

Reference: [LMC 2.34](#)  
Length of Term: Three Years  
Term Limit: Two, if there are no applicants for a vacant term on month prior to the expiration of the term, the incumbent may be reappointed to an additional three-year term  
Number of Members: Seven Commissioners, plus one youth representative

Residency Requirements: Commissioners may be a Lacey City resident or reside within Lacey's Urban Growth Area.

Who Appoints: The Mayor appoints Equity Commissioners, subject to confirmation by Council. A member of the Lacey Youth Council serves as the Youth Representative, as appointed by the Mayor and confirmed by Council.

#### LEOFF Disability Board (Law Enforcement Officers Fire Fighters)

The 5-member Law Enforcement Officers and Fire Fighters (LEOFF) Disability Board administers LEOFF I benefits and entitlements. The LEOFF Disability Board determines its own meeting times and location.

Reference: [RCW 41.26.110](#)  
Length of Term: Two Years  
Term Limit: No term limit  
Number of Members: Five Board Members

Residency Requirements: Two members must currently serve on the Lacey Council. Two members must be active or retired City law enforcement officers. One member must be from the public at large who resides within the City.

Who Appoints: The Mayor appoints two Councilmembers, subject to confirmation by Council. Law enforcement officers employed by or retired from the city who are subject to the jurisdictions of the board elect and appoint the two law enforcement Board Members. The remaining Board Members appoint the one at-large Board Member.

#### Civil Service Commission

By statute, the City Manager appoints members to the Civil Service Commission. The three-member Civil Service Commission adopts rules for the regulation of personnel matters and competitive examinations for classified employees of the Lacey Police Department. It also hears appeals arising from the administration of the Civil Service rules and regulations. The Civil Service Commission determines its own meeting times and location.

Reference: [LMC 2.52.040](#); [RCW 41.12](#)  
Length of Term: Six Years  
Term Limit: Two Terms  
Number of Members: Three Members

Residency Requirements: Civil Service Commissioners may be Lacey City residents or residents of Lacey's Urban Growth Area.

Who Appoints: The City Manager appoints Civil Service Commissioners.

### Lodging Tax Advisory Committee (LTAC)

The five-member Lodging Tax Advisory Committee recommends to the Council how best to use lodging tax revenues. Lodging tax revenues are generated through a 4% hotel-motel tax imposed by the City on each room rental night. The Lodging Tax Advisory Committee determines its own meeting times and location.

Reference: [RCW 67.28.1817](#); [LMC 13.03.045](#)

Length of Term: Three Years

Term Limit: No term limit

Number of Members: Five Members

Residency Requirements: One member must be an elected official of the City, and will serve as Chair. Two Committee Members must represent businesses that collect the lodging tax, and two Committee Members must represent activities authorized to be funded by lodging tax revenues.

Who Appoints: The Mayor appoints Lodging Tax Advisory Committee Members, subject to confirmation by Council.

Non-codified Boards and Commissions are *not* enacted as law in the LMC.

### Public Facilities District (PFD)

The seven-member Public Facilities District Board has fiduciary responsibility for the appropriate use of sales tax revenue it collects and distributes. The Board meets annually to review financial statements and to issue an annual report to the public on the use of those funds. The Public Facilities District Board determines its own meeting times and location.

Reference: [RCW 82.14.390](#)

Length of Term: Four Years

Term Limit: No term limit

Number of Members: Seven Board Members

Residency Requirements: The Public Facilities District Board must have one member from each jurisdiction, and three regional members.

Who Appoints: Four members are representatives from each jurisdiction (Lacey, Olympia, Tumwater, and Thurston County). The Mayor appoints Lacey's representative, subject to confirmation by the Council. Each jurisdiction appoints their own representative.

Three members are regional representatives, subject to recommendations from local business and community organizations, and appointed by the elected bodies of all four jurisdictions.

### Thurston Community Media (TC Media) Board of Directors:

Lacey representatives fill one position and one alternate position on the 15-member TC Media Board of Directors. The Board sets policy for TC Media to assist residents and organizations to communicate information and exchange ideas through the medium of community access television. The TC Media Board of Directors determine their own meeting times and location.

|                         |                                                    |
|-------------------------|----------------------------------------------------|
| Length of Term:         | 3 Years                                            |
| Term Limit:             | No term limit                                      |
| Number of Members:      | 15 total (One member and one alternate from Lacey) |
| Residency Requirements: | None                                               |
| Who Appoints:           | Mayor appoints, subject to confirmation by Council |

### Removal of a Board/Commission Member:

General or youth representatives who serve on one of the four LMC codified Boards and Commissions (Historical Commission, Library Board, Board of Parks Commission, or Planning Commission) may be removed from the Board or Commission prior to the expiration of their term of office by the Mayor with the approval of the Council for inefficiency, neglect of duty, an unlawful act, or by violation of the protocols of the Lacey Boards and Commissions Standards, Protocols, and Ground Rules Handbook. The Mayor, with approval of the Council, may also remove a general member or youth representative who has three or more unexcused absences at regular meetings in a calendar year. Removal should not occur for disagreement with an official recommendation of the Board or its members.

Prior to the decision to remove or not remove a Board or Commission member, the Mayor or their designee will conduct a fact-finding process to fully assess and determine whether the Board or Commission member's actions meet the criteria for removal.

*(Refer to Chapter 2, Paragraph 2.15, and Attachments 12.14A and 12.14B, Appointments to Council Advisory Boards/Commissions.)*

## **2.15 Appointments to Council Advisory Boards and Commissions**

Prior to serving on one of Lacey's Advisory Boards and Commissions, the full Council confirms all citizen representative appointments forwarded by the Mayor. Community members, serving on Lacey's Boards and Commissions, serve in an advisory role and make recommendations on issues related to land use, zoning, social services, parks, library services, and historical matters. Community involvement is a key element in the Council's decision-making process. The duties and responsibilities of advisory boards and commission members are defined in the [Lacey Municipal Code](#) (LMC), the [Revised Code of Washington](#) and through intergovernmental agreements. *(Refer to Chapter 2, Paragraph 2.13.)*

Procedure for appointments to Council Advisory Boards and Commissions:

1. All Boards/Commissions are identified as *codified* and *non-codified*.
2. *Codified* Boards/Commissions are defined in the [Lacey Municipal Code](#) (LMC) as City law, or in the [Revised Code of Washington](#) (RCW) as State law. Terms of office, length of service, and meeting times/days are described in the code.
  - a. Planning Commission ([LMC 2.32](#)) 3 year term/2 term limit
  - b. Historical Commission ([LMC 2.42](#)) 3 year term/2 term limit
  - c. Library Board ([LMC 2.46](#)) 5 year term/2 term limit
  - d. Board of Park Commissioners ([LMC 2.44](#)) 3 year term/2 term limit
  - e. The Commission on Equity ([LMC 2.34](#)) 3 year term/2 term limit
  - f. Civil Service Commission ([RCW 41.12](#); [LMC 2.52](#)) 6 year term/2 term limit
  - g. Law Enforcement Officers, Fire Fighters (LEOFF) I Disability Board
  - a. ([RCW 41.26](#)) 2 year term/no term limit
  - h. Lodging Tax Advisory Committee ([LMC 3.03.045](#)) 3 year term/no term limit
3. *Non-codified* Boards/Commissions are *not* enacted as law in the LMC. A description of these Boards/Commissions, their terms of office, length of service, and meeting times/days can be found in an informational brochure, *Serving on a City Advisory Board or Commission*.
  - a. Thurston Community Media Board (TC Media) *no term limits*
  - b. Public Facilities District (PFD) 4 year term/no term limit
4. A candidate must be a resident of Lacey or the urban growth area. Specific residency requirements are outlined in the [LMC](#) or [RCW](#) for the Planning Commission, Historical Commission, Library Board, Board of Park Commissioners, Civil Service Commission, and LEOFF Board. There are no other requirements for eligibility.
5. Community members cannot serve on multiple Boards/Commissions at the same time.

#### Recruitment Process

The City Manager's office ensures that all vacancies are publicly advertised, unless a current list of qualified candidates exist.

1. The City Manager's office announces vacancies in the local paper, the City's newsletter, Lacey Life, posted on the Lacey website, and at televised Lacey Council meetings.
2. The Mayor and City Clerk determine if applications will be accepted until the vacancy is filled, or if an ending date will be set.
3. The City Manager's office prints and mails applications and the informational brochures, *Serving on a City Advisory Board or Commission*, year-round.

#### Application Process

1. The City accepts applications year-round.
2. Applicants must submit a completed application form, a letter of interest, and a resume.
3. Staff route original applications to the City Clerk. The City Clerk distributes copies of the application to the Mayor and appropriate staff.
4. The Deputy City Clerk mails a letter of acknowledgement to the applicant.
5. The Mayor determines the appropriate interview and selection process depending upon the number of applicants, the urgency to fill the vacancy, and the skills, knowledge and abilities required.
6. The Deputy City Clerk sends a notification letter to those who applied, but were not selected. Their applications are kept on file for one year.

#### Appointment Process

1. The Mayor appoints community members, subject to confirmation by Council at a regular Council Meeting, or by the City Manager for the Civil Service Commission.
2. Prior to the Council meeting, the Deputy City Clerk forwards copies of applications, letters of interest, and resumes to the Council for review and comment.
3. Following the appointment of a citizen to a Board or Commission, the City Clerk prepares a letter of appointment for the Mayor's signature.

#### Recognition Process

1. All members who serve at least one full-term on a Lacey Board or Commission, receive the *Distinguished Public Service Award* at the end of their service. The award is presented at a regular Council Meeting. The City Manager's office orders the plaque and charges the cost to the *Council Special Events* account.
2. On even-numbered years, the Lacey Council hosts an *Appreciation Dinner* for members of the Council Boards/Commissions. The City Manager's office coordinates the event, and charges the cost to the *Council Special Events* account.

(Refer to Attachment 2.14A – Application for Appointment to Lacey Council Boards and Commissions, and Attachment 2.14B – Serving on a City Advisory Board or Commission.)

## **2.16 Lacey Youth Council**

The Lacey Youth Council serves as an avenue for the Lacey Council to proactively engage with our community's youth and empower Lacey's youth to become future leaders. The Lacey Youth Council serves as an advisory body to the Lacey Council on youth perspectives related to community matters.

## Structure

1. The Youth Council is comprised of fifteen (15) members recruited from the following organizations: North Thurston High School, River Ridge High School, South Sound High School, Timberline High School, Northwest Christian High School, Pope John Paul II High School, and home school organizations.
2. Seven (7) Youth Councilmembers will be juniors or seniors. This requirement may be waved at the discretion of the Mayor of Lacey.
3. The Youth Council selects a Youth Council Mayor and Deputy Mayor from among its members. The Youth Council Mayor and Deputy Mayor must be juniors or seniors with one previous year in Youth Council. School level and previous Youth Council experience requirements may be waived at the discretion of the Mayor of Lacey.
  - a. At the first meeting of the year, Youth Councilmembers will indicate if they are interested in serving as Youth Council Mayor or Deputy Mayor. City staff will present candidate names in alphabetical order for a vote of the Youth Council. The first candidate to secure a majority of votes for each position receives the appointment.
  - b. The Youth Council Mayor is responsible for chairing the meeting and ensuring that the meeting follows the set agenda. The Youth Council Mayor also assigns Youth Council members to deliver monthly reports regarding each of the school listed above and other youth events or youth-involved issues to the Lacey Council.
  - c. The Youth Council Mayor represents the Youth Council at any outside meetings requiring the attendance of the Youth Council. The Youth Council Deputy Mayor assumes the role of Chair in the absence of the Chair.
4. All members of the Youth Council have an equal vote.
5. Youth Council Members serve for up to three (3) terms. If a student graduates or leaves high school, they are no longer eligible to serve on the Youth Council.
6. The Youth Council utilizes and follows Robert's Rules of Order.
7. Youth Council in coordination with City personnel will create a year-long workplan for the Youth Council.
8. City personnel will conduct ongoing civic educational sessions and trainings throughout the duration of the year.

## Meeting Times

1. The Youth Council meets at least twice a month during the school year or from September to June. Meetings will include one Regular Meeting and one Worksession

meeting. Youth Councilmembers may attend meetings remotely if they cannot make the meeting in-person.

2. Youth Council Regular Meetings will be held on the first Tuesday of the month at 5 p.m.
3. Youth Council Worksession meetings will be held prior to or following the Youth Council's monthly reports to the Lacey Council on the second Thursday of the month.
4. All Youth Council Regular and Worksession meetings are limited to two (2) hours.
5. The Youth Council may schedule additional Youth Council meetings, as needed. Youth Council Special meetings may exceed two (2) hours.

#### Representation on Lacey Council Advisory Boards and Commissions

1. Four (4) Youth Councilmembers that are junior or seniors will serve as the Youth Representatives to one of the following City Advisory Boards and Commissions:
  - a. Historical Commission;
  - b. Board of Parks Commissioners;
  - c. Library Board; and
  - d. Commission on Equity.
2. At the first meeting of the year, Youth Councilmembers will indicate if they are interested in serving as the Youth Representative to a Lacey Advisory Board. City staff will present candidate names in alphabetical order for a vote of the Youth Council. The first candidate to secure a majority of votes for each position receives the appointment.

#### Council Interaction

1. One (1) Lacey Councilmember will serve as a liaison to the Youth Council for the duration of the Youth Council year.
2. All other Lacey Councilmembers will be assigned at minimum one (1) Youth Council meeting to attend during the year.
3. Once a month, selected Youth Council members will deliver a report to the Lacey Council during the second Lacey Council Meeting of that month.

#### Projects

1. The Youth Council will pursue at minimum one (1) public service and community engagement project during the year.

2. Three (3) Youth Councilmembers that are junior or seniors will serve as Project Managers for Youth Council Projects.
3. Youth Council may participate in other volunteer and engagement efforts, such as but not limited to:
  - a. providing support for City events; and
  - b. attending Youth Action Day or other leadership summits.

#### Recruitment

1. The City will coordinate with North Thurston Public Schools, Pope John Paul II, Northwest Christian High School, and home school organizations to promote the Youth Council and solicit applications to the Youth Council.
2. Youth Councilmembers will help with Youth Council recruitment efforts.
3. Recruitment efforts begin in March of each year.

#### Selection Process

1. Applicants must be in their freshman, sophomore, or junior year at the time of application.
2. The City Mayor reviews all applications and selects candidates for interview. The interview panel consists of the City Mayor, City staff, and if possible, members of Youth Council.
3. After candidate interviews, the City Mayor selects individuals to recommend to the full Lacey Council for service on the Lacey Youth Council. Lacey Council will confirm the selection of Lacey Youth Councilmembers.
4. Once confirmed to the Lacey Youth Council, the City will notify the selected individuals of meeting times, training requirements and next steps.

#### Replacement Process

1. If a member of the Youth Council resigns, moves, graduates from high school, or is removed due to behavior, or conduct then the vacated position will be filled as soon as possible.
2. If a member of the Youth Council fails to attend a total of three (3) meetings, regardless if the meetings are consecutively missed, without being approved by appropriate City personnel, those members will be removed from the Youth Council. The vacated position will be filled as soon as possible.

3. Previous eligible applicants receive notification of the vacancy and recruitment activities take place to fill the position. The Lacey City Mayor reviews potential candidates and appoints an individual to the position. Where possible, the Lacey City Mayor backfills the position with a candidate from the origin school of the departing Youth Councilmember.

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# CHAPTER 3

## Administrative Support to the Council

### 3.01 Staff/Clerical Support

The City Manager's office provides administrative support to members of the Council. Administrative support includes, but is not limited to:

- scheduling of appointments
- receipt of telephone messages and citizen requests
- processing mail, travel, and training arrangements
- managing correspondence
- copying and printing as needed

Sensitivity to the workload of support staff members is appreciated. If requested tasks require significant time commitments, Councilmember's should direct their requests to the City Manager.

The City Manager's office manages the Mayor's calendar and coordinates invitations and requests for the Mayor's attendance at ceremonial functions and events.

### 3.02 Office Equipment

Councilmembers have access to the use of City equipment for City-related business. Computers, copiers, printers and faxes are available for use. All City policies related to information services shall apply.

### 3.03 Information Technology

The Information Services (IS) division provides technical support in a limited capacity for the computer/printer in the Council workroom, and to assist with accessing email on the City server.

### 3.04 Meeting Rooms

The Council Workroom, located in the City Manager's area, provides a quiet working environment and meeting area for Councilmembers. The room is equipped with a printer, telephone and reference materials. The Council Chambers is the official meeting room of the Council and is located adjacent to the Council lobby. Regular Council Meetings, Worksessions and Committee Meetings are held in the Council Chambers.

### 3.05 Mail and Deliveries

The City Manager's office coordinates the delivery of mail to the Council. Individual mailboxes are located in the Council workroom, and Council is encouraged to check their mailboxes regularly. Staff delivers uncollected mail to Council each Thursday at the Council Meeting or Council Worksession. If information is time sensitive, staff notifies Council via email, phone, or text messages.

Electronic meeting packets for Regular Council Meetings, Worksessions and Committee Meetings are posted on the City's website by 4:00 pm the Friday before a meeting. Staff notifies Council by email when the meeting packets are available electronically.

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# CHAPTER 4

## Financial Matters

### 4.01 Budget

The City prepares annual operating and capital budgets on a calendar year basis. The operating budget is prepared each year. With Council approval, the City Manager may, submit a biennial budget. There are several phases in the City's budget cycle:

#### June through September - Development and Preparation

1. The City Manager and Finance Director issue a *Call to Budget* to Department Directors.
2. Each department develops and submits their budget requests to a Budget Review Team, composed of the City Manager, Assistant City Manager, and Finance Director.
3. The Budget Review Team balances projected revenue and projected expenses, and develops the City Manager's proposed budget.
4. The Budget Review Team briefs the Finance Committee during this process.

#### October and November - Review

1. The City Manager presents the Annual Operating Budget to the Council no later than the first Tuesday in November.
2. The Council reviews the City Manager's proposed budget, holds a public hearing, and makes budget adjustments.
3. The public hearing occurs in November to receive public input on the proposed budget.

#### December - Adoption

1. The Council adopts the annual budget for the next fiscal year.
2. The Council must balance and adopt the Annual Operating Budget prior to December 31 of the preceding year.

#### Implementation

After adoption of the Annual Operating Budget, the City immediately implements services approved for funding in the next fiscal year.

#### Monitoring

The City Manager and Finance Director monitor revenues and expenditures throughout the year to ensure that funds are used appropriately. The Finance Director submits a Quarterly Financial Report to the City Manager, the Finance Committee, Council and Department Directors.

#### Evaluation

The State Auditor performs audits on specific topics at their discretion. The State Auditor's Office conducts financial and compliance audits. The Finance Department produces Comprehensive Annual Financial reports.

#### **4.02 Council Compensation**

The Council establishes rates of compensation that are subject to certain Washington state laws. Compensation helps fund expenses that Councilmembers may incur in the course of fulfilling their duties. The compensation for each Councilmember elected to office from 2007 to present is \$1,025 per month. On each calendar year, the monthly sum increases by \$50. The Mayor receives an additional \$225 per month. The Deputy Mayor receives an additional \$115 per month ([LMC 2.10](#)).

#### **4.03 Financial Disclosure**

Candidates for the office of Councilmember must file a financial disclosure statement with the State Public Disclosure Commission within two weeks of filing a nomination paper. When appointed to fill a vacancy on the Council, the appointee must file a financial disclosure statement with the Commission, covering the preceding 12-month period, within two weeks of appointment. Councilmembers are must file a financial disclosure statement with the Commission on an annual basis after January 1 and before April 15 of each year covering the previous calendar year. Councilmembers whose terms expire on December 31 shall file the statement for the year that ended on December 31. Statements filed in any of the above cases will be available for public inspection. Failure to file or filing a false incomplete financial disclosure statement, if done knowingly, is a Class I misdemeanor ([RCW 42.17A.750](#)).

#### **4.04 Council Professional Development and Training**

The City's annual operating budget includes appropriations for expenses necessary for Councilmembers to undertake official City business. Funding provided includes membership in professional organizations, attendance at conferences, or educational seminars, and purchase of publications and office supplies. The City Manager's office processes purchases, subscriptions and registrations. (Refer to Chapter 4, Paragraph 4.07 – Allocation of Annual City Council Travel and Training Budget.)

#### **4.05 Gift of Public Funds**

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

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

Staff and elected officials must carefully scrutinize transactions in which the City allocates funds, gives property or lends money or credit in light of the restrictions concerning the gift of public funds.

#### **4.06 Fiscal Policies**

The stewardship of public funds, their safe-keeping, proper use and management, is one of the greatest responsibilities entrusted to officials and managers of the City. The establishment and maintenance of wise fiscal policies enables City officials to protect public interests and ensure public trust.

This document defines financial practices and policies to be used by the City to meet its obligations and operate in a financially prudent manner.

The fiscal policies of the City are to provide a sufficient financial base and the resources necessary to sustain a high level of municipal services to ensure public health, safety, and welfare while maintaining its physical infrastructure and promoting the social well-being of the citizens of the City. *(Refer to Attachment 4.06A, Fiscal Policies.)*

#### **4.07 Allocation of Annual Council Travel and Training Budget**

It is the intent of the Council that each member takes advantage of training and professional development opportunities to broaden their understanding of municipal government and enhance their role as an elected City official. To that end, funds are budgeted annually to accommodate reasonable travel for conferences, seminars, workshops, and other training opportunities for each Councilmember. Councilmembers are encouraged to attend events sponsored by Association of Washington Cities (AWC), National League of Cities (NLC), or similar local government associations, including conferences, seminars, legislative meetings, and training programs. *(Refer to Chapter 4, Paragraph 4.04.)*

Funds allocated to Council travel and training shall be distributed equally by Council position to adequately allow a Councilmember to attend two conferences annually. In addition, adequate funds will be budgeted annually to accommodate travel by the Mayor or other selected Councilmember to meet with the City's congressional delegation to discuss community needs.

Councilmembers shall determine which conferences they wish to attend during the calendar year, as well as a good faith estimate of total training and travel costs by the first Council Worksession of March. If a Councilmember's travel request is lower than their budgeted funds, their remaining funds will be distributed to other Councilmembers whose travel requests are higher than their budgeted funds. Any remaining funds not allocated towards training and travel during the March Worksession shall be held in reserve to cover additional training or travel requests from Councilmembers.

If a Councilmember wishes to attend additional conferences or trainings during the calendar year, they must present their proposal to the General Government Committee for recommendation to be approved by the Council. Approval is granted by a majority vote of the Council.

If there are not adequate funds for each Councilmember to attend two conferences, the Council may propose a budget amendment to cover the additional costs.

The City Manager's office coordinates registration and travel arrangements for the Mayor and Councilmembers.

Travel authorization and expenditures for Councilmembers requires approval of the Mayor. Travel authorization for the Mayor requires approval by the Deputy Mayor.

All travel and training are subject to City policy.

*(Refer to Attachment 4.07A - Reimbursement for Expenses Incurred in the Conduct of City Business; also refer to Chapter 4, Paragraph 4.04.)*

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# CHAPTER 5

## Communications

Perhaps the most fundamental role of a Councilmember is communication. Good communication helps build trust, promotes confidence, improves performance and teamwork, and minimizes surprises.

The Council communicates with the public to assess community opinions and needs, and to share the vision, goals, and priorities for the City. Communication with staff provides policy direction, promotes teamwork and informed decisions, and provides an understanding of the implications of policies.

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

### 5.01 Council Correspondence

The Mayor is typically charged with transmitting the City's position on policy matters to outside agencies on behalf of the Council. The City Manager assists in preparing the correspondence. Individual Councilmembers may occasionally prepare letters for constituents in response to inquiries, or to provide requested information. City letterhead is available for this purpose, and staff can assist in the preparation of such correspondence.

Generally, citizen concerns addressed to the Council are forwarded to the appropriate staff person to prepare a response and to address the concern where possible. A copy of the initial request will be included with the response and distributed to each Councilmember. Correspondence addressed to one councilmember will be copied to all Councilmembers.

If any Councilmember receives an email sent directly to his/her address, they are not required to share their response with the full Council. However, if they decide to share the email, they should forward a copy to the generic council email address at [council@ci.lacey.wa.us](mailto:council@ci.lacey.wa.us) for distribution by the City Clerk to the full Council.

### 5.02 Public Communication

On occasion, Councilmembers may wish to share an opinion on an issue on which the Council has yet to take a position, or about an issue for which the Council has no position. In these circumstances, individual Councilmembers should clearly indicate they are not speaking for the Council as a whole, but as individuals. It is not appropriate to use City letterhead or Council titles for personal or political purposes.

### 5.03 Public Notices and Legal Publications

The City Clerk publishes public notices related to public hearings, special council meetings, budget approval, annexations, and street vacations in the legal section of the local paper, and

on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) under News & Events/Public Notices. The City Clerk publishes adopted ordinances in the legal section of the local paper in compliance with [LMC 1.08](#) on the Monday following Council action. Five business days after publication, the ordinance becomes law.

#### **5.04 Press Releases**

The Public Affairs Department is responsible for the majority of press releases issued by the City related to a specific event, action or announcement. The Council receives copies of all City-related press releases. If an issue is time sensitive or of significant importance, Councilmembers will be contacted directly by the City Manager or their designee.

#### **5.05 City Website**

The Public Affairs Department and Information Services (IS) division are responsible for the management of the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us). The website offers another resource for the City to communicate with its citizens. Information about council meetings, ordinances, resolutions, minutes, council issues, and contact information is available on the Council homepage. Council meeting agendas and draft minutes are posted on the City's website each Friday afternoon prior to the meeting. Minutes are not official until approved at a subsequent Council meeting.

Each Councilmember has the opportunity to post a biographical page on the City's website. Councilmembers should submit their biographical information and areas of focus to the Assistant City Manager for review.

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.

#### **5.06 Requesting Council Resolution on Public Issues**

At times, local ballot measures and state-wide citizen initiatives may be placed on a ballot that affects Council policy. There are restrictions regarding what actions the City may take on ballot measures. Specifically, state statutes prohibit the use of City personnel, equipment, materials, facilities or other resources to influence the outcome of an election. The Council, however, may take a position on certain ballot measures in accordance with Council Policy. (*Refer to Chapter 5, Paragraph 5.06, and Attachment 5.06A, Requesting Council Resolution on Public Issues.*)

#### **5.07 Requesting Council Resolution on Public Issues**

As issues arise, individual community members or groups request Council to take official action as Lacey's governing body in support of or in opposition to issues of interest to them. This section establishes policies and procedures for addressing when and under what circumstances the Council will take such official action.

Council will consider requests to take official action in support of or in opposition to specific issues when:

1. The issue in question has direct financial or policy implications for the City as a governmental organization; or
2. The issue in question has a direct economic or substantive impact on the Lacey community and is of importance and interest to a broad cross-section of Lacey residents; and
3. The issue in question is one that is appropriately addressed by the Council as opposed to another governing body such as the county, state, or federal government; or when the issue is one that is more appropriately addressed in the courts or through public election.

#### Procedure

1. The individual or group(s) making the request should be Lacey residents. An individual or group making such request should be based in Lacey.
2. It is generally the policy of the Council that actions requested on issues of a controversial, political, or divisive nature are appropriate to address only where there is an important and vital community interest to be served by doing so.
3. The City's determination regarding requests for official positions on ballot measures will be in accordance with [RCW 42.17A.555](#) *(to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view).*
4. The person(s) making the request must submit a completed *Application Requesting Council Position on Ballot Proposition*, supply a copy of the ballot proposition, and provide supporting documentation, materials, and other pertinent information relative to the action requested of the Council.
5. Requests must be made at least six weeks prior to the requested Council action date, if any, unless waived by the General Government & Public Safety Committee.
6. The correspondence and associated materials will be reviewed by the General Government Committee whose recommendation regarding the request along with all appropriate materials and information will be forwarded to full Council.
7. The City Manager's office will notify the individual or group(s) making the request of the Committee meeting date and time. Where possible and practicable, the Committee strives to obtain information from the opposing point of view, and where appropriate will also invite certain representatives of said opponents to the Committee meeting.
8. The Committee first reviews the request to determine if it meets the policy requirements and guidelines established in this policy.

9. The Committee then reviews the request along with pertinent materials and information to determine if this is a matter they wish to recommend to the full Council for consideration. If so, a report on the matter, along with the recommendation, will be forwarded to the Council.
10. If the Council decides that it will act on the recommendation, a resolution will be prepared by the City Attorney for consideration at a subsequent Council Meeting. If the Council decides that it is appropriate to officially consider the request, the City Clerk advertises an open public meeting on the matter including the title and number of the ballot proposition.
11. If the Committee determines that it will not recommend official action on the request, the proponents will be so notified, and, a report on the matter will be presented to the Council for their consideration at the next appropriate meeting.

*(Refer to Attachment 5.07A - Application Requesting Council Position on Ballot Proposition; also refer to Chapter 5, Paragraph 5.06.)*

## **5.08 Proclamations**

Proclamations are issued by the Mayor as a ceremonial commemoration of an event or issue. Proclamations are not statements of policy and do not require the approval or action of the Council. *(Refer to Chapter 5, Paragraph 5.09, and Attachment 5.09A, Reviewing Public Requests for Proclamations.)*

## **5.09 Reviewing Public Requests for Proclamations**

The Council will consider requests to proclaim certain events or causes, when such proclamations positively impact the community and convey an affirmative message to Lacey community members. Proclamations that are political in nature, that are controversial, or that likely would not enjoy a high level of community interest and support, are discouraged.

### Procedure

1. The person(s) making the request should be a Lacey resident(s).
2. The request should be made at least four weeks in advance of a regularly scheduled Council meeting.
3. A local citizen should agree to be in attendance to accept the proclamation.
4. The City retains the right to modify, edit, or otherwise amend the proposed proclamation to meet its requirements, needs, or policy determinations.
5. The City retains the right to decide if the proclamation will be issued or not.
6. The person(s) making the request must submit a completed *Application Requesting a City Proclamation* and submit a copy of the proposed proclamation. A sample proclamation is attached to the application to provide format suggestions.

7. The Mayor, City Manager and/or staff designee will determine if the proposed proclamation meets the intent of this policy. When there is uncertainty in making this determination, the Mayor will consult with the General Government Committee for their guidance.
8. Once approved, the proclamation will be added to the appropriate Council agenda.
9. If not approved, the applicant will be notified of the decision and the reason(s) for the decision.

*(Refer to Attachment 5.09A – Application Requesting a City Proclamation; also refer to Chapter 5, Paragraph 5.08.)*

### **5.10 Public Records Act**

The following guidelines are provided to help ensure that communications submitted to and by elected and appointed officials comply with the State Public Records Act, [RCW 42.56](#) and the State Open Meetings Act, [RCW 42.30](#), the following guidelines exist:

#### General Communications

All letters, memoranda, and electronic communication (e.g., email, text, social media) involving Councilmembers, the subject of which relates to the conduct government or the performance of any governmental function, with few exceptions as stated by the [Public Records Act](#), are public records.

#### Written Communications

Written letters and memoranda received by the City, addressed to Councilmembers, will be distributed to Council and a copy kept in accordance with the City's Record Retention Schedule.

#### Electronic Communications

Messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record. Such records are subject to public inspection and copying.

Electronic communications that are intended to be shared among four or more Councilmembers, whether concurrently or serially must be considered in light of the Open Public Meetings Act. Electronic communications should be restricted to providing of information such as materials for later review or notice of a potential new agenda item. Responses to such electronic communications should be limited to ensure that Council business is conducted only at its scheduled meetings. Discussion of City business by a majority of the Council must be conducted in an open meeting. If the intended purpose of the electronic communication is to have a discussion that should be held at an open meeting, the electronic discussion should not occur. The use of electronic communication to form a collective decision of the Council is inappropriate and violates the Open Public Meeting Act.

Electronic communications should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other “confidential” City business. In general, electronic communication is discoverable in litigation. Confidential electronic communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.

City phones and other devices are not appropriate for personal use. Conversely, Councilmembers should not use personal devices to transmit official electronic communications. Electronic messages on a Councilmember’s private device pertaining to City business may be considered open to public disclosure, and may not be deleted.

The City Clerk is the City’s official Records Officer, and as such, is available to assist with public records requests. Online public records request forms are available at the City’s website at [www.ci.lacey.wa.us / Popular Forms/Public Records Request](http://www.ci.lacey.wa.us / Popular Forms/Public Records Request).

### **5.11 Social Media**

This policy establishes a formal process and standards for the use of social media by Elected Officials (Mayor and Councilmembers) in their official capacity. The purpose of social media platforms owned or maintained by the City for Elected Officials is to provide a limited forum for Elected Officials to communicate with their constituents and members of the public regarding subjects directly related to the City and the Lacey community.

The provisions of this policy shall apply only to social media sites/tools owned or maintained by the City, including sites/tools established by the City for elected officials. It is primarily each Elected Official’s responsibility to ensure compliance with this policy.

It is the city’s preference and intent that elected officials only use social media sites/tools owned or maintained by the City to communicate in their official capacity. The use of private social media sites/tools for this purpose is strongly discouraged. The City asks that elected officials include the disclaimer in Exhibit B on personal social media accounts or pages to avoid confusion and potential violations of open government requirements. The City also asks elected officials to include information on any private accounts directing visitors to their official city page for city related business.

#### **Definitions**

“Chat” or “Messenger” is a feature that allows instant messages to be sent.

“Comment” is a response to a post, an article, or other social media content submitted by a visitor.

“Elected Officials” includes Mayor, Councilmembers, and any staff working on an Elected Official’s behalf to represent them, using a social media platform.

“Reacting” is a feature that allows users to show their reaction to specific comments, pictures, wall posts, statuses, or fan pages. The “reaction” button allows users to show a range of responses, such as their appreciation, dislike, or other emotion for content without having to make a written comment.

“Post” is an original entry onto a social media platform.

“Sharing” is to relay a previously created post onto a different social media site.

“Social Media” are third-party hosted online technologies that facilitate social interactions and dialogue. These online technologies are operated by non-city hosted services and may be used by the Elected Officials to communicate with the public. Such third party hosted services/tools may include, but are not limited to: social networking sites (Facebook, LinkedIn), micro-blogging tools (Twitter, Instagram, Snapchat), audiovisual networking sites (YouTube, Vimeo), and blogs (Wordpress, Tumblr, etc.)

“Tagging” is a mechanism of linking a person, page, or place to a post.

“Visitor” is a person who views an Elected Official’s social media site.

### General Policy

While social media, with its use of popular abbreviations and shorthand, does not adhere to standard conventions of correspondence, the content and tenor of online conversations, discussions, and information posts and comments should model the same professional behavior displayed during Council Meetings and community meetings.

Social media are not to be used by Elected Officials as mechanisms for conducting official city business other than to informally communicate with the public. Examples of business that may not be conducted through social media include: making policy decisions, official public noticing, and discussing confidential City matters that have not been approved for release to the public. Elected Officials’ social media site(s) should contain links directing users back to the City’s official website for in-depth information, forms, documents, or online services necessary to conduct official city business.

### Administration, Enforcement and Dispute Resolution

The City Manager or designee shall have primary responsibility to administer and enforce the provisions of this policy with respect to social media sites/tools owned or maintained by the City.

The City Manager or designee, following consultation with the City Attorney, may cause categories of official City social media applications, tools, or sites to be permanently or temporarily discontinued if they are not or cannot be used in compliance with this policy. The City Manager or designee shall exercise such discretion in a viewpoint-neutral, evenhanded, and non-arbitrary manner.

### Content Restrictions—Ethics and Elections Rules of Compliance

All content posted on individual Elected Officials’ social media sites shall comply with applicable Council Rules of Procedures, City ordinances and administrative rules, and Washington State law regulating public agencies and elected officials.

Social media accounts/platforms owned or maintained by the City shall not contain posts, comments, or links to any content that supports or opposes political candidates or ballot propositions, including, without limitation, links to an Elected Official's campaign site.

For social media accounts that are owned or maintained by the City, no content that promotes or advertises commercial services, entities, or products may be posted.

Elected Officials will not post or release proprietary, confidential, or sensitive information on social media sites in a manner that violates applicable state law, including, without limitation, RCW 42.23.070 – Prohibited Acts.

#### Public Records Act Compliance

Content maintained in a social media format, whether on a city-owned account or personal account, that is related to City business, including communication between an individual Elected Official and constituents or the general public, and a site's listing of "friends" or "followers," may be considered a public record subject to disclosure under the state Public Records Act.

State and local records retention laws and schedules apply to social media content. All social media content that is required to be retained shall be maintained for the legally required retention period based on the subject matter of the content. Social media accounts owned or maintained by the City, will be retained through the City's archiving system.

Any social media tools used should clearly state that all content submitted by members of the public is potentially subject to public disclosure pursuant to the Public Records Act, RCW 42.56. If it is not possible to display this notice prominently on the site, Elected Officials should notify users by including a link from the site to the Public Records Act notice set out in Exhibit A, notify new users via response to posts, and/or periodically notify existing users via broadcast message.

Users of, and visitors to, social media sites shall be notified that public disclosure requests must be directed to the appropriate City Public Records Officer pursuant to the City's Public Records Disclosure Policy.

Councilmembers should avoid using their official city account or page to comment on another social media accounts because those comments may not be captured for public records purposes.

#### Open Public Meetings Act and Appearance of Fairness Doctrine Compliance

Communication between Councilmembers via social media, as with telephone and email, may potentially constitute a "meeting" under the Open Public Meetings Act, Chapter 42.30 RCW.

For this reason, Councilmembers are prohibited from participating in social media discussions/threads regarding City business that involve a quorum of Council Members, and

are strongly discouraged from "friending" or "following" other Councilmembers or reacting to other Councilmember's posts.

In addition, receiving or making posts or comments regarding quasi-judicial matters via social media may violate Council Policy and Chapter 42.36 RCW – the Appearance of Fairness Doctrine. To avoid receiving any comments on pending quasi-judicial matters that may violate the Appearance of Fairness Doctrine, Councilmembers are strongly encouraged to maintain social media sites with settings that can restrict users' ability to post content.

#### Content Guidelines and Restrictions

For social media sites/tools owned or maintained by the City, users and visitors of social media sites who submit comments should be clearly notified that the intended purpose of the site is to serve as a mechanism for informal communication between Elected Officials and the public regarding the City-related topics discussed. If the public is allowed to post comments to an Elected Official's site, the Use Policy set out in Exhibit A must be displayed or made available by hyperlink.

Councilmembers are not allowed to post links to their personal social media accounts or "cross-post" between personal and official city accounts.

Any content removed in compliance with the Use Policy must be retained, including the time, date, and identity of the poster when available, to the extent required by law. See above Records Act Compliance.

#### Equal Access

Elected Officials are discouraged, in their official capacity, from posting or commenting on social media sites that require membership or subscription. When posting information or soliciting feedback on such a site, Elected Officials should always provide an alternate source for the same information or mechanism for feedback on the City's public web site, so that those who are not members of the social media site may have equal access.

#### Exhibit A – Disclaimer for Official City Elected Official Accounts

- The views expressed represent the views of the author and may not reflect the views of the Lacey Council.
- Responses to this communication by other Councilmembers may be limited by the provisions of the Open Public Meetings Act under which a policy discussion must be held in an open public meeting if a quorum of the Council participates.
- Posts, comments, or other content posted to this site, may be considered public records subject to public disclosure under the Washington State Public Records Act (RCW 42.56).

The following content will be removed from this site:

(1) comments not related to the specified topics for discussion;

- (2) posts or comments in support of or opposition to political campaigns or ballot measures;
- (3) profane or obscene language;
- (4) posts or comments espousing or conveying racially, ethnically, religiously, gender-oriented, discriminatory comments;
- (5) solicitations and/or transactions of commerce;
- (6) sexual content or links to sexual content;
- (7) encouragement, promotion or undertaking of illegal activity;
- (8) information that may tend to compromise the safety or security of the public or any City equipment, property or system;
- (9) content that violates a legal ownership interest of any party; and
- (10) posts or comments that would constitute ex parte communications in violation of the Appearance of Fairness Doctrine.

#### Exhibit B – Disclaimer for Personal Accounts

- This is a personal account, city business should be addressed through a City official account.
- The views expressed represent the views of the author and may not reflect the views of the Lacey Council.
- Responses to this communication by other Councilmembers may be limited by the provisions of the Open Public Meetings Act under which a policy discussion must be held in an open public meeting if a quorum of the Council participates.
- Posts, comments, or other content posted to this site, may be considered public records subject to public disclosure under the Washington State Public Records Act (RCW 42.56).

### **5.12 Flag Policy**

The flag policy shall apply to all City-owned locations at which the City flag is displayed.

The Lacey Council may choose to fly a different flag in place of the City flag. Any decision to fly a different flag must be made independently by the Council. The approval to fly a flag in place of the City flag must be made by a majority of the Council at any regular Council meeting. The decision can be made to fly the flag for a specific period of time or on a recurring annual basis.

Any flag flown by the City must be purchased and owned by the City.

#### Council Approved Flags

- **Sister City Flag:** The flag of Lacey's sister city may be flown during the visit of a sister city delegation to City Hall.
- **The Pride Flag:** The Pride Flag will be flown annually from June 1 to June 30.

### **5.13 Naming of Public Parks, Trails, Parkways, etc.**

It is the policy of the City to utilize an established procedure to name public spaces, including public parks, trails, parkways, recreation facilities, community buildings, plazas, open space areas, habitat reserves, memorials, and accessories.

#### Eligibility:

To define the criteria and procedures for naming of public spaces.

#### Criteria:

In the naming of public spaces, consideration shall be primarily given to:

1. Neighborhood, geographic or common name identification.
2. A natural or geological feature.
3. Significant historical events or cultural attributes.
4. A historical figure.
5. An individual (living or deceased) who has made a significant land and/or monetary contribution to the park system and who has stipulated the name as a condition of the donation.
6. An individual who has contributed outstanding civic service to the City.
  - a. Facilities shall not ordinarily be named for living persons, except under the following conditions:
    - i. The individual in his or her lifetime has provided exceptional service to the City. This service should be of substantial length and leadership.
    - ii. His or her accomplishments must have had a measurable effect upon the quality of life within the community, and be directly related to the park and recreation movement.
  - b. Park and recreation facilities may be named for a deceased person subject to the following conditions:
    - i. The person has been deceased for a minimum of two years.
    - ii. The person made a significant direct financial contribution for the development/construction of, or donated land for a park, trail and/or recreation facility.
7. An organization that has donated a significant parcel of property or facility, or has provided a majority of the financing for the acquisition of a public space. An organization that provides for significant development of a park and/or element within a park, may receive secondary name recognition as outlined in the "Procedure – item 7."

Procedure:

1. The naming of public spaces should be approached without preconceived notions and with patience and deliberation.
2. Timing is important in naming public spaces, since temporary designations tend to be retained. During the development, a number or street designation will be used until the formal naming of the public space. Whenever possible, naming will be made upon closing a purchase or construction of the public space.
3. Once a name has been approved, it should be considered permanent.
4. Suggestions for names may be solicited from organizations and/or individuals, including residents surrounding the property to be named, at the request of the Lacey Park Board or at the discretion of the Council. All written suggestions, solicited or not, shall be acknowledged and recorded for consideration.
5. To avoid duplication, confusing similarity or inappropriateness, the Lacey Park Board, in considering name suggestions, will review existing names in the park system and surrounding area.
6. The Council, following public review and/or recommendation by the Lacey Park Board, shall designate names for park and recreation facilities. The Lacey Council will have the prerogative of accepting or rejecting all proposals.
7. All portions of a public space will have, as a general rule, the same name as the entire park, trail or facility. However, elements within a public space may be named separately as long as the name does not detract from the intended identity. Thus, the two names can be used in combination, i.e. Beaver Park's Cleaver Field or Riverfront Park's Blooming Arboretum.
8. Public spaces shall be identified by the established name, and signs shall be maintained as a source of identity and civic pride.
9. Where appropriate, a "Contributors Corner" may be established to honor those who have made significant contributions to the site.
10. Upon approval of the name, the name will be filed with the Fire Department, 911, the Lacey Police Department or any agency/business that would use names as a reference.

Definitions:

1. Lacey Park Board – an appointed board of six members representing the citizens of the City.
2. Public spaces – all City owned, public parks, parkways, trails, recreation facilities, community buildings, plazas, open space areas, habitat reserves, memorials, and features in the park and recreation system of the City.
3. Memorials – all sculptures, permanent artwork, fountains, memorial gardens, plazas, and exhibits which honor or commemorate a person(s), group or event.
4. Basic park accessories include typical amenities, i.e. benches, picnic tables, equipment, trees, drinking fountains, game equipment and exhibits.

## **5.14 Naming of Historical Buildings**

It is the policy of the City to utilize the following procedures and selection process for recognizing the community's history, places and people.

### Purpose:

To define the selection criteria and procedures for recognizing buildings, sites, people, organizations and events important to community's heritage. To amplify and clarify procedure outlined in existing City ordinances regarding historical resources. To assure that historical references and recognition are valid, appropriate and timely.

### Criteria:

City Ordinance No. 531 and Ordinance No. 796 identifies the process or recognizing buildings, streets, areas, districts, sites and other activities associated with the City's heritage. The following shall be implemented to augment to existing ordinances:

1. Calendar age will not be a factor in limiting recognition.
2. As an addition to and without alternating the ordinances, recognition may be given to:
  - a. Buildings and sites associated with events important to the City's Heritage.
  - b. Buildings and sites associated with persons important to the City's heritage.
  - c. Significant historical cultural attributes.
  - d. People and organizations that have contributed to the community's history.
  - e. An individual (living or deceased) who has made a significant land and/or monetary contribution to the preservation or enhancement of Lacey's historical resources.
  - f. An individual who has contributed exceptional civic service to the City.
    - i. Recognition is not ordinarily given to living persons, except under the following conditions:
      - 1) The individual in his or her lifetime has provided exceptional service to the City. This service should be of substantial length and leadership.
      - 2) His or her accomplishments must have had a measurable effect upon the quality of life within the community, and be directly related to the community's history and development.
  - g. An individual or organization that has donated a significant parcel of property or facility, or has provided a majority of the financing for the acquisition of a public facility.
  - h. An individual or organization that has undertaken significant activities that further the understanding of the community's heritage.

### Selection Process

1. Providing recognition of the community's history, places and people should be approached objectively with patience and deliberation.
2. All suggestions, recommendations and applications for recognizing people, organizations, sites and events that are directly related with the community's history shall be reviewed by the Lacey Historical Commission.
3. The Lacey Historical Commission will provide guidance, background data, and advice to the entity originating the recommendation for recognition, and will submit recommendations to the Lacey Council for consideration. The Commission, in considering suggestions for recognition, will review existing data known to the Commission.
4. The Lacey Council will have the prerogative of accepting or rejecting all proposals.
5. Duplicates of recognition may be allowed. Some people or organizations contribute in many ways and can be recognized as appropriate for each action or event.
6. Memorials may be dedicated to the cause for which they were given by an appropriate plaque or sign under the following conditions:
  - a. Requirements are that the building, site, person, organization or event will have met the criteria for recognition.
  - b. The memorials are appropriate for the location and approved by the land owner or City department. The City may, but is not obligated to, replace memorials.
7. Placement of signs or plaques will be considered only on permanent monuments, structures, or facilities.
8. The donations of items associated with the community's heritage will be encouraged with or without donor information. However, the City will not be obligated to replace the identification placed on the item.
9. Where appropriate, a "Contributor's Register" may be established at the Lacey Museum or other City facility to honor those who have made significant contributions to the community.

### Definitions

1. Lacey Historical Commission – an appointed board of nine members representing the citizens of the City. The Commission's actions and responsibilities are identified in City Ordinance No. 531 and Ordinance No. 796.

### Procedure

1. Suggestions for recognizing historical events, places and people shall be solicited from organizations, individuals and City staff, or may be voluntarily submitted by any citizen. All written suggestions, solicited or not, shall be acknowledged and recorded for consideration by the Lacey Historical Commission.
2. The Lacey Historical Commission may act on any recommendation for recognition at a regularly scheduled meeting, special meeting, or telephone poll.

3. The Council, following public review and recommendation by the Lacey Historical Commission, shall provide for the specific recognition.
4. Buildings, sites, and other specific facilities shall be identified by the established name, and signs shall be maintained as a source of identity and civic pride.

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# CHAPTER 6

## Interaction with City Staff/Officials

### 6.01 Council Non-participation in Administration

In order to ensure the efficient and effective delivery of City services, the Council is encouraged to work directly with the City Manager when dealing with administrative services of the City. By statute [RCW 35A.13.120](#), Councilmembers are not to direct staff or become involved in or attempt to influence personnel matters that are under the direction of the City Manager. State law also prohibits Councilmembers from being involved in, or influencing, the purchase of any supplies beyond the requirements of the City procurement code/procedures. Except for the purpose of inquiry, Councilmembers should deal with administrative services primarily through the City Manager or designee.

### 6.02 Council/City Manager Relationship

The employment relationship between the Council and City Manager recognizes the fact that the City Manager is the chief executive officer of the City. All dealings with the City Manager, whether in public or private, should respect the authority of the City Manager in administrative matters. The City Manager respects and is sensitive to the policy responsibilities of the Council and acknowledges that Council holds the final responsibility for establishing the policy direction of the City.

The City Manager is subject to a professional code of ethics as a member of the [International City/County Management Association](#) (ICMA). The code binds the City Manager to certain practices that are designed to ensure actions are in support of the City's best interests. Violations of such principles can result in censure by ICMA.

### 6.03 Council/City Attorney Relationship

Pursuant to recommendation of the City Manager, the Council makes policy for obtaining legal counsel for the City, either by appointment of a City Attorney on a full time or part time basis, or by any reasonable contractual arrangement for such professional services. ([RCW 35A.13.090](#); [35A.13.100](#)). The City Attorney is similar to other Department Director positions and is appointed by the City Manager. The City Attorney provides legal counsel for the Council, its committees, commissions and boards, the City Manager, and all City officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City. The general legal responsibilities of the City Attorney are to:

- Provide legal assistance necessary for formulation and implementation of legislative policies and procedures;
- Represent the City's interest, as determined by the Council, in litigation, administrative hearings, negotiations, or similar proceedings;
- Prosecute violations of ordinances and other laws of the City;

- Prepare or approve as to form ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes and intentions of the Council; and
- Keep Council and staff apprised of court rulings and legislation affecting the legal interest of the City.

The City Attorney does not represent individual members of Council, but rather the City as a whole.

## **6.04 Council Roles and Information Flow**

### *Council Roles*

The full Council retains the authority to accept, reject or amend staff recommendations on policy matters. Individual Councilmembers are not to intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities. All Councilmembers with concerns affecting the City should bring those concerns to the full Council and City Manager before contacting an outside agency.

### *Access to Information*

The City Manager is the information liaison between Council and City staff. Requests for information from Councilmembers that require research, or is solicited because of a citizen complaint or Council concern should be directed to the City Manager and will be responded to promptly. Council requests for routine, readily available information should be directed to the appropriate department director. All Councilmembers will be informed of requests and the staff response where a report is involved.

There are limited restrictions when information cannot be provided. The City is legally bound not to release certain confidential personnel information, or sales tax information on individual businesses. Certain areas of police department affairs, i.e. confidential information related to crimes, also may not be available.

### *Staff Roles*

The Council recognizes the primary functions of staff as executing Council policy, implementing adopted goals and priorities, addressing day-to-day issues and problems, and keeping the Council informed. Staff is obligated to take guidance and direction only from the City Manager or assigned Department Director. This direction follows the policy guidance of the Council as a whole.

City staff makes every effort to respond in a timely and professional manner to all requests for information or assistance made by individual Councilmembers, provided that, in the judgment of the City Manager, the request is not of the significance, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full Council.

### *Significant Requests*

No Councilmember shall request or direct the City Manager or Department Directors to initiate any action or prepare any report that is significant in nature, or initiate any significant project or study without the consent of a majority of the Council. The City Manager shall determine whether or not the matter is significant.

#### **6.05 Dissemination of Information**

The City Manager's open-door policy encourages Councilmembers to meet with the City Manager on an impromptu basis to discuss issues, City operations, intergovernmental issues, citizen concerns, goals, priorities, and the like.

Councilmembers receive a weekly listing of pending agenda items. The monthly *LaceyLife* provides information about on-going City activities. The *Lantern* – the City's monthly employee newsletter, and the *Energizer* - the City's monthly wellness newsletter, also provide information and updates about happenings in Lacey. In addition, the City Manager and Department Directors provide regular status reports, financial reports, staff reports and other updates, as available and needed.

Council meeting packets are available on the City's website by 4 p.m. the Friday before regular meetings. Staff notifies council by email when the meeting packets are available.

#### **6.06 Staff Relationship to Advisory Bodies**

Staff provides support and assistance to advisory boards, commissions and task forces. Staff support includes preparation of summary agendas, preparation of reports providing a brief background of the issues, options, alternatives, recommendations, and preparation of minutes of advisory body meetings. Assigned City staff communicate recommendations of the advisory board to the Council as necessary and appropriate.

# CHAPTER 7

## Council Meetings

In accordance with the Open Public Meetings Act, all Council regular and special meetings are open to the public with the exception of Executive Sessions.

### 7.01 Meetings

#### Council Meetings

The Council conducts its official business, enacting laws and approving policies during regular Council meetings. Regular Council meetings occur the first and third Thursday of the month. All regular meetings begin at 7 p.m. in the Council Chambers at Lacey City Hall, 420 College Street SE. There are no regularly scheduled Council meetings on the 5<sup>th</sup> Thursday of the month.

#### Council Worksessions

Worksessions provide an opportunity for the full Council to review and discuss issues in depth without taking official action. Council Worksessions occur on the second and fourth Thursday of each month. All meetings begin at 7 p.m. in the Council Chambers at Lacey City Hall, 420 College Street SE. Although most formal Council action occurs at regular Council Meetings, the Council may make decisions and take official action at Council Worksessions.

#### Council Committees

The Council holds committee meetings on a monthly basis to discuss issues related to community affairs, transportation, finance, economic development, land use, utilities, general government, and public safety. Meeting times and dates are posted on the City's website. Staff distribute a weekly schedule of pending agenda items to Council and staff. Three Councilmembers serve on each committee to discuss emerging issues, review City programs and policies, and provide recommendations to the full Council. Committee issues can be forwarded to regular Council Meetings for action or to a Council Worksession or committee meeting for further review. Generally, audience participation is not allowed during committee meetings, unless permitted by the Chair. *(Refer to Chapter 2, Paragraph 2.12, and Attachment 2.12A, Council Policies, Organization & Procedures of Lacey Council – Resolutions 620, 842, 893.)*

#### Special Meetings

- Retreats – The Council meets annually to develop short goals, priorities and policies for the upcoming year, and strategic long-term goals.

- Legislative Meetings – Prior to the state legislative session in January, Councilmembers, City Manager, and/or staff meet with state legislators from the 2<sup>nd</sup> & 22<sup>nd</sup> Districts to discuss legislative issues of importance to the City.
- Joint Worksessions – The Council meets with the Planning Commission, School Board, and other interjurisdictional bodies are scheduled annually to discuss regional topics and issues.
- Bus Tours – Occasionally, the Council schedules community tours with Advisory Boards to view public works projects, parks, and similar private and public development projects.
- Editorial Board Meetings – Once or twice a year, the City the Olympian Editorial Board requests a meeting to discuss current City issues. The City Manager and three Councilmembers attend. Council rotates in order to ensure everyone has an opportunity to attend.

## **7.02 Guidelines for Editorial Board Meeting**

In an effort to improve communications and discuss issues of public interest, the Olympian Editorial Board may request quarterly meetings with Lacey Councilmembers. This policy is intended to set forth guidelines for attendance and communication at these meetings.

### Procedure

1. In order to ensure conformance with the State Open Meetings Law, no more than three members of the Council should attend each meeting. If more than three Councilmembers plan to attend, the City Clerk will provide appropriate notice of the meeting to the public and retain a record of the meeting.
2. Whenever possible, Councilmembers rotate attendance at the quarterly Editorial Board meetings. Variance from this practice may occur where it is anticipated that special knowledge or experience on a particular issue may be necessary or desirable.
3. Whenever possible, the City Manager attends the Editorial Board/Councilmember meeting. The City Manager participates in discussions and provides supplemental details and information on behalf of the City.
4. When Editorial Board questions arise that involve an expression of a personal opinion or points-of-view opposed to Council decision or policy, Councilmembers and the City Manager should carefully distinguish between the two when sharing information and perspectives.
5. At the regular Council Meeting immediately following the Editorial Board discussion, the full Council will be briefed regarding the highlights of the meeting.

*(Refer to Chapter 7, Paragraph 7.01.)*

### **7.03 Public Notice of Meetings and Hearings**

The City Clerk publishes public notices related to public hearings, special council meetings, budget approval, annexations, and street vacations in the legal section of the local paper, and on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) under News & Events/Public Notices.

### **7.04 Special Meetings**

Special meetings may be called at any time by the Mayor, a majority of the Council, or the City Manager by delivering personally, by mail, by fax, or by email, a written notice to each member of the Council and the City's official newspaper, and to each local radio/television station with a written notification request on file at least 24 hours before the time of such meeting specified in the notice. The notice specifies the time and place of the special meeting and the business to be transacted.

The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notices make it impractical.

### **7.05 Executive Session**

When appropriate, the Council may adjourn to an Executive Session to privately discuss and consider matters of confidential concern to the City. Executive Sessions are scheduled at the request or concurrence of the Mayor, or by a majority vote of the full Council during a meeting. The Council may hold Executive Sessions before, after, or during a regular or special meeting to consider matters permitted by [RCW 42.30](#), or other applicable state law. The purposes for which an Executive Session may be held include, but are not limited to:

- Discussion with legal counsel on pending or potential litigation;
- Property acquisition/disposition where public discussion may increase or decrease the price and influence the terms of the sale;
- Matters affecting national security;
- Quasi-judicial matters;
- Complaints or charges brought against a public officer or employee;
- Qualification/performance review of the City Manager;
- Evaluate qualifications of candidates for appointment to elective office;
- Planning or adopting a position to be taken during collective bargaining, professional negotiations, grievance or mediation proceedings, or reviewing proposals made in ongoing negotiations; or
- Receive confidential advice from the City Attorney under the attorney-client privilege.

Before convening in Executive Session, the Mayor publicly announces the purpose of the Executive Session, the estimated time when the Executive Session will conclude, and whether the Council will reconvene to take action. An Executive Session may be extended to a later time by announcement of the Mayor ([RCW 42.30.110](#)).

## **7.06 Agenda Development**

The City Manager coordinates the development of regular Council Meeting, Council Worksession, and committee agendas with the Mayor, Department Directors, and Committee Chairs.

### *Advancing Agenda Items*

A Councilmember may request an item be considered on a future agenda either by making a request at a regular Council Meeting, Council Worksession, or committee meeting, or by contacting the Mayor or City Manager. Items may be added to committee meeting agendas by consensus of the Committee.

Department Directors and staff may request an item be considered on future agendas by submitting their request to the City Manager. As needed, the City Manager will consult with the Mayor before taking matters to the full Council for consideration.

A member of the public may request an item be placed on a future agenda while addressing the Council during a regular meeting and/or by submitting the request in writing to the Council through the City Clerk's office. The Council will decide whether to consider an issue proposed for a future agenda.

In order to allow sufficient time for Council to review and staff to research the issue, the request should be submitted at least 15 working days prior to the meeting for which the item is requested to be placed on the agenda. Once the issue has been approved for placement on an agenda, the City Clerk's office will notify the requestor to invite their attendance.

Emergency items may be added to an agenda in accordance with state law. Emergency items are only those matters immediately affecting the public health, safety and welfare of the community, such as widespread civil disorder, disaster, and other severe emergencies. The reason for adding an emergency item to the agenda shall be announced publicly at the meeting and the issue shall be included in the minutes of the meeting.

### *Agenda Timeline*

The City Clerk's office developed the following timeline to ensure timely distribution of regular Council Meeting, Council Worksession, and committee meeting packs.

- Most agenda items require a Staff Report. Staff Reports must be ready for City Manager's review by 1 p.m. two Wednesdays prior to the meeting.
- Staff posts agendas and meeting packets on the City's website by 4 p.m. on the Friday prior to a council meeting.
- Staff notifies Council by email when the meeting packets are available.

The addition of last minute agenda items is discouraged, unless of an urgent nature, which will be determined by the City Manager and/or Mayor.

## **7.07 Order of Business**

The Council agenda sets the order of business for regular council meetings.

### *Call to Order*

The Mayor, or in the Mayor's absence, the Deputy Mayor, presides over all meetings of the Council, and after determining a quorum is present, calls the meeting to order. In the absence of the Mayor and Deputy Mayor, a Councilmember is selected from among the body to act as Chair (see 2.07 Absence of the Mayor). Following the call to order, those in attendance are asked to join the Council in reciting the Pledge of Allegiance.

### *Excused Absences*

The Mayor announces the excused absences of individual Councilmembers.

### *Consent Agenda*

The Consent Agenda consists of items that are routine in nature and do not require additional discussion. The Consent Agenda includes minutes of regular Council Meetings and Council Worksessions, final plat approvals, and LID/ULID's (local improvement districts/utility local improvement districts). The Mayor and Council can remove items from the Consent Agenda for further discussion.

### *Public*

- *Public Recognition*  
When appropriate, the Council recognizes volunteer service, presents special awards, and receives public presentations.
- *Public Comments*  
Members of the public address the Council regarding topics not scheduled on the agenda. Each person addressing the Council gives their name and address for the record, and is asked to limit their address to three minutes, unless City Council permits a longer period. If several people wish to speak to the same issue, the Mayor may limit the total amount of time dedicated to that specific issue. The Mayor may interrupt public comments that continue too long, relate negatively to others, or are otherwise inappropriate. The Mayor has the option to allow or not allow comments on matters before Council.
- *Public Comments for Items on the Agenda*  
As appropriate, the Council may allow the public to address items on the agenda. A three-minute limit applies, but may be reduced to two minutes if there are more than four persons wishing to comment on a subject. These comments are not considered as part of a hearing. The public should ask the Mayor in advance of the start of the Council Meeting if they may speak.

### *Public Hearings*

Council holds Public Hearings following the adoption of the consent agenda and public comment period. Individuals who wish to address the Council are encouraged to sign in. The Mayor opens the Public Hearing and the City Clerk notes the time for the record. Speakers are called forward in the priority in which they signed in, and are required to state their name and address. Comments are limited to the specific matter for which the Public Hearing occurs and are limited to three minutes, unless the Mayor permits a longer period. Written comments are permitted prior to and during the public hearing, and should be submitted to the City Clerk before the public hearing closes. The City Clerk enters written documents into the record, but they are not read aloud.

Once the speakers from the sign-in list complete their comments, the Mayor offers time to any additional members of the public who wish to speak at the Public Hearing. After the Public Hearing closes, members of the public are not permitted to address the Council or staff on that specific issue during the meeting. Once the Mayor closes the Public Hearing, the City Clerk notes the time for the record.

### Proclamations

In response to citizen requests, the Mayor may issue proclamations in declaration or recognition of a special event, organization, or person according to Council Policy. At this time, either the Mayor or a Councilmember reads the Proclamation into the record. (*Refer to Chapter 10, Paragraph 10.05, and Attachment 10.05A, Council Policies, Reviewing Public Requests for Proclamations.*)

### Referral from Planning Commission

The nine member Planning Commission develops recommendations for long-range comprehensive planning goals and policies in the City and areas outside of the City seeking annexation. Issues reviewed by the Planning Commission are forwarded to Council for consideration and adoption.

### Referral from Hearings Examiner

The Hearings Examiner interprets, reviews, and implements land use regulations. In addition, the Hearings Examiner hears appeals relating to the City's construction codes, as described in [LMC Section 14.18.030](#). The Mayor appoints the Hearings Examiner and any Deputy Examiners, subject to confirmation by the Council ([LMC 2.30.020](#)).

### Ordinances

Ordinances are the official laws of the City and must be approved by Council prior to enactment. The City Attorney's office prepares ordinances, which are published by the City Clerk on the Monday following the meeting at which they were approved. An ordinance officially becomes law five business days after publication in the City's official newspaper (The Olympian). The ordinance is codified by the City Clerk's office into the [Lacey Municipal Code](#). The original ordinance is archived as a permanent record. Beginning in 2010, adopted ordinances will be posted on the [City's website](#). Requests for ordinances prior to this time are available as a public records request through the City Clerk's office.

### Resolutions

Resolutions signify the intent of the Council related to specific issues, events, or ballot measures. The City Attorney, or designated City staff, prepare resolutions. The City Attorney approves to form all resolutions. Once approved by the Council, the City Clerk archives the resolution as a permanent record. The City Clerk posts all resolutions adopted on or after January 1, 2010, on the [City's website](#). Requests for resolutions prior to 2010 are available as a public records request through the City Clerk's office.

### Mayor's Report

The Mayor reports on ceremonial events, functions, and meetings attended on behalf of the Council. The Mayor may also make announcements, and appoint, with Council approval, community members to Council advisory boards and commissions.

### City Manager's Report

The Council awards bids, and authorizes the City Manager to sign City contracts during this section of the meeting. The City Manager may also make announcements regarding City operations. In an effort to keep the public informed of City business, and to provide education on City operations, staff may provide brief informative presentations to the Council and the public during this time.

### Standing Committee Reports

There are six standing Council committees with three Councilmembers appointed to each committee. At this time, Committee Chairs report on the topics discussed, and any recommendations forwarded to full Council for action.

### Intergovernmental Boards & Commission Reports

Councilmembers provide reports and updates of activities and discussions from each of the Intergovernmental Boards and Commissions to which they are appointed. If additional discussion or consensus is required on a regional issue, the topic may be forwarded to a Council Worksession for further review and discussion.

### Old Business

Items and topics previously discussed by Council, but need further discussion, may be placed under this agenda item.

### Adjourn

The Mayor adjourns the meeting and the City Clerk notes the time of adjournment for the record. All meetings will conclude no later than 10:00 p.m., unless this provision is waived by a majority of the Council. Consideration of the agenda matter then on the floor is continued beyond 10:00 p.m. by majority vote of the Council. In the event the remaining agenda cannot be concluded at any meeting by 10:00 p.m., the meeting is recessed to a definite time and place, and notice of such continued meeting is given as provided by statute.

### Executive Session

As needed, the Council may adjourn to an Executive Session to privately discuss and consider matters of confidential concern to the City. For more information, refer to 7.04 Executive Sessions.

### **7.08 Audio and Televised Recordings of Meetings**

The City Clerk's office records all regular Council Meetings, Council Worksessions, and committee meetings, except for those portions of the meeting conducted in Executive Session. Recordings are available under the Public Disclosure Act and archived for six years according to the State Records Retention Schedule.

The City contracts with Thurston County Media (TC Media) to provide local television programming of all regular Council meetings on Channel 3 (TCTV). Meetings are rebroadcast on TCTV. Recordings are available by contacting TC Media.

Since 2011, the City has streamed Council meetings online to provide greater public access to government operations. The videos are available on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us).

### **7.09 General Procedures**

#### Seating Arrangement of the Council

Customarily, the Deputy Mayor sits next to the Mayor, and newly elected Councilmembers sit adjacent to the City Clerk. However, the Mayor with the approval of Council may reorder the seating arrangements for regular Council Meetings.

The seating order of the Council dais from left to right is:

- City Clerk
- Newly-elected Councilmembers
- Current Councilmembers
- Deputy Mayor
- Mayor
- City Manager
- City Attorney

Department Directors sit at the staff table immediately to the left of the City Clerk.

#### Signing of City Documents

The Mayor, City Clerk and City Attorney sign all ordinances and/or resolutions approved by Council, immediately following the meeting. If the Mayor is unavailable, the Deputy Mayor signs the ordinances and/or resolutions. The City Manager is authorized by the Council to sign all contracts and agreements.

### Quorum

Four members of the Council constitute a quorum and are necessary for the transaction of City business. If a quorum is not present, the Council Meeting is cancelled.

### Minutes

The City Clerk or designee takes minutes of all regular Council Meetings, Council Worksessions and committee meetings. The City Clerk or designee posts the draft minutes on the City website on the Friday prior to the Council Meeting and Council approval. Once Council approves the minutes, staff updates the website to reflect that the minutes are approved. Copies of minutes are available upon public records request through the City Clerk's office. Original minutes are archived as permanent records.

Corrections to minutes made by Councilmembers will be so noted, and revised minutes will be posted and archived as the City's official record.

### **7.10 Open Public Meeting Act**

The [Open Public Meeting Act](#) applies to the Council, all quasi-judicial bodies, and all standing or advisory boards, commissions, and committees. All meetings of the Council shall be open to the public, except in special instances as provided in [RCW 42.30.110](#). A meeting takes place when a quorum (a majority total number of Councilmembers currently seated on the Council) is present and information concerning City business is received, discussed, and/or acted upon. The only exception to the public meeting requirement is an Executive Session.

Under the Americans with Disabilities Act, the City provides accommodations to provide accessible meetings for people with disabilities. Assisted-listening devices are available for use in the Council Chambers. If special accommodations are required, please contact the City Clerk three days prior to the meeting.

# Chapter 8

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

### 8.01 Conflicts of Interest

#### Applicability

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

The conflict of interest law is important and complicated. To understand its effect on a Councilmember's actions, Councilmembers should discuss the law and potential conflicts with the City Attorney. It is imperative that Councilmembers identify in advance what their conflicts are.

It is illegal to fail to declare a conflict of interest, or to participate or otherwise be involved in discussions on land use issues, or service or construction contracts where such an interest exists. Violations of the conflict of interest law may result in significant penalties, including criminal prosecution.

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

#### Prohibited Acts ([RCW 42.23.070](#))

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

### Remote Interests

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

- A non-salaried officer or member of a non-profit corporation doing business or requesting money from the City. Therefore, being such an officer or member would not constitute a conflict.
- The landlord or tenant of a contracting party. For instance, a Councilmember may lease office space to a party which has a private interest in a public matter without it resulting in a conflict of interest.
- The owner of less than 1 percent of the shares of a corporation or a cooperative doing business with the City.
- Reimbursement only for actual and necessary expenses incurred in performance of official duties.

### Acts not Constituting a Conflict of Interest

- Receiving municipal services on the same terms and conditions as if not a City official. Thus, when a Councilmember who owns a business within the City votes for or against an increase in the business license fees, a conflict would not exist because this action would apply to all businesses in the corporate limits.
- An officer or employee of another political subdivision or public agency unless it is the same governmental entity being served who is voting on a contract or decision which would not confer a direct economic benefit or detriment upon the officer. Therefore, a Councilmember who is a school teacher may vote to enter into an intergovernmental agreement with the school district, unless such agreement would confer some direct economic benefit, such as a salary increase, upon the Councilmember.
- A member of a trade, business, occupation, profession, or class of persons and has no greater interest than the other members of that trade, business, occupation, or class of persons. A class must consist of at least ten members to qualify the interest as remote. A City official may sell equipment, material, supplies, or services to the City if this is done through an award or contract let after public competitive bidding. An exception to this law permits the Council to approve a policy on an annual basis to allow the City to purchase supplies, materials, and equipment from a member of the Council without going to public competitive bid as long as the single transaction does not exceed \$300 and the annual total of such transactions does not exceed \$1,000.

### Declaration of a Conflict

When a substantial interest exists, the City official must:

- Refrain from voting or in any way influencing a decision of the Council; and

- Declare that a conflict of interest exists and make it known in the official records of the City.

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

#### City Attorney Opinions

A Councilmember's request for an opinion from the City Attorney concerning conflict of interest is confidential. However, formal final opinions are a matter of public record and must be filed with the City Clerk. This filing requirement does not apply to verbal communications between Councilmembers and the City Attorney.

Councilmembers may seek advice from a private attorney, at their own expense, concerning potential conflicts. In such cases, no disclosure policy would apply.

#### Apparent Conflict of Interest in Litigation Matters

A Councilmember who actively supports a position contrary to an official City action or position, as adopted or ratified by a majority of the Council, must recuse themselves and not participate in any vote, deliberation, executive session, or distribution of confidential information regarding further consideration or action in that matter once litigation has been served or filed regarding the matter. Litigation shall include but is not limited to legal action or appeals of any type including Growth Management Hearings Board appeals.

- The fact a Councilmember voted in opposition or expressed an opinion in opposition to the official action or position prior to the filing or service of litigation shall not, by itself, be sufficient to trigger the need for recusal or non-participation.
- Once litigation has been served or filed, communication regarding the case with anyone other than City staff or legal counsel involved in the litigation of the case is discouraged during the pendency of the litigation.
- Councilmembers shall voluntarily recuse themselves and choose not to participate under the conditions listed above. However, if Councilmembers fail to voluntarily recuse themselves or withdraw from participation, any other Councilmember may challenge the ongoing participation and request the challenged Councilmember to disclose any communication and participation with regard to the pending litigation.
- If the apparent conflict still cannot be resolved voluntarily after such challenge, a majority plus one of the council as a whole may vote to sanction and remove the challenged Councilmember from further participation with regard to the pending litigation on the basis of an apparent conflict of interest.

Later legislative participation by a previously recused or sanctioned Councilmember, related to the same issue, is not prevented by the provisions of this subsection once the conflict no longer exists or the litigation has terminated.

## **8.02 Liability**

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

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

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

# Chapter 9

## Parliamentary Procedures

Parliamentary procedure provides the process for proposing, amending, approving, and defeating legislative motions. Following these procedures potentially reduces Council actions being declared illegal or challenged procedurally. The Lacey Council adopted and follows Robert's Rules of Order, revised, unless the same is superseded by provisions of the [Lacey Municipal Code](#).

### 9.01 Order of Discussion

The presiding officer follows the prepared agenda as much as possible. However, for those occasions when deviations are necessary or convenient, the presiding officer clearly announces that the Council has decided to rearrange the agenda. When changing the order of discussion, it must not prevent or deny any member of the public the opportunity to listen to the discussion of any agenda item.

### 9.02 Obtaining the Floor

A Councilmember addresses the presiding officer and gains recognition prior to making a motion or engaging in debate. The presiding officer recognizes Councilmembers by their last name, such as "Councilmember Jones." Councilmembers address each other as Councilmember, followed by last name, such as "Councilmember Jones." Cross-exchange between Councilmembers and the public should be avoided. This prevents general conversation and keeps the order necessary to maintain decorum and accomplish the business of the Council.

After a member concludes comments and yields the floor, if two or more members are trying to obtain the floor at the same time, the general rule is that the person who addresses the chair first is entitled to be recognized. When a motion is open to debate, however, there are three instances in which the presiding officer assigns the floor to a person who may not have been the first to address the chair. These are:

1. The Councilmember who made the motion currently under debate is entitled to be recognized in preference to other members if that individual is claiming the floor and has not already spoken on the question.
2. No member is entitled to the floor a second time in the meeting on the same motion as long as another member who has not spoken on the motion desires the floor.
3. In instances where the person to be recognized is not determined by (1) or (2) above, and where the presiding officer knows that members who are seeking the floor have opposite opinions on the motion, the chair should let the floor alternate as much as possible between those favoring and those opposing the motion.

### **9.03 Questions to Staff**

After recognition by the presiding officer, a Councilmember may address questions to staff members.

### **9.04 Interruptions**

Once recognized, a Councilmember should not be interrupted while speaking, except to make a point of order or personal privilege. If a Councilmember is called to order while speaking, the individual shall cease speaking until the question order is determined. Upon being recognized by the presiding officer, members of the staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

### **9.05 Discussion Limit**

A Councilmember should not speak more than once on a particular subject until every other Councilmember has had the opportunity to speak. Councilmembers are encouraged to discuss items during the decision-making process.

### **9.06 Basic Steps to Conducting Business**

Specific requests or proposals that are presented to Council for consideration and possible action must be introduced in the form of a motion. For the proper presentation and disposition of most motions, certain steps are generally required. The basic steps to conducting business include:

#### *The Presiding Officer (Mayor)*

- Introduces the item to be considered as presented on the agenda, and if appropriate, asks for a staff presentation;
- If the agenda calls for a public hearing, opens a public hearing;
- Closes the public hearing after receiving comments (if any) from the public; and
- Calls for discussion.

#### *A Councilmember*

- Addresses the Mayor;
- Is recognized by the Mayor; and
- Proposes the motion.

#### *A Second Councilmember*

- Seconds the motion.

#### *The Presiding Officer (Mayor)*

- States the motion;
- Calls for any further discussion or debate; and
- Restates the motion and puts the motion to a vote.

#### *The City Clerk*

- Records the vote.

### **9.07 Making a Motion**

Under parliamentary procedure, there are three steps required to bring a motion before the Council for its consideration:

- A Councilmember makes a motion;
- Another Councilmember seconds the motion, and
- The chair states the motion.

Unless the motion can interrupt a speaker as explained in *Robert's Rules of Order*, a member must obtain the floor to make a motion. Once the chair recognizes a Councilmember, the individual makes the motion by saying, "I move that..." or "I move to..." and announces the proposal.

Councilmembers should attempt as much as possible to state motions in the positive form--- that is, "I move to..." rather than "I move not to..." Motions where one must vote "yes" to vote against a proposal are confusing not only for Councilmembers, but also for staff and citizens.

If a proposal has only minimal support, a Councilmember might state "I make this motion in order to put it on the floor for discussion. I am not sure of my position on it at the present time."

### **9.08 Seconding a Motion**

After a motion is made, and if it requires a second, another Councilmember who wishes to see the motion considered says, without obtaining the floor, "I second the motion," or simply, "Second." A second implies that the Councilmember agrees that the motion should come before the meeting, not necessarily that the member favors it. If another member of the Council does not second the motion, the chair normally asks, "Is there a second to the motion?" If there is no second, the chair should say, "Since there is no second, the motion is not before this meeting." If seconded, the maker of the motion should then be regarded as having the refusal of the floor in preference to all other members.

The purpose of a second is to prevent time being spent on motions that only one person wants to discuss. After the Council makes a motion, no person shall address the Council without first securing the permission of the Mayor or Council to do so.

### **9.09 Stating the Question**

Under parliamentary procedure, making and seconding a motion does not put it before the Council for consideration. This can be done only by the Chair. The Chair repeats the motion and indicates that the motion is open for debate by stating: "It has been moved and seconded that ... Is there any discussion?"

#### **Right to Withdraw or Modify a Motion**

Until the Chair states the question, the maker has the right to modify or withdraw the motion. After the Chair states the motion, however, it can be withdrawn only with the Council's consent. If any objection is made, it will be necessary to obtain leave to withdraw by a motion for that purpose. When a motion is withdrawn, the effect is the same as if it had never been made.

### Pending Motions

After the Chair states a motion, it is said to be *pending*. When several motions are pending, the last one stated by the chair, and the first to be disposed of, is called the *immediately pending question*. Thereafter, other pending motions are considered in descending order of rank.

#### **9.10 Amendment of the Main Motion**

When the main motion does not exactly suit the members of the Council, it may be changed by means of amendment *before* it is finally voted upon. Once recognized by the chair, a Councilmember may make the motion to amend by stating, "I move to amend the motion by..." ---adding, striking out, inserting, or substituting. An amendment to the main motion requires a second; it is debatable, requires a majority vote, and must be germane---that is, closely related to or having bearing on the subject of the motion to be amended. If the motion on the amendment passes, the chair puts the main motion, as amended, to a vote. If the motion on the amendment fails, the chair puts the main motion, as originally presented, to a vote.

The Councilmember, who offers the motion, *until it is stated by the Chair*, can modify the motion, or withdraw it entirely. After the Chair states the motion, the Councilmember can do not modify or withdraw the motion without the consent of the body (majority). For example, the mover may state, "With the consent of the Council I will modify my motion to state as follows..." If no one objects, it shall be deemed that they have the consent of the Council to modify their motion. When the mover modifies their motion, the one who seconds it can withdraw their second.

#### **9.11 Postponement of Business**

##### Postpone to a Time Certain

Council may delay action on a pending question by making a motion to postpone the item either indefinitely or to a certain time. This motion can be made regardless of how much debate has taken place. The question may be postponed either so that it may be considered at a more convenient time or because debate has shown reasons for delaying a decision.

##### Postpone Indefinitely

Council may decline to take a position on a pending question by moving to postpone the item indefinitely. Voting to postpone indefinitely kills the main motion and avoids a direct vote on the question. This motion is useful for disposing of a badly expressed main motion that cannot be either adopted or expressly rejected without possibly undesirable consequences.

##### Table

Commonly misused in place of a motion to postpone, Council may lay the pending question aside temporarily when some other issue of immediate urgency has arisen. *Lay on the Table* is out of order if the evident intent is to kill or avoid dealing with an item. This motion requires a majority vote and halts consideration of a question immediately and without debate. After a

question is laid on the table, it can be taken from the table by a majority vote as soon as the interrupting business is disposed of and when no other question is pending.

### **9.12 Voting Procedures**

Each Councilmember votes on all questions put to the Council, unless a conflict of interest under State law or an appearance of fairness question is present. Unless a member of the Council states that they are not voting, their silence will be recorded as an affirmative vote.

If it is determined by majority vote of the Council as a whole, plus one, that a Councilmember has a conflict of interest under State law or would violate the appearance of fairness doctrine by participating in, and/or voting on, a matter coming before the Council, then the member determined to have the conflict of interest or appearance of fairness doctrine violation shall not participate in or vote on said matter. In the event a challenged member or members requests additional time prior to the challenge having been voted on by the Council in order for the Councilmember to present further information to the Council, then the Council's determination with respect to the challenge shall be continued to the next regularly scheduled meeting of the Council, at which time the member or members requesting the additional time shall present such additional information. At the conclusion of the presentation, the Council shall make its determination as provided above. When the debate appears to be over and if no one indicates a desire to continue discussion, the chair puts the motion to a vote by stating, "If there is no further discussion, cast your votes."

Only those ordinances, resolutions, or motions that receive an affirmative vote by the majority of the present and voting members of the Council who also constitute a quorum shall be passed or become effective unless other voting requirements are provided by Washington State law. Pursuant to state law, any ordinance or resolution granting or revoking a franchise or license for authorizing the payment of money shall require an affirmative vote of at least a majority of the whole membership of the Council. In order for an ordinance to take effect immediately, rather than five days after its publication, the ordinance must receive an affirmative vote of a majority plus one of the whole membership of the Council, and designate that the ordinance is a public emergency ordinance necessary for the protection of public health, public safety, public property or the public peace. Such emergency ordinance may not levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money.

A conflict of interest is declared whenever appropriate and in compliance with state law. The affected Councilmember will not participate in the discussion and will abstain from the voting process by leaving the Council Chambers until such time as consideration of the item has been concluded.

#### *Affirmative Vote*

Affirmative votes will be cast in an audible tone. Unless a member of the Council states that they are not voting, their silence will be recorded as an affirmative vote.

#### *Abstention from Voting*

Any member may abstain from voting on any question; provided, at the time of declaring their abstention, they state the reason.

### Tie Vote

A tie vote results in a failed motion. The presiding officer may publicly explain the effect of the tie vote for the benefit of the audience.

### Reconsideration

Reconsideration of an item may occur by a majority vote of the Council. A member of the prevailing majority must make a motion for reconsideration when the previous vote was taken, and can be made no later than the next regular meeting after which the previous vote was taken.

### **9.13 Right of Protest**

A Councilmember is never required to state reasons for a dissenting vote; provided, however, that any member of the Council shall have the right to have the reasons for their dissent from, or protest against, any action of the Council entered on the minutes.

### **9.14 Parliamentary**

The Mayor, or in the absence of the Mayor, the Deputy Mayor, shall serve as parliamentarian for the Council and as such shall decide all questions of parliamentary procedure in accordance with the parliamentary rules contained in *Robert's Rules of Order, Revised*. Before deciding any question of parliamentary procedure, the Mayor may request advice from the City Attorney or designee. In cases where serious errors in procedure are used or contemplated, the City Attorney should give advice even when it has not been requested.

# CHAPTER 10

## Miscellaneous Council Policies

### 10.01 Guidelines for Use of Washington Center

The City periodically makes the Washington Center available free of charge for events in which the City has a major interest, with the following conditions:

The City has two free days available each year at the Washington Center. One freeday is designated for City use, and one free day is designated for non-profit use. If the City decides not to sponsor an event, the second free day could be offered to a non-profit agency/organization.

1. The City accepts applications from January through July to request a free day in a subsequent year. For example, to reserve a date in 2004, an application should be submitted between January and July of 2003.
2. The requesting group must be non-profit in nature.
3. Use of the Center for the event does not occur more frequently than once each year.
4. No group will receive the use of the City's free day on an annual basis, unless no other eligible applications are received by the deadline.
5. The event may be used for fund-raising purposes if approved by the Lacey Council (funds raised in this way would be through admission charges, donation solicitation, or fee assessment).
6. The City determines there is general community interest in the proposed event.
7. The City determines that the activity constitutes a public use that the City is authorized to sponsor.
8. The City will receive formal recognition for its sponsorship, i.e. an announcement during the event, or recognition on a program or flier.
9. The group or individual, using the Center, agrees to hold the City harmless for any claims resulting from use of the Center.
10. Applicant must be willing to meet or comply with all Washington Center rules, regulations, and policies.
11. Applicant agrees to report attendance, participation rate, and other appropriate details in writing.

### Procedure

1. Applicant must complete an *Application for Use of the Washington Center* form and return it to the City Manager's office for processing.
2. City Manager's staff will contact the Washington Center to confirm availability of the date requested.
3. The request will be forwarded to the Community Relations and Public Affairs Committee for consideration. Their recommendation will be presented to the full Council for approval.
4. City Manager's staff will notify the Washington Center and applicant of the Council's decision.

*(Refer to Attachment 10.01A – Application for Use of the Washington Center.)*

### **10.02 Waiver of Building Permit and Construction Related Fees**

The purpose of this policy is to set forth specific requirements, parameters, and processes wherein the City Manager or his/her designee is authorized to waive specified building-related fees to assist low-income families with home ownership and to mitigate construction-related expenses for the Lacey Boys and Girls Club.

The Lacey Council finds that home ownership by low-income people benefits the general welfare of the City and its citizens. The Council also finds that waiving the payment of certain building fees will assist low-income families in owning a home. Further, the Council determined it will be beneficial to the youth of the community and the residents of the City to waive certain construction fees for projects which are constructed to carry out the activities of the Lacey Boys and Girls Club.

On October 13, 2005, Council passed Ordinance 1248 creating a policy to waive building, plumbing, electrical, and mechanical permit fees, and, water meter, water construction, traffic mitigation, and plan check fees for low-income home construction projects when all of the following provisions apply:

1. The single family residential structure is to be owned and occupied by a qualifying low-income family;
2. The single-family residential structure is located within the City limits;
3. The single-family residential structure meets all building code requirements;
4. A qualified and experienced non-profit 501.C.3 organization sponsors, coordinates, and constructs the low-income single-family residential structure; and
5. The non-profit organization has a track-record, capacity, qualifying requirements, established policies and procedures, and a program of home construction for low-

income families very similar or equivalent to that offered through the Habitat for Humanity organization.

The Council herein finds that Habitat for Humanity, a non-profit 501.C.3 corporation, has a long-standing, positive record and an innovative, effective, and successful program of enabling home ownership for low-income families. The Council further finds that Habitat for Humanity low-income housing projects meet the requirements of this policy and qualify for waiver of the above referenced fees, unless otherwise determined by the City Manager.

On January 27, 2011, the Council approved Ordinance 1362 relating to the provision of services to youth of the community and providing a waiver of certain fees for construction of facilities by the Lacey Boys and Girls Club. The Council therein determined it to be beneficial to the youth of the community and the residents of the City to waive certain construction fees for projects which are constructed to carry out the activities of the Lacey Boys and Girls Club.

**Procedure:**

1. Habitat for Humanity, the Lacey Boys and Girls Club, or other qualifying organization, submit to the Lacey City Manager a written request for a waiver of fees. The request must include a thorough response to the above provisions, including the location of the project, an estimated timeframe for construction, and the name, e-mail, and telephone number of the person responsible for the project.
2. The waiver of fees does not remove responsibility for obtaining all building and related construction permits and associated inspection services. Habitat for Humanity, the Lacey Boys and Girls Club, or other qualifying organizations, are responsible for obtaining appropriate permits and inspections.
3. The City Manager makes arrangements through Habitat for Humanity, or other qualifying organization, for reimbursement of waived City fees if the home is sold within five years of construction or other time frame consistent with that established by Habitat for Humanity policy.
4. The City Manager is authorized to approve the fee waiver provided all requirements for eligibility are met. The City Manager notifies all involved departments of said waiver.
5. The City Manager notifies the Mayor and Council of a fee waiver and shall include a copy of the request for waiver with such notification.

*(Refer to Attachment 10.02A – Ordinance 1248 and Attachment 10.02B – Ordinance 1362.)*

### **10.03 Public Art Policy**

The purpose of this policy is to provide a process for selecting and installing public artwork that defines City boundaries and entryways; creates a sense of community identity and

character; reflects the City's history, heritage, values, and culture; makes the community more livable and enjoyable; and, celebrates the value, benefit, and contribution of art to our society.

The City will periodically acquire pieces of art to enrich our community, promote art appreciation, and enhance the aesthetics of our City. The Council retains final authority on the selection and placement of all art to be located in public rights-of-way and city-owned properties within Lacey. It is the intent of this policy that all art placed in the public rights-of-way, or placed on City-owned property be tasteful, non-controversial, and non-offensive.

Public art will be funded in part through revenue generated from an annual one dollar (\$1.00) per capita set-aside as outlined in Resolution 1105. Additionally, funds are to be budgeted in accordance with Lacey Ordinance 1022, which provides that *all appropriations for city construction projects visible and useable by the public, except street and utility projects, which appropriations exceed \$500,000 shall include an amount equal to one-fourth of 1% of the estimated construction cost of such project for works of art.*

1. Selections of public art should accomplish one or more of the following objectives:
  - a. Define City boundaries or entryways into the community
  - b. Create a sense of community, identity, and character
  - c. Reflect Lacey's history, heritage, community values and culture
  - d. Provide interactive opportunities for the general public
  - e. Provide a pleasing living, working, and playing environment
  - f. Enhance economic development and attract visitors
  - g. Provide sustainable maintenance and operation costs
  - h. Create opportunities for civic engagement
  - i. Evoke a sense of fun
2. Themes for public art should reflect one or more of the following ideas:
  - a. The natural beauty of the City as reflected in its trees and lakes
  - b. A history of our community as reflected in historic buildings, founding families, and events of historical significance
  - c. The importance of family and youth in our community
  - d. Northwest artifacts, symbols and signs, including Native American Art, salmon, orcas, fishing, and timber
  - e. Historic reproduction lighting, ornamental poles, landscape furnishings, entry signs, park signs, clocks, bell towers, and fountains
  - f. The rich diversity of the community
  - g. Exceptional military service or the community's military connection

3. Public art should be placed at the following locations to compliment or enhance the surroundings:
  - a. Medians on arterial streets identifying entrances into the City
  - b. Activity hubs such as business districts, commerce centers, and residential areas
  - c. Roundabouts or traffic devices to compliment or enhance the natural landscaping of trees, shrubbery and bushes
  - d. City-owned civic buildings and grounds, such as City Hall, the Community Center, the Lacey Timberland Regional Library, the Lacey Child Care Center, and the Virgil S. Clarkson Senior Center
  - e. Lacey parks, trails, and publicly owned spaces
  - f. Utility structures maintained by the City to include, but not limited to, utility boxes, poles, sidewalks, and maintenance hole covers

Procedure:

1. City staff maintain a catalogue existing art pieces, which identify the artist, the location of the art piece and the purchase cost. The catalogue includes a map representing the locations of existing pieces.
2. City staff maintain a map representing the locations of existing art pieces.
3. City staff develop a list identifying locations to place art pieces over a six-year period and provide revisions to the list as pieces of art are completed.
4. The City solicits for art pieces pursuant to City purchasing policies. The Community Relations Committee performs the initial review on solicitations and recommend art pieces for approval by the Council.
5. The Council review and approve the final purchase and placement of the art installation.

*(Refer to Attachment 10.03A – Ordinance 1022, Resolution 1105.)*

#### **10.04 Water Utility System**

The purpose of this policy is to manage the City's water resources in a manner which protects environmental quality, provides for the public health, protects fish and other aquatic habitat, provides for a vibrant local economy, and accounts for anticipated growth mandated by the State Growth Management Act.

In response to limited water resources and despite the City's efforts described below, the Lacey Council passed Resolution No. 917 on December 21, 2006, creating policies limiting the availability of water for future water customers. To address limited water resources, the City's previously:

1. Set goals for reducing per capita water usage by adopting a tiered water rate schedule, mandating limitations on summer watering schedules, providing for the use of

reclaimed water, providing water conservation services and water audits to its customers and establishing a leak detection program.

2. Promoted water quality by acquiring land along the Woodland Creek corridor, consistently expending funds for habitat enhancement along Woodland Creek.
3. Entered into a lengthy process to eliminate untreated discharges of stormwater into service water bodies within the City's jurisdiction.
4. Adopted a low impact development ordinance and engaging in other activities designed to enhance water quality and salmon restoration.
5. Participated actively in the preparation and implementation of the WRIA 11 Nisqually River Watershed Management Plan and the planning efforts of the WRIA 13 Deschutes River Watershed Management Plan.
6. Partnered with LOTT Alliance for a Water Conservation Coordination Plan.
7. Supported the efforts of the interjurisdictional Stream Team and Project Green.
8. Cooperated with the City of Olympia for joint mitigation of potential impacts of water supply production.
9. Filed applications with the Washington State Department of Ecology for additional water rights and water right transfer.
10. Engaged jointly with the Cities of Olympia and Tumwater in an attempt to acquire and transfer for municipal use existing water rights formerly held by the Brewery located in the City of Tumwater.
11. Secured over one-half of its existing water rights by purchase from private parties with and adjacent to the City's water service area, however, the availability of additional rights to purchase is nearly exhausted.

Since the City was unable to secure water rights and water to provide for the health and safety of an expanding population mandated by the Washington State Growth Management Act, the Council instituted the following policies limiting the availability of water for future water customers:

1. The City shall only commit to future water services pursuant to Subsection B of this Section; provided, however, water services to properties located within the City shall be provided if both water rights and water production is available at the time that buildings located upon such properties are connected to the City's system.
2. Commitments for future water services shall be made by the City only if one of the following conditions applies:

- a. Sufficient water production is available and the owner or developer of the property provides water rights to the City sufficient to serve such property and the transfer of such water rights for municipal use is approved by the State Department of Ecology.
  - b. The owner or developer of the property provides water rights to the City and facilitates an acceptable water supply agreement with another qualified water purveyor for furnishing to the City sufficient water to serve the subject property.
  - c. The owner or developer of the property enters into an agreement acceptable to the City which commits such owner or developer to use reclaimed water for all irrigation and toilet flushing within the development and, in addition, where feasible and allowed by State law and regulation, use for other purposes within the development. The City shall not approve such an agreement unless a sufficient supply of reclaimed water beyond that needed for water right mitigation is available in the area in question and the agreement makes provision for the installation or advanced payment for the infrastructure necessary to store, distribute, and convey such reclaimed water from LOTT reclaimed water facilities to the development.
3. The City Manager is authorized to enter into such agreements as may be necessary pursuant to the Coordinated Water System Plan for Thurston County for providing of temporary water service by other public water purveyors or water purveyors meeting the requirements of the Washington State Department of Health and regulated by the Washington State Utilities and Transportation Commission to properties which are located within the City's service area but cannot currently be served by the City under the policies adopted.

*(Refer to Attachment 10.04A – Resolution 917.)*

### **10.05 Spirit of Lacey Award**

The Spirit of Lacey Award program provides the Council a formalized means of recognizing individuals, organizations, and businesses who make significant contributions to the betterment of the greater community, or, whose acts of heroism, courage, selflessness, or exceptional volunteerism are worthy of special recognition.

#### Eligibility

1. Individuals
2. Organizations – private, public, and not-for-profit
3. Businesses

#### Criteria

1. Exceptional contributions that promote the betterment of the community (e.g. long-term extraordinary individual or group volunteerism that meets a special need in the community or provides a service not otherwise provided)

2. Actions that provide long-term value and benefit for future generations (e.g. initiating a major new program with broad community-wide benefit and that fills a critical need)
3. Acts of heroism and selflessness (e.g. saving a life, by risking one's own life)
4. Exceptional environmental stewardship (e.g. a major land donation that protects and preserves sensitive environmental property)
5. Extraordinary generosity or investment in the community (e.g. a major cash or land donation valued that helps address an important community need and enhances the overall community)

### Frequency

1. As merited

Note: The *Spirit of Lacey Award* recognizes 'exceptional' and 'out-of-the-ordinary' contributions to the community. It is intended to be awarded sparingly and on a limited basis so as not to diminish its significance and the extraordinary contributions of recipients.

### Nomination Process

1. Nominations can be made by submitting a nomination form in writing at any time to the Council Community Relations Committee, 420 College Street, Lacey, WA, 98509, or via e-mail to [council@ci.lacey.wa.us](mailto:council@ci.lacey.wa.us). Individuals, businesses, and organizations are welcome to submit nominations. Nomination forms should document in detail the significant and extraordinary contributions of the proposed recipient.
2. Information about the *Spirit of Lacey Award*, including this program outline, is available on the City's website for general public access and to encourage submittal of nominations.

### Selection Process

1. The Lacey Council Community Relations Committee schedules time at a regularly scheduled meeting to determine if there are any businesses, individuals, or organizations that qualify for the *Spirit of Lacey Award*.
2. Nominations received during the course of the year will be considered along with other recommendations, if any.
3. The Community Relations Committee reviews and deliberates on the merits of each nomination utilizing the criteria and principles established herein.
  - a. If the Committee determines the nomination meets the criteria, their recommendation will be forwarded to the Council with documentation supporting

the exceptional actions or extraordinary contributions of the individual, business, or organization.

- b. If the Committee determines the nomination does not meet the criteria, the nomination will not be forwarded to the Council. For those that are not forwarded to the Council, the Committee will determine the appropriate level of recognition and acknowledgment based on the information received as part of the Spirit of Lacey nomination process.

#### *Award and Presentation:*

1. *Spirit of Lacey Awards* will be presented to recipients by the Mayor at regularly scheduled and televised Council meetings.



2. Recipients of the Award will be acknowledged on the City's official website provided permission is granted.

#### *Historical Record:*

1. A record of all *Spirit of Lacey Award* recipients will be maintained by the City Manager's Office and will be made available to the Community Relations Committee as a means of ensuring nominations meet the high standard of exceptional and extra-ordinary contribution to the community.

*(Refer to Attachment 10.05A – Spirit of Lacey Award Nomination Form)*

### **10.06 Annexation Policy**

The Annexation policy serves as the framework from which specific annexation requests can be reviewed and evaluated.

#### *Guiding Principles*

1. The City ensures that annexations are processed in accordance with State annexation laws in a timely and efficient manner.
2. The City insures that annexations include the participation of the annexation area residents through either the petition or election methods of annexation.

3. The City collaborates on annexations with affected jurisdictions in order to accomplish an orderly transfer of contiguous lands within the urban growth area into the City (county wide policy).

#### Process and Review Criteria

The City utilizes standard criteria, empirical data, and best practices to evaluate annexation requests to ensure they best meet the service delivery, health and safety, quality of life, financial goals, and policies of the City.

1. The City evaluates all annexations on the basis of their short and long-term community impact. Prior to annexation, the City will perform a study of the annexation area as suggested in the MRSC annexation handbook, which at a minimum, includes the following information:
  - a. Statistical data
  - b. Maps
  - c. Existing public services, level of service, and cost
  - d. Crime statistics
  - e. Roadway condition analysis
  - f. Traffic management deficiencies
  - g. Capital improvement requirements
  - h. Utility assessment
  - i. Water, wastewater, and storm water system assessment
  - j. Environmental assessment
  - k. Urban service needs
  - l. Service requirement costs
  - m. Estimated revenues
  - n. Social and economic characteristics
  - o. Impact on existing inter-local agreements
  - p. Special issues, if any
  - q. Amount of bonded indebtedness to be assumed by the annexation area.
2. The City considers expanding or contracting the area of a proposed annexation when such an expansion or contraction would serve to make City boundaries more regular, where the area to be served is a logical extension of City service capabilities, or where the best interests of the city are an overriding consideration.
3. Annexation of land should be directly dependent upon the City's ability to provide, acquire, operate and maintain services for public works (streets, stormwater, water, and sewer), police protection, parks and recreation, code enforcement, and related municipal services. Annexation should be considered only after the City is satisfied that these services a) can be made available in a manner cost effective to the City, b) are not detrimental to existing services provided Lacey residents, and, c) the annexation is in the best interest of the City.

4. Private streets, facilities, and/or utilities located in an annexation area will not be assumed by the City as a result of annexation unless requested and the private streets, facilities and/or utilities meet the City's current standards for construction and maintenance and, it is in the interest of the City to assume this additional responsibility.
5. An area proposed for annexation will assume its prorated share of the City's bonded indebtedness existing at the time of annexation.
6. The City evaluates proposed annexations based on the following criteria:
  - a. The ability of the City to provide public services at a level equal to or better than that available from current service providers;
  - b. The ability of the City to provide public services at the City's current levels of service;
  - c. Whether the annexation will cause a financial burden or a reduction in level of service to the City or existing citizens;
  - d. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island(s);
  - e. Whether the annexation would follow logical boundaries, such as streets, subdivisions, waterways, or substantial topographic changes;
  - f. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery;
  - g. The relative costs and affordability to serve the proposed annexation versus the revenue to be derived from annexation;
  - h. The proposed annexation is consistent with the Growth Management Act and the adopted Comprehensive Plan; and
  - i. The capital cost and affordability to the City of making required infrastructure improvements and/or addressing infrastructure deficiencies.
7. In order to accomplish the above, the City will support the following annexation procedures:
  - a. The City Manager designates the Community Development Department and/or other staff to perform the following:
    - i. Receive and process annexation requests.
    - ii. Furnish the public and City officials with annexation procedure information
    - iii. Coordinate the preparation of annexation studies, technical studies and assessments on the impacts from annexation
  - b. The City reviews the zoning of the annexation area to ensure consistency with the adopted comprehensive plan. The annexation request will be referred to the Planning Commission if a comprehensive plan amendment or rezone is warranted.
  - c. Prior to any annexation, the City confers with affected special districts and other jurisdictions to assess the impact of annexation.

- d. The City should follow the provisions of [RCW Chapter 35A.13](#) regarding its relationship to water districts when annexation takes place.
- e. The City creates, updates, refines, and maintains a City annexation brochure and other informational resources relating to annexation.
- f. The City develops a standardized matrix and evaluation process for conducting fiscal feasibility studies to determine the economic impact of proposed annexations.
- g. The City develops a priority list of annexations based on the development potential of land within the planning area and the “squaring” up of boundaries for service enhancement. Annexations processed at the request of property owners will be prioritized as they are received.

### Utilities

The City should support the extension of City utilities into the unincorporated Urban Growth Area, provided the utilities extension meets City standards, is consistent with current City utility policies, and the residents to be served commit to annexation into the City when the City deems annexation is appropriate.

1. Unincorporated, undeveloped land which is immediately adjacent to the City boundary should be required to annex to the City at the time development is proposed in order to receive the full range of urban services. Provided, the policies and requirements of this document are satisfactorily met.
2. Unincorporated and undeveloped land, which is located within the Urban Growth Area but is not adjacent to the City boundary and is not practical to annex at the time of development may be developed subject to compliance with the Comprehensive Plan and implementation ordinances, standards and guidelines. Connection to utilities should not occur unless public improvements are constructed to City standards and the properties served commit to annexation into the City when the City deems annexation is appropriate.
3. Until adequate water rights are obtained as determined by the City, annexation of undeveloped properties will be considered only if the terms of Resolution 917 are met, summarized below: (Resolution 917)
  - a. Sufficient water production is available and the owner or developer of the property provides water rights to the City sufficient to serve such property and the transfer of such water rights for municipal use is approved by the Department of Ecology.
  - b. The owner or developer of the property provides water rights to the City and facilitates an acceptable water supply agreement with another qualified water purveyor for furnishing to the City sufficient water to serve the subject property.

- c. The owner or developer of the property enters into an agreement acceptable to the City which commits such owner or developer to use reclaimed water for all irrigation and toilet flushing within the development and, in addition, where feasible and allowed by state law and regulation, use for other purposes within the development. The City shall not approve such an agreement unless a sufficient supply of reclaimed water beyond that needed for water right mitigation is available in the area in question and the agreement makes provision for the installation or advanced payment for the infrastructure necessary to store, distribute and convey such reclaimed water from LOTT reclaimed water facilities to the development.
- 4. The City may, by Council approval, coordinate the extension of City utilities and services to developed and undeveloped properties to encourage and guide needed and desirable urban growth, provided that (Resolution 541):
  - a. The owners of lands to be served by such water and/or sewer service agree to participate financially by formation of local improvement district or other means, to the extent and in the manner agreeable to the City, in capital improvements taking or projected to take place.
  - b. The area and property owners served by water and/or sewer are subject to a contractual arrangement wherein it is agreed all utility improvements meet City standards and residents of the area agree to annex to the City at such time the City deems appropriate.
  - c. The owners of lands to be served by such water and/or sewer service, provide when requested by Local Improvement District or other non-City funds, specified water and/or sewer supply, transmission, distribution and storage facilities, intertied with City systems. Ownership and control of such facilities shall be transferred to the City following construction, inspection and acceptance.

#### Inter-local Agreements

- 1. The City where appropriate, collaborates with adjacent jurisdictions in the creation of inter-local agreements to provide technical and financial support for the extension and improvement of public services and facilities within in the City's Urban Growth Area.
- 2. The City supports the Memorandum of Understanding between the Lacey, Olympia Tumwater and Thurston County relating to Urban Growth Area Zoning and Development Standards establishing uniform adoption and implementation of comprehensive plan, zoning and development standards within the Urban Growth Boundary.

The City participates in the planning for areas outside its boundaries but within its urban growth area to ensure that land uses are compatible with the City and Thurston County Land Use Plan for the Lacey Urban Growth Area, goals, policies and land use designations.

### **10.07 Interlocal Agreements Approval Process**

## Policy

The following policy is established for Interlocal Agreements approved by the Lacey Council.

## Definition

Interlocal Agreements are authorized through the Interlocal Cooperation Act, Chapter 39.34 RCW. The act provides for public agencies to contract with one or more other public agencies to perform governmental activities or services which each agency is authorized by law to perform individually. This means a city may contract with another city, the county, a special purpose district, or an agency of the state or federal government.

## Procedure

1. Determine classification category for the interlocal agreement.
  - a. Routine
    - i. Any Interlocal Agreement that requires a City commitment of equal to or less than \$25,000; or
    - ii. Any agreement previously established that is set for renewal or amendment that does not include any significant language changes or increase in level of City support.
  - b. Substantial or Significantly Modified
    - i. Any Interlocal Agreement that requires a City commitment of more than \$25,000; or
    - ii. Any agreement previously established that is set for renewal or amendment that **includes** significant language changes or increase in level of City support.
2. Each category must follow its respective approval process for Interlocal Agreements.
  - a. Routine Category
    - i. The City Manager is authorized to execute Interlocal Agreements categorized as "Routine."
    - ii. The City Manager will report on approved Routine Interlocal Agreements during the City Manager's Report.
  - b. Substantial or Significant Category
    - i. Any Interlocal Agreement categorized as "Substantial" or "Significantly Modified" should be presented to the respective Council Committee.

- ii. After committee review, the Interlocal Agreement should then be forwarded to the full Council for consideration.

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**Attachment 2**  
**Recommended Changes to the**  
***Lacey City Council Policies-Procedures Manual***  
**EDITS VISIBLE**

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## FOREWORD

The Council Policies-Procedures Manual provides a standardized process for implementing current and new Council practices, procedures and policies. The intent is to provide a comprehensive resource book for City Council actions and practices.

Copies of the document are available in the Council Workroom and posted on the City of Lacey's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us).

The appropriate Council Committee (or Committees) will review amendments or additions to the Council Policies-Procedures Manual, as needed. Committees may forward amendments or additions to the Council Policies-Procedures Manual to a regular council meetings for action or to a Council Worksession or additional committee meeting for further review. All amendments or additions to the Council Policies-Procedures Manual will be adopted by Lacey Council Resolution.

~~The General Government Committee will review and revise the Council Policies Procedures Manual annually, or as needed.~~

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### Lacey ~~City Council~~ Council Policies-Procedures Manual

Approved: June 9, 2011

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June 25, 2020

November 2, 2020

January 21, 2021

March 18, 2021

May 20, 2021

June 17, 2021

Month XX, 2021 (placeholder for possible adoption)

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# CHAPTER 1

## Introduction and Overview

### Municipal Code City

The City ~~of Lacey ("City") of Lacey~~ was incorporated in December 1966 and is designated as an optional municipal code city. The optional municipal code, [RCW 35A](#), was devised as an alternative to the existing statutory system of municipal government in Washington. The basic objective of the code was to increase the abilities of cities to cope with complex urban problems provided by broad statutory home rule authority in matters of local concern to all municipalities, regardless of population.

Under the optional municipal code, cities may take any action on matters of local concern so long as that action is neither prohibited by the State Constitution nor in conflict with the general law of the state. The powers granted to code cities includes all the powers granted to any other class of city in any existing or future legislative enactment, unless the legislature specifically makes a statute inapplicable to code cities.

### City of Lacey City Mission Statement

The City has adopted a Mission Statement that guides the actions of the organization, defines the City's overall goals, provides a sense of direction and purpose, and guides decision-making.

*Quality Service  
Community Leadership  
Innovation in Local Government*

*"Our mission is to enrich the quality of life in Lacey for all our citizens... to build an attractive, inviting and secure community. We pledge to work in partnership with our residents to foster community pride, to develop a vibrant, diversified economy, to plan for the future, and to preserve and enhance the natural beauty of our environment."*

### City of Lacey City Vision Themes

In 1990, the ~~City of Lacey City~~ developed eight guiding themes to implement the City's vision.

- \*• Environmental Stewardship
- \*• A Vibrant Place to Live, Work and Play
- \*• Coordinated and Collaborative Planning
- \*• Excellence in Programs and Services
- \*• An Engaged Community
- \*• Quality Transportation and Utility Infrastructure
- \*• A Safe and Secure Community
- \*• Financial Stewardship and Accountability

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### Organizational Values

The ~~City of Lacey~~City has adopted a set of core values that guide the organization, its behavior, beliefs and performance.

- \*• Integrity
- \*• Productivity
- \*• Stewardship
- \*• Empathy
- \*• Leadership
- \*• Collaboration
- \*• Service
- \*• Professionalism
- \*• Innovation
- \*• Diversity
- \*• Accountability
- \*• Honesty

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### 1.01 Council Manager Form of Government

The ~~City of Lacey~~City is a Council-Manager form of government ([RCW 35A.13](#)). The ~~City City Council~~Council ("Council") is the elected governing body of the City. The ~~City~~Council is comprised of seven members elected at large by its citizens, each serving four year staggered terms. The ~~City Council~~Council is a non-partisan body and represents all residents within city limits. In a Council/Manager form of government, all legislative and policy-making powers are vested in the ~~City Council~~Council. Councilmember's act as the City's legislative body with authority to enact laws, adopt the budget, determine service priorities, make public policy, and appoint citizen boards, commissions, and committees.

By statute, the Council selects the Mayor ~~is selected by the City Council~~ from among its members. The Mayor's responsibilities are primarily to preside at council meetings, and act as head of the City for ceremonial purposes and for purposes of military law. The Mayor votes as a councilmember and does not have any veto power. ~~The Mayor and Deputy Mayor are elected by their Council peers every two years.~~ The Council elects a Mayor and Deputy Mayor every two years.

The Council appoints a professionally-trained and experienced public administrator, the City Manager, who implements the goals, policies and vision of the ~~City Council~~Council as chief administrative officer of the City.

## 1.02 Interpersonal Standards, Protocols, and Ground Rules

The ~~City Council~~Council values a positive and productive working relationship amongst itself and with neighboring colleagues, City staff, and the ~~general public~~public. Toward that end, the ~~Council~~Council ~~has~~ adopted a set of interpersonal standards, operating protocols, and ground rules to foster and promote collaborative, respectful, and healthy working relationships as follows:

- \* Always conduct oneself in a professional, courteous, and respectful manner.
- \* Never compromise your personal integrity or the honor and good faith of the City.
- \* Do not criticize in public. ~~Issues~~ should be addressed in private when possible.
- \* Listen attentively. ~~Do not~~ interrupting. ~~Be~~ respectful, even with those you disagree.
- \* Do not act as a committee of one. ~~Governing~~ a city requires a team effort.
- \* Remember, we represent all of the people, not a select few interests.
- \* Arrive on time. ~~Be~~ prepared for meetings. ~~Read~~ and study your materials.
- \* Avoid engaging in debates with the public or individual citizens.
- \* Avoid texting, e-mailing, making or receiving calls during meetings.
- \* Strive for consensus as an operating goal.
- \* Always be respectful of one another, the public, city staff.
- \* Be open, honest and diplomatic when communicating.
- \* Accept constructive input and feedback.
- \* Return calls and respond to inquiries in a timely manner.
- \* ~~Don't~~Do not spring surprises on colleagues and staff, especially at formal meetings – notify others of issues and concerns ahead of time.
- \* Respect and support decisions of the majority of Council.
- \* Make decisions on the basis of public policy and be consistent.
- \* ~~Don't~~Do not be misled by the strong demands of special interest groups – find the long term public interest of the community as a whole.
- \* ~~Don't~~Do not rush to judgment. ~~Seek~~ out the facts before drawing quick conclusions.
- \* ~~Don't~~Do not give quick answers when you are not sure.
- \* ~~Don't~~Do not make promises you cannot deliver. ~~Many~~ decisions and actions require the approval of the governing body or must be consistent with adopted policy.
- \* Be respectful of differences. ~~Accept~~ disagreements. ~~Vote~~ and move on.
- \* Participate in official meetings with the dignity and decorum fitting of those who hold a position of public trust.
- \* ~~Don't~~Do not be afraid to ask questions. ~~It~~ is one of the best ways to learn.
- \* Vote yes or no on motions. ~~Don't~~Do not abstain, except when you have a conflict of interest.
- \* Respect the letter and the intent of the open meetings law.
- \* ~~Don't~~Do not bypass the system. Stick to policy and avoid personal involvement in the day-to-day operations of the City.
- \* Be friendly and deal effectively with the news media. ~~Make~~ sure what you say is what you mean.
- \* Know your neighbors. ~~Get~~ to know the officials of neighboring jurisdictions.
- \* Never allow conflicts of interest to arise between your public duties and your private interests.

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- Do not personally criticize other Council members who vote against or disagree with you.

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### 1.03 Overview of Key City Documents

The following is a summary of some of the key documents that establish ~~City Council~~Council direction. Many other laws, regulations, plans and documents bind the ~~City Council~~Council to specific actions and practices.

#### ~~Lacey Municipal Code (LMC)~~Lacey Municipal Code (LMC)

The municipal code contains laws and regulations adopted by ordinances. [LMC Chapter 2-56](#), Administration ~~&—and~~ Personnel, defines the role of Mayor, Deputy Mayor and Councilmembers, and describes the organization of ~~City Council~~Council meetings, and responsibilities and appointment of City staff positions and advisory boards and commissions. In addition to these administrative matters, the municipal code contains a variety of laws including, but not limited to, zoning standards, health and safety issues, traffic regulations, building standards, and revenue and finance issues. The municipal code is available in the Council workroom, and on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) (Lacey Municipal Code).

#### Personnel Policies and Procedures Handbook

The Personnel Policies and Procedures Handbook provide operating rules and requirements for employees, including compensation, benefits, hiring, and supervision. A copy of the Personnel Policies and Procedures Handbook is located in the Council workroom.

#### Revised Code of Washington (RCW)

State laws contain many requirements for the operation of city government and the administration of meetings of ~~city council~~Councils throughout the state. The ~~City of Lacey~~City is a Code City and is governed by [RCW 35.A.13](#). The [Washington Administrative Code](#) (WAC) outlines procedures for implementing state laws set forth in the RCW. Copies of both the RCW and WAC are available ~~in the City Hall Council/Staff Reference Library~~online.

#### Annual Budget

The annual budget promotes fiscal prudence while maintaining all service levels, and funding for important capital improvement projects. The budget is the foundation, upon which the ~~City Council~~Council makes policy decisions, sets priorities, allocates resources, and provides the framework for government operations. The City Manager prepares and submits ~~a proposed budget~~to the Council ~~a proposed budget~~for its approval and adoption. The budget is available in the Council workroom and on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) (Reports & Plans-Library).

#### Comprehensive Plan

State law mandates that each municipality develops and implements a Comprehensive Land Use Plan to address its long-range planning needs. Elements of the plan include land use, transportation, economic development, water, wastewater, parks, utilities, and housing. State law requires updates every six years, although sections of the plan may be revised more

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frequently, as needed. The Comprehensive Plan is located on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) (Reports & Plans-Library).

#### *Development Guidelines and Public Works Standards*

This document is a supplement to the WSDOT/APWA Standard Specifications for Road, Bridge, and Municipal Construction as adopted by [LMC 14.20.10](#). While these infrastructure construction standards apply to all projects within the City limits, they are also intended to be used in applicable circumstances when the City's service areas, annexation areas or planning areas extend outside its City limits. These standards are minimum standards and are intended to assist, but not substitute for competent work by engineering and design professionals. Special conditions or environmental constraints may require a more stringent design than would normally be required under these ~~Standards~~standards. The Development Guidelines and Public Works Standards are located on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) (Reports & Plans-Library).

#### *Six-Year Capital Improvement Plan*

The Six-Year Capital Improvement Plan serves as a guide for determining priorities, planning, financing and constructing capital projects which improve the physical infrastructure, capital assets, or productive capacity of City services. A copy of the Capital Improvement Plan is located on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) (Reports & Plans- Library).

#### *Comprehensive Emergency Management Plan (CEMP)*

The City maintains a disaster preparedness plan that outlines actions to be taken during times of extreme emergency. The Mayor is called upon to declare the emergency, and the City coordinates emergency efforts with a regional county team. A copy of the plan is available through the City Clerk's office.

#### *Shoreline Master Plan*

The City's Shoreline Master Plan regulates the development and use of shorelines within City boundaries in compliance with [RCW 90.58](#). No land use, ~~or~~ water alterations, or development can occur within the jurisdiction of the Shoreline Management Act without first obtaining a permit. Permit processes and fees related to implementation of this Shoreline Master Program (SMP) are contained within the City's Development Guidelines and Public Works Standards. A draft of the Shoreline Master Plan is located on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) (Reports & Plans-Library).

## CHAPTER 2

### **City CouncilCouncil: General Powers and Responsibilities**

#### Overview

The powers of the City Council are to be used for the benefit of the community and its residents to provide for the health, safety and general welfare of its citizens. The City of Lacey values personal honesty and integrity, open and accessible government, fiscal responsibility, fair treatment of individuals, and commitment to customer service.

It is important to note that the Council acts as a body. No member has any extraordinary powers beyond those of other members. Although the Mayor has additional ceremonial and presiding officer responsibilities, all members are equal when establishing policies, voting and performing their Council duties.

Policy is established by a majority vote of the Council. While individual members may disagree with decisions of the majority, a decision of the majority binds the Council to a course of action. Councilmember's should respect the decision of the majority and are expected to follow adopted Council rules, policies and protocols.

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

### **2.01 Eligibility for Office**

In order to be eligible to hold elective office as a Councilmember, a citizen must be a registered voter of the City at the time of filing their declaration of candidacy and have been a resident of the City for a period of at least one year preceding the election ([RCW 35A.12.030](#)).

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## **2.02 Elections – Terms of ~~elective~~ Elective officers ~~Officers~~**

The seven member Council is elected at biennial municipal elections by majority vote from the City at large. ~~They~~ Elected Councilmembers serve four-year staggered terms. The Council is a non-partisan body and represents all residents within City limits ([RCW 35A.12.040](#)).

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## 2.03 Lacey ~~City Council~~Council: General Powers and Responsibilities

### Council and Administration

Councilmember's act as the legislative body with authority to enact laws, adopt the budget, determine service priorities, make public policy, and appoint citizen boards, commissions, and committees ([RCW 35A.13.230](#)). The City Manager and staff ~~is—serve as~~ the executive/administrative branch. In order to uphold the integrity of the council-manager form of government, and to provide proper checks and balances, members of ~~City Council~~Council refrain from becoming directly involved in the administrative activities of the City.

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

### Non-Participation in Judicial Matters

The ~~City of Lacey~~City contracts for court services with the Thurston County Superior Court. The City Manager, ~~City Council~~Council and staff may not interfere with judicial processes or decisions. The ~~City Council~~Council has no policy direction over judicial matters.

### Legislative Role of Councilmember's

Councilmembers serve important legislative roles in the Community. Councilmembers work to establish policy, enact local laws, appoint and supervise officials, decide appointments to boards and commissions, and call special elections, when necessary. Elements of these roles include:

#### \*• Establish Policy

- Adopt goals and objectives
- Establish priorities for public services
- Approve/amend the operating and capital budgets
- Approve intergovernmental agreements and certain contracts
- Adopt resolutions

#### \*• Enact Local Laws

- Adopt ordinances

#### \*• Appoint and Supervise Officials

- Appoint City Manager ([RCW 35A.13.050](#))
- Evaluate performance of City Manager
- Appoint Hearings Examiner ([LMC 2.30.020](#))
- Establish advisory boards and commissions ([LMC 2.32](#), [2.42](#), [2.44](#), [2.46](#))
- Make appointments to advisory boards and commissions ([RCW 35A.13.080](#))
- Provide direction to advisory bodies

#### \*• Decide Council appointments to Committees and Intergovernmental Boards and Commissions

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- Call Special Elections when necessary

#### Council's Role in the Community

Councilmembers serve several community support roles, which are:

- Provide ~~Public-public Leadership~~ leadership
- Represent constituents to promote representative governance
- Mediate conflicting interests while building a consensus
- Communicate the City's vision and goals to constituents
- Represent the City's interest at regional, county, state and federal levels
- ~~Decision Making~~ Make decisions
- Analyze problems/issues
- Review alternatives/solutions
- Determine best course of public policy

#### Representation on Council Committees

The Lacey ~~City Council~~ Council has established six standing committees by City ordinance:

- Community Relations & Public Affairs Committee
- Finance & Economic Development Committee
- General Government & Public Safety Committee
- Land Use Committee
- Transportation Committee
- Utilities Committee

Three Councilmember's serve on each committee. The Mayor appoints committee members, ~~and are appointed by the Mayor~~ with the consent of Council. The committee elects a Chair ~~who The Chair of each committee is elected by its committee members, and~~ presides over the meetings. Each committee member has equal representation on their respective committee.

Council may vote to establish ad hoc committees. Ad hoc committees must follow Robert's Rules of Order. Council ad hoc committees are created by vote of the Council and consistent with Robert's Rules of Order.

#### Committee Recommendations

Council committee recommendations are presented to the full Council by the respective Committee Chair. ~~Normally, the~~ committee chair reports on committee recommendations during a regular Council ~~meeting~~ Meeting under Standing General Committee Reports. If an item does not have a majority recommendation from the committee, or needs further discussion, it is forwarded to a Council ~~worksession~~ Worksession.

#### Non-Committee Member Attendance at Committee Meetings

In compliance with the Open Public Meetings Act, if a fourth Councilmember decides to attend a committee meeting, he/she should notify the City Manager's office in a timely manner in

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order for the meeting to be noticed [to the public](#) appropriately. Where a fourth Councilmember attends, and proper public notice has not been provided, the fourth member should refrain from participating at the meeting and must sit in seating provided for the public.

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#### 2.04 Role of Mayor and Deputy Mayor

~~The Mayor serves as Chair of the Council and presides over meetings of the Council. The Mayor retains The chair of the Council shall have the title of Mayor and shall preside at meetings of the Council. In addition to the powers conferred upon him or her as Mayor, he or she shall continue to have~~ all the rights, privileges, and immunities of a member of the council. The Mayor ~~shall be recognized~~serves as the head of the City for ceremonial purposes and is recognized by the governor for purposes of military law. ~~He or she shall have~~The Mayor has no regular administrative duties- (~~RCW 35A.13.030~~RCW 35A.13.035; LMC 2.09.005).

The Council has authorized the Mayor to sign, on behalf of the Council, proclamations which are non-controversial in nature and comply with ~~Council~~Council policy on proclamations.

The Deputy Mayor ~~shall serve~~serves as Mayor in the absence of, or temporary disability of, the Mayor and ~~shall have~~has all the powers of the Mayor when serving. In addition to the powers conferred upon ~~him or her as the~~ Deputy Mayor, ~~he or she~~they shall continue to have all the rights, privileges and immunities of a member of the ~~Council~~Council (RCW 35A.13.035; LMC 2.09.005).

Biennially, at the first meeting of the New Year, the Council, by majority vote, shall choose a Mayor and a Deputy Mayor.

## **2.05 Incompatibility of Offices**

There are certain restrictions on a Councilmember holding any other public office or employment within City government. [RCW 35A.12.030](#) provides that a Mayor or Councilmember cannot hold other public office or employment within City government unless permitted under the code of ethics for municipal officers ([RCW 42.23](#)). Councilmember's can serve as volunteer fire-fighters or reserve law enforcement officers if authorized by resolution by a two-thirds vote of the full [City Council](#).

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## 2.06 Election of Officers

Prior to the election of officers, all newly-elected members of Council will be administered the oath of office by the City Attorney or a judge. Once sworn in, the full Council will proceed with the election of officers ([RCW 35A.13.035](#)).

### Procedure

1. If there is no sitting Mayor, prior to the election of the new ~~mayer~~ Mayor, ~~Council~~ Council ~~shall~~ nominates and elects an ~~interim~~ Interim Chair from among its members.
2. In such case, the ~~interim~~ Interim Chair ~~will~~ conducts the election of the Mayor.
3. The Interim Chair calls for nominations. ~~Nominations will be called for.~~
4. Each member of the Council ~~will be may permitted to~~ nominate one person. ~~N, and~~ ~~nominations will do~~ not require a second.
5. A nominee who wishes to decline the nomination ~~will~~ announces this at time of their nomination.
6. The Interim Chair closes nominations. ~~Nominations are then closed.~~
7. The Interim chair conducts the ~~e~~ Election ~~will be~~ by voice ballot for each candidate.
8. The City Clerk ~~will~~ records into the minutes of the meeting the manner in which each vote was cast.
9. A nominee must receive a majority vote of the members present in order to be elected.
10. The newly elected Mayor ~~will~~ chairs the nominations and election of the Deputy Mayor.
11. The Council follows ~~t~~ The same nomination and election process ~~will be followed to~~ elect the Deputy Mayor.

If the Mayor or Deputy Mayor resigns, the ~~City Council~~ Council ~~will~~ appoints a new Mayor or Deputy Mayor, following the same procedure.

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## 2.07 Absence of Mayor

In the absence of the Mayor, the Deputy Mayor shall perform the duties of the ~~mayor~~Mayor. In the absence of both the Mayor and Deputy Mayor, the Council ~~shall elects~~, by majority vote, ~~elect a chairperson~~Chair to preside over the meetings of the ~~Council~~Council, using the following procedure:

1. The senior Councilmember convenes the meeting and announces that the Mayor and Deputy Mayor have excused absences and will not be in attendance that evening.

\*

2. The senior Councilmember announces ~~indicate~~ that the Council officially needs to select a chair to run the meeting and be authorized to sign any proclamations, resolutions, or ordinance to be acted on that evening.

\*

3. The senior Councilmember ~~c~~alls for a nomination(s) from the ~~City Council~~Council. No second is required.

\*

4. The senior Councilmember ~~c~~alls for a vote on the nomination(s) and announces the result.

\*

\*5. The Councilmember elected presides over the meeting.

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## 2.08 Council Attendance

At the beginning of each Council ~~meeting~~Meeting, the Mayor will excuse any Councilmember who has contacted the Mayor or City Manager's office prior to the meeting to notify them of their absence. A council position ~~shall~~ becomes vacant if a Councilmember fails to attend three consecutive regular meetings of the ~~Council~~Council without being excused by the Mayor (~~RCW 35A.1312.0620~~as now or hereafter amended).

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## 2.09 Council Vacancy

A Council position ~~shall is~~ officially ~~be~~ declared vacant upon the resignation, recall, forfeiture of position, or death of a Councilmember. The remaining members of the governing body shall appoint a qualified person to fill the vacant position ([RCW 35A.13.020](#)).

### Resignation Process

~~Council must receive a written notice with an effective date of resignation. The resignation is effective as of the date provided in the written notice. Council accepts the resignation by a motion and vote.~~

- ~~\* A written resignation needs to be submitted to the City Council.~~
- ~~\* The Notice of Resignation should provide for an effective date and the resignation will be effective as of that selected date.~~
- ~~\* The Council accepts the resignation by a motion and vote.~~

### Appointment Process

~~The City Manager's office coordinates the recruitment process.~~

- ~~\* The City Manager's office issues an advertisement to the local paper and other media outlets for a 2-3 week period. The recruitment process will be coordinated through the City Manager's office.~~

~~1. An advertisement will be issued to the local paper and media outlets, and posted on the City's website for a 2-3 week period. The announcement will include the requirements necessary to hold office, time to be served in the vacant position, election information, salary information, Council duties, and the deadline date and time for submitting applications. (RCW 35A.13.020).~~

~~2. The City Manager will prepare an application form that requests appropriate information for City Council Council consideration of the applicants. Applications will be available at City Hall, and posted on the website.~~

~~3. Applications received by the deadline will be copied and circulated distributed to the City Council Council. Packets may contain additional information, such as resumes and references.~~

~~4. Prior to interviews, the Mayor requests and will accept suggested interview questions from each Councilmember.~~

~~5. The Clerk's office will publish the required public notice for the meeting scheduled for interviewing applicants for consideration for the vacant position.~~

~~\* 6. The Clerk's office will notify applicants of the location, date and time of the City Council Council interviews.~~

### Interview Requirements

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- \*• Interviews with candidates must be held in an open public meeting.
- \*• The applicants' order of appearance will be determined by the date and time when the application was received.
- \*• The decision as to which applicants to interview will be determined by the ~~City Council~~Council based on the information contained in the application form.
- \*• The ~~City Council~~Council ~~shall will~~ ask the predetermined set of questions which must be responded to by the applicant. Each applicant will be asked and answer the same set of questions. Follow-up questions, based upon responses, are permitted.
- \*• An informal question and answer period in which Councilmembers ask and receive answers to miscellaneous questions may be set aside for 10 minutes upon approval of a majority of Councilmembers.

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### Voting

1. Upon completion of the interviews, the ~~Council~~Council may convene into Executive Session to discuss the qualifications of the applicants. However, all interviews, deliberations, nominations, and votes taken by ~~City C~~Council must be in open public session. The ~~City Council~~Council may not determine who to select or reach a consensus on a preferred candidate in ~~executive Executive session~~Session.
- \*•
2. The Mayor ~~shall asks~~ for nominations from Councilmembers for the purpose of creating a group of candidates to be considered. No second is needed.
- \*•
3. Nominations are closed by a motion, second and majority vote of Council.
- \*•
4. Councilmembers may deliberate on ~~such~~ matters ~~such~~ as criteria for selection, and the nominated group of candidates.
- \*•
5. The Mayor ~~shall polls~~ the Councilmembers to ascertain if they are prepared to vote. Voting ~~needs to must~~ take place in a manner in which the public is notified as to the vote of each existing Councilmember for which candidate. If there is more than one candidate, a vote must be taken for each candidate to record each Councilmember's vote.
- \*•
6. The City Clerk ~~will records~~ the votes in the ~~meeting~~ minutes.
- \*•
7. The selection of a candidate to fill the vacancy is made by a majority vote of the remaining six members of the ~~City Council~~Council.
- \*•
8. If a majority vote is not received for a candidate, ~~t~~The Council may postpone elections until another date, ~~if a majority vote is not received~~.
- \*•
9. The Mayor ~~shall declares~~ the nominee receiving the majority vote as the new Councilmember to be sworn in immediately after the effective date of the resignation.
- \*•

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10. The term of the candidate selected to fill the vacancy will be in effect until a person is elected at the next regular election for municipal officers. The interim term would then end, and the new term begin upon certification of election results.

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\*  
11. If the Council does not appoint a qualified person to fill the vacancy within 90 days of the occurrence of the vacancy, the County Commissioners will appoint a person to fill the vacancy- ([RCW 42.12.070](#)).

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## **2.10 New Councilmember Orientation**

As newly-elected Councilmembers, elected officials become an integral part of the City team. The City Manager/~~City Clerk~~'s office coordinates an orientation process, schedules interviews with the City Manager and Department Directors, and provides opportunities for tours of City facilities and infrastructure. The City Manager's office also coordinates Open Government Trainings, as required by state law (RCW 42.56.150). Councilmember's are encouraged to attend the Association of Washington Cities (AWC) annual new member orientation. The Mayor and existing Councilmembers ~~will~~ welcome and mentor new members, share perspectives and insights, and discuss priorities, procedures, and protocols.

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## 2.11 Appointment and Role of City Manager

The City Manager is the chief administrative officer of the City, appointed by and accountable to the ~~City Council~~Council.

The City Manager is responsible for the effective administration and management of the City and the efficient delivery of all City services. ~~All department directors are appointed by and report directly to the City Manager.~~The City Manager appoints and supervises all Department Directors. The City Manager is responsible for all hiring and employment decisions, the approval of all operating rules and procedures, ensuring quality performance, proper financial management of City funds, and carrying out the policy directives of the ~~City Council~~Council.

The City Manager prepares the annual budget for Council approval, assists in the identification of community priorities, and facilitates public involvement and participation in key areas of policy development and service delivery. The City Manager proposes policy recommendations to the ~~City Council~~Council, advises ~~them~~ on matters of community interest, and supplies facts and information as appropriate to provide the Council with a comprehensive basis for making decisions and establishing annual goals and priorities for the City. The City Manager also attends and represents the City on various intergovernmental committees ([RCW 35.A.13.080](#)).

The ~~City Council~~Council evaluates the City Manager's performance on an annual basis, generally in the first quarter of the calendar year, to ensure that both the ~~City Council~~Council and the City Manager are in agreement about performance and goals based upon mutual trust and common objectives. The Human Resources Director coordinates the evaluation process with the Mayor. The ~~City Council discusses the City Manager's evaluation~~ is discussed in Executive Session.

## 2.12 Council Committees and Intergovernmental Boards & Commissions

### Council Committees

Members of the Council hold Committee meetings ~~are held~~ on a monthly basis to discuss issues related to community affairs, transportation, finance/economic development, land use, utilities and general government/public safety. Meeting times and dates are determined by Committee members' meeting schedules, posted on the City's website, and available on the Committee Schedule, which is distributed weekly to Council and staff. Three Councilmembers serve on each committee to discuss emerging issues, review City programs and policies; and provide recommendations to the full Council. Committee issues can be forwarded to regular ~~council~~ Council meetings/Meetings for action or to a ~~worksession~~ Council Worksession or committee meeting for further review. Generally, audience participation is not allowed during committee meetings, unless permitted by the Chair. (Refer to Chapter 10, Paragraph 10.03, and Attachment 10.03A.)

### The Council Committees are:

- Community Relations and Public Affairs
- Finance and Economic Development
- General Government and Public Safety
- Transportation
- Utilities
- Land Use

### Intergovernmental Boards, ~~and~~ Commissions, ~~and~~ Ad Hoc Committees

Councilmembers represent the City on regional intergovernmental boards, ~~and~~ commissions, and ad hoc committees to facilitate communication relating to a variety of matters including planning, transportation, utilities, housing, the environment, and social services.

Councilmembers participating in policy discussions at regional meetings ~~will~~ represent the consensus of the Council. Personal positions, when given, will be identified and not represented as the position of the City. Councilmembers present r~~Reports~~ on intergovernmental boards, commissions, and ad-hoc committee activities ~~are presented~~ during regular Council ~~meetings~~ Meetings. When ~~an significant issue or key topic is brought forward to the~~ intergovernmental board, commission, or ad-hoc committee addresses a significant issue or key topic (i.e., costs or service impacts to Lacey residents, Lacey Businesses, Lacey taxpayers, and Lacey Utility customers that are not routine but substantial), the Councilmember assigned to the board, commission, or ad-hoc committee ~~will~~ informs the full ~~Council~~ Council, and/or ~~may~~ invites the agency to a Council Worksession to provide an update on the issue.

### Appointments

The Mayor appoints Councilmembers to committees, intergovernmental boards, and commissions. Appointments occur at the beginning of a Mayor's new term and with the

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approval of the Council Councilmembers provide a list of preferred choices to the newly elected Mayor for consideration at the first Council Meeting in January. The Council confirms these appointments at the following Council meeting in January, after consultation with the full Council. The Mayor makes a good-faith effort to accommodate Councilmembers' preferred choices.

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Council appoints a primary delegate and an alternate delegate to each intergovernmental board, commission, and ad hoc committee. A primary delegate and alternate will be appointed to intergovernmental boards, commissions, and ad hoc committees. Alternates delegates are appointed to attend the meetings when the primary delegate is unable to attend to ensure Lacey is represented the City has representation at the meeting. Assignment and direction of staff in relation to regional meetings are directed by the City Manager. The City Manager assigns and directs staff to serve at regional meetings.

If the primary delegate cannot attend a meeting, they will contact their alternate as a replacement. The primary delegate should notify the alternate as soon as possible when they are not able to attend an upcoming meeting. If no designated representative can attend the meeting, the primary delegate will contact the City Manager's office as notification as well as to coordinate a potential attendee from Council.

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If a Councilmember participates in a new Intergovernmental Board or Commission, the Mayor makes an appointment with consent of the Council. Prior to an appointment to a new Intergovernmental Board or Commission, other jurisdictions should be contacted to provide a regional representative. To be recognized as a new Intergovernmental Board or Commission, the body will have one or more elected officials from other jurisdictions other than Lacey.

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Appointments to these organizations is made by the Mayor with the consent of the City Council at the beginning of a Mayor's new term. A list of Councilmember's preferred choices will be provided to the newly elected Mayor at the first Council meeting in January. Confirmation of these appointments will be made in a Council meeting in January, following consultation with the full Council. A good faith effort is made to accommodate Councilmembers' preferred choices.

If a Councilmember participates in a new Intergovernmental Board or Commission, the appointment will be made by the Mayor with consent of the City Council. Prior to an appointment to a new Intergovernmental Board or Commission, other jurisdictions should be contacted to provide a regional representative. To be recognized as a new Intergovernmental Board or Commission, the body will have one or more elected officials from other jurisdictions other than Lacey.

Intergovernmental Boards & Commissions are as follows:

- Community Action Council
- Economic Development Council
- Emergency Medical Services
- Health & Human Services Council

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- Home Consortium
- Intercity Transit
- Joint Animal Services Commission
- LOTT Clean Water Alliance
- Mayor's Forum
- 
- Nisqually River Council
- Olympia Lacey Tumwater Visitor & Convention Bureau
- Olympic Region Clean Air Agency
- Regional Housing Council
- Solid Waste Advisory Committee
- TCOMM 911
- Thurston County Law & Justice Council
- Thurston Regional Planning Council
- Transportation Policy Board

Ad Hoc Committees are as follows:

- Lacey South Sound Chamber
- Law Enforcement Officers and Fire Fighters (LEOFF) Disability Board
- Lodging Tax Advisory Committee
- Thurston Chamber Shared Legislative Committee
- Thurston County Coalition Against Human Trafficking (TCCAT)
- Thurston Thrives

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### 2.13 Advisory Boards and Commissions

~~Prior to serving on one of Lacey's Advisory Boards and Commissions, the full City Council shall confirm all citizen representative appointments forwarded by the Mayor.~~ ~~Community~~ ~~Citizen members, members~~ serving on Lacey's Boards and Commissions, ~~serve~~ in an advisory role and make recommendations on issues related to land use, zoning, social services, parks, library services, and historical matters. ~~Citizen-Community~~ involvement is a key element in the ~~City Council~~ ~~Council~~'s decision-making process. The duties and responsibilities of advisory boards and commission members are defined in the [Lacey Municipal Code](#) (LMC), the [Revised Code of Washington](#) and through intergovernmental agreements. ~~Prior to serving on one of Lacey's Advisory Boards and Commissions, the full City Council~~ ~~Council shall confirm all citizen~~ ~~advisory board and commission-representative~~ ~~appointments forwarded by the Mayor.~~

If a member resigns prior to his/her term expiration, a letter of resignation will be submitted to the Mayor, or City Manager for the Civil Service Commission. If a member serves a complete term and does not seek reappointment, they will be recognized by the Mayor at a regular Council meeting. The City Clerk's office coordinates the recruitment process to fill vacancies on Council Boards and Commissions. Positions are advertised on the City's website, through local media, and by word of mouth. Prior to interviews, copies of applications, letters of interest, and resumes are forwarded to Council to provide an opportunity to comment to the Mayor. Potential candidates are interviewed by the Mayor and staff liaison to the Board/Commission. The Mayor appoints, subject to confirmation by Council, at the next regular Council meeting, with the exception of the Civil Service Commission.

Codified Boards and Commissions are defined in the [Lacey Municipal Code](#) as City law, or in the Revised Code of Washington as state law. ~~Additionally, the Boards and Commissions Standards, Protocols, and Ground Rules Handbook is available online.~~

#### Planning Commission

~~The nine-member Planning Commission develops recommendations for long-range comprehensive planning goals and policies in the City and areas outside the City, which may seek annexation. The Planning Commission determines its own meeting times and location.~~

Reference: [LMC 2.32](#)  
Length of Term: [Three Years](#)  
Term Limit: [Two Terms](#)  
Number of Members: [Nine Commissioners](#)

Residency Requirements: ~~Seven of the nine Planning Commissioners must be Lacey City residents. The remaining two Commissioners may be either Lacey residents or residents of Lacey's Urban Growth Area.~~

Who Appoints: ~~The Mayor appoints Planning Commissioners, subject to confirmation by the Council.~~

#### Historical Commission

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The eight-member Historical Commission provides leadership in raising awareness of Lacey's history and preservation of local historic resources. The commission guides creation of public education and interpretive programs, encourages conservation of items and properties that are of historic significance, and reviews nominations to the Lacey Register of Historic Places. The Historical Commission determines its own meeting times and location.

Reference: LMC 2.42  
Length of Term: Three Years  
Term Limit: Two  
Number of Members: Seven Commissioners, plus one youth representative

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Residency Requirements: Five of the seven Commissioners must be Lacey City residents. Two of the seven Commissioners must be professionals with a background in history, architecture, planning, or American studies. The Lacey Youth Council appoints one member to serve as the youth representative to the Historical Commission.

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Who Appoints: The Mayor appoints Historical Commissioners, subject to confirmation by the Council. A member of the Lacey Youth Council serves as the Youth Representative, as appointed by the Mayor and confirmed by Council.

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#### Board of Parks Commissioners

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The six-member commission makes recommendations to the Council regarding planning, promotion, acquisition, construction, and development of parks and open spaces, recreation facilities and recreation programs. The Board of Parks Commissioners determines its own meeting times and location.

Reference: LMC 2.44  
Length of Term: Three Years  
Term Limit: Two Terms  
Number of Members: Five Commissioners, plus one youth representative

Residency Requirements: Four of the five Commissioners must be Lacey City residents. One of the five Commissioners can be either a Lacey City resident or a resident of Lacey's Urban Growth Area. The Lacey Youth Council appoints one member to serve as the youth representative to the Board of Parks Commissioners.

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Who Appoints: The Mayor appoints Board of Parks Commissioners, subject to confirmation by the Council. A member of the Lacey Youth Council serves as the Youth Representative, as appointed by the Mayor and confirmed by Council.

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#### Library Board

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The six-member Lacey Library Board, comprised of five general members and one youth representative, assists in facilitating long-range planning for library capital facility needs and recommends building improvements for the Lacey Timberland Library. The Board selects its own chairperson and officers from its membership. Lacey's Timberland Library has one of the highest circulations of the 27 libraries in the Timberland Regional Library system. The Library Board determines its own meeting times and location.

Reference: LMC 2.46  
Length of Term: Five Years  
Term Limit: Two Terms  
Number of Members: Five Board Members, plus one youth representative

Residency Requirements: Four of the five Board Members must be Lacey City residents. One of the five Board Members can be either a Lacey City resident or a resident of Lacey's Urban Growth Area. The Lacey Youth Council appoints a Lacey Youth Councilmember to serve as the youth representative.

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Who Appoints: The Mayor appoints Library Board Members, subject to confirmation by the Council. A member of the Lacey Youth Council serves as the Youth Representative, as appointed by the Mayor and confirmed by Council.

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#### Commission on Equity

The eight-member Commission on Equity, comprised of seven general members and one youth representative, work to identify and advance opportunities that will create a more welcoming community, continue critical conversations on race and equity, seek greater participation from underrepresented community members, and identify existing gaps and barriers which could prevent full participation in government and public policy.

Reference: LMC 2.34  
Length of Term: Three Years  
Term Limit: Two, if there are no applicants for a vacant term on month prior to the expiration of the term, the incumbent may be reappointed to an additional three-year term  
Number of Members: Seven Commissioners, plus one youth representative

Residency Requirements: Commissioners may be a Lacey City resident or reside within Lacey's Urban Growth Area.

Who Appoints: The Mayor appoints Equity Commissioners, subject to confirmation by Council. A member of the Lacey Youth Council serves as the Youth Representative, as appointed by the Mayor and confirmed by Council.

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LEOFF Disability Board (Law Enforcement Officers Fire Fighters)

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The 5-member Law Enforcement Officers and Fire Fighters (LEOFF) Disability Board administers LEOFF I benefits and entitlements. The LEOFF Disability Board determines its own meeting times and location.

Reference: RCW 41.26.110  
Length of Term: Two Years  
Term Limit: No term limit  
Number of Members: Five Board Members

Residency Requirements: Two members must currently serve on the Lacey Council. Two members must be active or retired City law enforcement officers. One member must be from the public at large who resides within the City.

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Who Appoints: The Mayor appoints two Councilmembers, subject to confirmation by Council. Law enforcement officers employed by or retired from the city who are subject to the jurisdictions of the board elect and appoint the two law enforcement Board Members. The remaining Board Members appoint the one at-large Board Member.

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Civil Service Commission

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By statute, the City Manager appoints members to the Civil Service Commission. The three-member Civil Service Commission adopts rules for the regulation of personnel matters and competitive examinations for classified employees of the Lacey Police Department. It also hears appeals arising from the administration of the Civil Service rules and regulations. The Civil Service Commission determines its own meeting times and location.

Reference: LMC 2.52.040; RCW 41.12  
Length of Term: Six Years  
Term Limit: Two Terms  
Number of Members: Three Members

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Residency Requirements: Civil Service Commissioners may be Lacey City residents or residents of Lacey's Urban Growth Area.

Who Appoints: The City Manager appoints Civil Service Commissioners.

#### Lodging Tax Advisory Committee (LTAC)

The five-member Lodging Tax Advisory Committee recommends to the Council how best to use lodging tax revenues. Lodging tax revenues are generated through a 4% hotel-motel tax imposed by the City on each room rental night. The Lodging Tax Advisory Committee determines its own meeting times and location.

Reference: RCW 67.28.1817; LMC 13.03.045  
Length of Term: Three Years  
Term Limit: No term limit  
Number of Members: Five Members

Residency Requirements: One member must be an elected official of the City, and will serve as Chair. Two Committee Members must represent businesses that collect the lodging tax, and two Committee Members must represent activities authorized to be funded by lodging tax revenues.

Who Appoints: The Mayor appoints Lodging Tax Advisory Committee Members, subject to confirmation by Council.

Non-codified Boards and Commissions are *not* enacted as law in the LMC.

#### Public Facilities District (PFD)

The seven-member Public Facilities District Board has fiduciary responsibility for the appropriate use of sales tax revenue it collects and distributes. The Board meets annually to review financial statements and to issue an annual report to the public on the use of those funds. The Public Facilities District Board determines its own meeting times and location.

Reference: RCW 82.14.390  
Length of Term: Four Years  
Term Limit: No term limit  
Number of Members: Seven Board Members

Residency Requirements: The Public Facilities District Board must have one member from each jurisdiction, and three regional members.

Who Appoints: Four members are representatives from each jurisdiction (Lacey, Olympia, Tumwater, and Thurston County). The Mayor appoints Lacey's representative, subject to confirmation by the Council. Each jurisdiction appoints their own representative.

Three members are regional representatives, subject to recommendations from local business and community organizations, and appointed by the elected bodies of all four jurisdictions.

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Thurston Community Media (TC Media) Board of Directors:

Lacey representatives fill one position and one alternate position on the 15-member TC Media Board of Directors. The Board sets policy for TC Media to assist residents and organizations to communicate information and exchange ideas through the medium of community access television. The TC Media Board of Directors determine their own meeting times and location.

Length of Term: 3 Years

Term Limit: No term limit

Number of Members: 15 total (One member and one alternate from Lacey)

Residency Requirements: None

Who Appoints: Mayor appoints, subject to confirmation by Council

Removal of a Board/Commission Member:

General or youth representatives who serve on one of the four LMC codified Boards and Commissions (Historical Commission, Library Board, Board of Parks Commission, or Planning Commission) may be removed from the Board or Commission prior to the expiration of their term of office by the Mayor with the approval of the Council for inefficiency, neglect of duty, an unlawful act, or by violation of the protocols of the Lacey Boards and Commissions Standards, Protocols, and Ground Rules Handbook. The Mayor, with approval of the Council, may also remove a general member or youth representative who has three or more unexcused absences at regular meetings in a calendar year. Removal should not occur for disagreement with an official recommendation of the Board or its members.

Prior to the decision to remove or not remove a Board or Commission member, the Mayor or their designee will conduct a fact-finding process to fully assess and determine whether the Board or Commission member's actions meet the criteria for removal.

(Refer to Chapter 10, Paragraph 10.01, and Attachments 10.01A and 10.01B, Appointments to Council, Advisory Boards/Commissions.)

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## 2.14 Lacey Youth Council

The Lacey Youth Council serves as an avenue for the Lacey Council to proactively engage with our community's youth and empower Lacey's youth to become future leaders. The Lacey Youth Council serves as an advisory body to the Lacey Council on youth perspectives related to community matters.

### Structure

1. The Youth Council is comprised of fifteen (15) members recruited from the following organizations: North Thurston High School, River Ridge High School, South Sound High School, Timberline High School, Northwest Christian High School, Pope John Paul II High School, and home school organizations.
2. Seven (7) Youth Councilmembers will be juniors or seniors. This requirement may be waved at the discretion of the Mayor of Lacey.
3. The Youth Council selects a Youth Council Mayor and Deputy Mayor from among its members. The Youth Council Mayor and Deputy Mayor must be juniors or seniors with one previous year in Youth Council. School level and previous Youth Council experience requirements may be waived at the discretion of the Mayor of Lacey.
  - a. At the first meeting of the year, Youth Councilmembers will indicate if they are interested in serving as Youth Council Mayor or Deputy Mayor. City staff will present candidate names in alphabetical order for a vote of the Youth Council. The first candidate to secure a majority of votes for each position receives the appointment.
  - b. The Youth Council Mayor is responsible for chairing the meeting and ensuring that the meeting follows the set agenda. The Youth Council Mayor also assigns Youth Council members to deliver monthly reports regarding each of the school listed above and other youth events or youth-involved issues to the Lacey Council.
  - c. The Youth Council Mayor represents the Youth Council at any outside meetings requiring the attendance of the Youth Council. The Youth Council Deputy Mayor assumes the role of Chair in the absence of the Chair.
4. All members of the Youth Council have an equal vote.
5. Youth Council Members serve for up to three (3) terms. If a student graduates or leaves high school, they are no longer eligible to serve on the Youth Council.
6. The Youth Council utilizes and follows Robert's Rules of Order.
7. Youth Council in coordination with City personnel will create a year-long workplan for the Youth Council.

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8. City personnel will conduct ongoing civic educational sessions and trainings throughout the duration of the year.

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#### Meeting Times

1. The Youth Council meets at least twice a month during the school year or from September to June. Meetings will include one Regular Meeting and one Worksession meeting. Youth Councilmembers may attend meetings remotely if they cannot make the meeting in-person.
2. Youth Council Regular Meetings will be held on the first Tuesday of the month at 5 p.m.
3. Youth Council Worksession meetings will be held prior to or following the Youth Council's monthly reports to the Lacey Council on the second Thursday of the month.
4. All Youth Council Regular and Worksession meetings are limited to two (2) hours.
5. The Youth Council may schedule additional Youth Council meetings, as needed. Youth Council Special meetings may exceed two (2) hours.

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#### Representation on Lacey Council Advisory Boards and Commissions

1. Four (4) Youth Councilmembers that are junior or seniors will serve as the Youth Representatives to one of the following City Advisory Boards and Commissions:
  - a. Historical Commission;
  - b. Board of Parks Commissioners;
  - c. Library Board; and
  - d. Commission on Equity.
2. At the first meeting of the year, Youth Councilmembers will indicate if they are interested in serving as the Youth Representative to a Lacey Advisory Board. City staff will present candidate names in alphabetical order for a vote of the Youth Council. The first candidate to secure a majority of votes for each position receives the appointment.

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#### Council Interaction

1. One (1) Lacey Councilmember will serve as a liaison to the Youth Council for the duration of the Youth Council year.
2. All other Lacey Councilmembers will be assigned at minimum one (1) Youth Council meeting to attend during the year.

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3. Once a month, selected Youth Council members will deliver a report to the Lacey Council during the second Lacey Council Meeting of that month.

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#### Projects

1. The Youth Council will pursue at minimum one (1) public service and community engagement project during the year.
2. Three (3) Youth Councilmembers that are junior or seniors will serve as Project Managers for Youth Council Projects.
3. Youth Council may participate in other volunteer and engagement efforts, such as but not limited to:
  - a. providing support for City events; and
  - b. attending Youth Action Day or other leadership summits.

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#### Recruitment

1. The City will coordinate with North Thurston Public Schools, Pope John Paul II, Northwest Christian High School, and home school organizations to promote the Youth Council and solicit applications to the Youth Council.
2. Youth Councilmembers will help with Youth Council recruitment efforts.
3. Recruitment efforts begin in March of each year.

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#### Selection Process

1. Applicants must be in their freshman, sophomore, or junior year at the time of application.
2. The City Mayor reviews all applications and selects candidates for interview. The interview panel consists of the City Mayor, City staff, and if possible, members of Youth Council.
3. After candidate interviews, the City Mayor selects individuals to recommend to the full Lacey Council for service on the Lacey Youth Council. Lacey Council will confirm the selection of Lacey Youth Councilmembers.
4. Once confirmed to the Lacey Youth Council, the City will notify the selected individuals of meeting times, training requirements and next steps.

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#### Replacement Process

1. If a member of the Youth Council resigns, moves, graduates from high school, or is removed due to behavior, or conduct then the vacated position will be filled as soon as possible.

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2. If a member of the Youth Council fails to attend a total of three (3) meetings, regardless if the meetings are consecutively missed, without being approved by appropriate City personnel, those members will be removed from the Youth Council. The vacated position will be filled as soon as possible.

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3. Previous eligible applicants receive notification of the vacancy and recruitment activities take place to fill the position. The Lacey City Mayor reviews potential candidates and appoints an individual to the position. Where possible, the Lacey City Mayor backfills the position with a candidate from the origin school of the departing Youth Councilmember.

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- ~~Planning Commission: The 9 member commission develops recommendations for long range comprehensive planning goals and policies in the City of Lacey and areas outside the City which may seek annexation. Meeting times and location will be determined by the Commission. (LMC 2.32)~~

~~Length of Term: 3 Years~~

~~Term Limit: 2~~

~~Number of Members: 9~~

~~Residency Requirements: Seven of the nine commissioners must be a Lacey City resident and two can be either a Lacey resident or reside in Lacey's Urban Growth Area.~~

~~Who Appoints: Mayor appoints, subject to confirmation by Council~~

- ~~Historical Commission: The 8 member commission provides leadership in raising awareness of Lacey's history and preservation of local historic resources. The commission guides creation of public education and interpretive programs, encourages conservation of items and properties that are of historic significance, and reviews nominations to the Lacey Register of Historic Places. Meeting times and location will be determined by the Commission. (LMC 2.42)~~

~~Length of Term: 3 Years~~

~~Term Limit: 2~~

~~Number of Members: 7, plus one youth representative~~

~~Residency Requirements: Five of the seven commissioners must be a Lacey City resident; two of the seven must be professionals with a background in history, architecture, planning, or American studies. The youth member shall be at least sixteen years of age (when appointed), enrolled as a junior or senior in the North Thurston Public Schools, or enrolled in private school or homeschooled, and be a resident of the city of Lacey or reside in Lacey's urban growth management area. The youth member shall be appointed to serve for a term of one year, and may be reappointed to an additional one year term.~~

Who Appoints: \_\_\_\_\_ Mayor appoints, subject to confirmation by Council

- ~~Board of Parks Commissioners: The 6 member commission makes recommendations to the City Council regarding planning, promotion, acquisition, construction, and development of parks and open spaces, recreation facilities and recreation programs. Meeting times and location will be determined by the Commission. (LMC 2.44)~~

Length of Term: \_\_\_\_\_ 3 Years

Term Limit: \_\_\_\_\_ 2

Number of Members: \_\_\_\_\_ 5, plus one youth representative

Residency Requirements: ~~Four of the five commissioners must be a Lacey City resident; one of the five can be either a Lacey City resident or reside within Lacey's Urban Growth Area. The youth commissioner shall be at least sixteen years of age (when appointed), enrolled as a junior or senior in the North Thurston Public Schools, or enrolled in a private school or homeschooled, and be a resident of the city of Lacey or reside in Lacey's urban growth management area. The youth commissioner shall be appointed to serve for a term of one year, and may be reappointed to an additional one year term.~~

Who Appoints: \_\_\_\_\_ Mayor appoints, subject to confirmation by Council

- ~~Library Board: The 6 member Lacey Library Board, comprised of five general members and one youth representative, assists in facilitating long range planning for library capital facility needs and recommends building improvements for the Lacey Library. The Board selects its own chairperson and officers from its membership. Lacey's Library has one of the highest circulations of the 27 libraries in the Timberland Regional Library system. Meeting times and location will be determined by the Board. (LMC 2.46)~~

Length of Term: \_\_\_\_\_ 5 Years

Term Limit: \_\_\_\_\_ 2

Number of Members: \_\_\_\_\_ 5, plus one youth representative

Residency Requirements: ~~Four of the five commissioners must be a Lacey City resident; one of the five can be either a Lacey City resident or reside within Lacey's Urban Growth Area. The youth board member shall be at least sixteen years of age (when appointed), enrolled as a junior or senior in the North Thurston Public Schools, or enrolled in a private school or homeschooled, and be a resident of the city of Lacey or reside in Lacey's urban growth management area. The youth board member shall be appointed to serve for a term of one year, and may be reappointed to an additional one year term.~~

Who Appoints: \_\_\_\_\_ Mayor appoints, subject to confirmation by Council

- ~~• **LEOFF Disability Board (Law Enforcement Officers Fire Fighters):** The 5-member Law Enforcement Officers & Fire Fighters (LEOFF) Disability Board administers LEOFF-I benefits and entitlements. Meeting times and location will be determined by the Board. (RCW 41.26.110)~~

~~Length of Term: 2 Years~~

~~Term Limit: No term limit~~

~~Number of Members: 5~~

~~Residency Requirements: Two members must currently serve on the Lacey City Council; two members must be active or retired City of Lacey law enforcement officers; and one member from the public at large who resides within the City.~~

~~Who Appoints: Two City Councilmembers appointed by the Mayor, subject to confirmation by Council~~

~~-~~

~~Two law enforcement members appointed by the law enforcement officers employed by or retired from the city who are subject to the jurisdictions of the board.~~

~~One at-large member appointed by the other remaining Board members.~~

- ~~• **Civil Service Commission:** By statute, the City Manager appoints members to the Civil Service Commission (LMC 2.52.040). The 3 member Civil Service Commission adopts rules for the regulation of personnel matters and competitive examinations for classified employees of the Lacey Police Department. It also hears appeals arising from the administration of the Civil Service rules and regulations. Meeting times and location will be determined by the Commission. (RCW 41.12)~~

~~Length of Term: 6 Years~~

~~Term Limit: 2~~

~~Number of Members: 3~~

~~Residency Requirements: May be a Lacey City resident or reside within Lacey's Urban Growth Area.~~

~~Who Appoints: City Manager~~

~~Non-codified Boards and Commissions are *not* enacted as law in the LMC:~~

- ~~• **Public Facilities District (PFD):** The 7 member Public Facilities District Board has fiduciary responsibility for the appropriate use of sales tax revenue it collects and distributes. The Board meets annually to review financial statements and to issue an annual report to the public on the use of those funds. Meeting times and location will be determined by the Board. (RCW 82.14.390)~~

~~Length of Term: 4 Years~~

Term Limit:                      No term limit

Number of Members:            7

Residency Requirements:            One member from each jurisdiction, and three regional members.

Who Appoints:                      Four members are representatives from each jurisdiction (Lacey, Olympia, Tumwater, and Thurston County). Lacey's representative is appointed by the Mayor, subject to confirmation by Council. The others are appointed by the elected bodies of each jurisdiction.

                                             Three members are regional representatives, subject to recommendations from local business and community organizations, and appointed by the elected bodies of all four jurisdictions.

- ~~• Lodging Tax Advisory Committee (LTAC): The 5 member Lodging Tax Advisory Committee recommends to the Council how best to use lodging tax revenues. Lodging tax revenues are generated through a 4% hotel motel tax imposed by the City on each room rental night. Meeting times and location are determined by the Board. (RCW 67.28.1817)~~

Length of Term:                      3 Years

Term Limit:                      No term limit

Number of Members:            5

Residency Requirements:            One member must be an elected official of the City, and will serve as chair. At least two representatives of businesses that collect the lodging tax, and two representatives involved in activities authorized to be funded by lodging tax revenues.

Who Appoints:                      Mayor appoints, subject to confirmation by Council

- ~~• TCTV Board (Thurston County Television): Lacey citizens fill 1 position and 1 alternate position on the 15 member Thurston Community Television (TCTV) Board. The Board sets policy for TCTV to assist residents and organizations to communicate information and exchange ideas through the medium of community access television. Meeting times and location will be determined by the Board.~~

Length of Term:                      3 Years

Term Limit:                      No term limit

Number of Members:            15

Residency Requirements:            None

Who Appoints:                      Mayor appoints, subject to confirmation by Council

**Removal of a Board/Commission Member:**

~~General or youth members who serve on one of the four LMC codified Boards and Commissions (Historical Commission, Library Board, Board of Parks Commission, or Planning Commission) may be removed from the Board or Commission prior to the expiration of their term of office by the Mayor with the approval of the City Council for inefficiency, neglect of duty, an unlawful act, or by violation of the protocols of the Lacey Boards and Commissions Standards, Protocols, and Ground Rules Handbook. The Mayor, with approval of the City Council, may also remove a general or youth member who has three or more unexcused absences at regular meetings in a calendar year. Removal should not occur for disagreement with an official recommendation of the Board or its members.~~

~~Prior to the decision to remove or not remove a Board or Commission member, the Mayor or his/her designee will conduct a fact finding process to fully assess and determine whether the Board or Commission member's actions meet the criteria for removal.~~

~~(Refer to Chapter 10, Paragraph 10.01, and Attachments 10.01A and 10.01B, Appointments to City Council Advisory Boards/Commissions.)~~

## CHAPTER 3

### Administrative Support to the ~~City Council~~Council

#### 3.01 Staff/Clerical Support

~~The City Manager's office provides administrative support to members of the Council. Administrative support to members of the City Council is provided through the City Manager's office. Administrative services support includes, but is not limited to;~~

- ~~including~~ scheduling of appointments;
- receipt of telephone messages ~~and and~~ citizen requests;
- processing mail, travel, and training arrangements;
- managing correspondence;
- copying and printing ~~are provided~~ as needed.

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Sensitivity to the workload of support staff members is appreciated. If requested tasks require significant time commitments, Councilmember's should direct their requests to the City Manager.

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The City Manager's office manages the Mayor's calendar and coordinates invitations and requests for the Mayor's attendance at ceremonial functions and events.

### **3.02 Office Equipment**

Councilmembers have access to the use of City equipment for City-related business. Computers, copiers, printers and faxes are available for use. All City policies related to information services shall apply.

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### **3.03 Information Technology**

The Information Services (IS) division ~~(IS)~~ provides technical support in a limited capacity for the computer/printer in the Council workroom, and to assist with accessing email on the City server.

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### 3.04 Meeting Rooms

The Council Workroom, located in the City Manager's area, provides a quiet working environment and meeting area for Councilmembers. The room is equipped with ~~a a-computer,~~ printer, telephone and reference materials. The Council Chambers is the official meeting room of the ~~City-Council~~Council and is located adjacent to the Council lobby. Regular Council ~~meetings~~Meetings, ~~worksessions-Worksessions~~ and ~~committee-Committee meetings~~Meetings are held in the Council Chambers.

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### 3.05 Mail and Deliveries

The City Manager's office coordinates the delivery of mail to the ~~City Council~~Council. Individual mailboxes are located in the Council workroom, and Council is encouraged to check their mailboxes regularly. ~~Staff delivers uncollected mail to Council Council mail is delivered to Council~~ each Thursday at the Council Meeting or Council Worksession. If information is time sensitive, ~~staff notifies Council Council will be notified~~ via email, ~~or phone, or text~~ messages.

~~Electronic m~~Meeting packets for Regular Council ~~meetings~~Meetings, ~~worksessions~~ Worksessions and ~~committee~~Committee ~~meetings~~Meetings are posted on the City's website by 4:00 pm the Friday before a meeting. ~~Staff notifies Council Council will be notified~~ by email when the meeting packets are available electronically.

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## CHAPTER 4

### Financial Matters

#### 4.01 Budget

~~The City prepares annual operating and capital budgets on a calendar year basis. The City's annual operation and capital budgets are prepared on a calendar year basis.~~ The operating budget is prepared each year. ~~With Council approval, t~~The City Manager may, ~~with City Council approval,~~ submit a biennial budget. There are ~~five several~~ phases in the City's budget cycle:

##### June through September - Development and Preparation

- ~~1. In June, t~~The City Manager and Finance Director issue a Call to Budget to Department Directors.
2. Each department develops and submits their budget requests to a Budget Review Team, composed of the City Manager, Assistant City Manager, and Finance Director.
3. The Budget Review Team balances projected revenue and projected expenses, and develops the City Manager's proposed budget.
4. The Budget Review Team briefs the Finance Committee during this process.

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##### October and November - Review and

- ~~1. The City Manager presents the Annual Operating Budget to the Council no later than the first Tuesday in November.~~
- ~~2. The Council reviews the City Manager's proposed budget, holds a public hearing, and makes budget adjustments.~~
- ~~3. The public hearing occurs in November to receive public input on the proposed budget.~~

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##### December - Adoption

- ~~1. The City Manager's Annual Operating Budget must be presented to the City Council no later than the first Tuesday in November. Normally, the City Council reviews the City Manager's proposed budget, holds a public hearing, and makes budget adjustments. The public hearing is held in November to receive public input on the proposed budget. The City Council~~Council adopts the annual budget for the next fiscal year.
- ~~2. The Council must balance and adopt t~~The Annual Operating Budget ~~must be balanced and adopted~~ prior to December 31 of the preceding year.

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##### Implementation

~~After adoption of the Annual Operating Budget, the City immediately implements services approved for funding in the next fiscal year. Services identified to be financed in the next fiscal year are implemented.~~

##### Monitoring

The City Manager and Finance Director monitor rRevenues and expenditures ~~are monitored by the City Manager and Finance Director~~ throughout the year to ensure that funds are used appropriately. The Finance Director submits a Quarterly Financial Report to the City Manager, the Finance Committee, ~~City Council~~Council and Department Directors.

#### Evaluation

~~The State Auditor performs audits on specific topics at their discretion. The State Auditor's Office conducts fFinancial and compliance audits. The Finance Department -are conducted annually by the State Auditor's Office and annual~~produces Comprehensive Annual Financial reports ~~are produced by the Finance Department. Audits are performed by the State Auditor's on specific topics at the discretion of the state auditor.~~

#### 4.02 Council Compensation

~~The Council~~Council establishes rates of compensation ~~is established by City Council and is that are~~ subject to certain Washington state laws. Compensation ~~received is to help~~s fund expenses that Councilmembers may incur in the course of fulfilling their duties. The compensation for each Councilmember elected to office ~~prior to 2007 is \$975 per month; for each Councilmember elected~~ from 2007 to present, ~~the compensation~~ is \$1,025 per month. On each calendar year, the monthly sum increases by \$50. The Mayor receives an additional \$225 per month. The Deputy Mayor receives an additional \$115 per month ([LMC 2.10](#)).

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#### 4.03 Financial Disclosure

Candidates for the office of Councilmember ~~shall~~must file a financial disclosure statement with the State Public Disclosure Commission within two weeks of filing a nomination paper. When appointed to fill a vacancy on the Council, the appointee ~~shall~~must file a financial disclosure statement with the Commission, covering the preceding 12-month period, within two weeks of ~~being appointed~~appointment. Councilmember's are ~~required to~~must file a financial disclosure statement with the Commission on an annual basis after January 1 and before April 15 of each year covering the previous calendar year. Councilmembers whose terms expire on December 31 shall file the statement for the year that ended on December 31. Statements filed in any of the above cases will be available for public inspection. Failure to file or filing a false incomplete financial disclosure statement, if done knowingly, is a Class I misdemeanor (RCW 42.17A.750).

#### **4.04 Council Professional Development and Training**

The City's annual operating budget includes appropriations for expenses necessary for Councilmember-s to undertake official City business. Funding provided includes membership in professional organizations, attendance at conferences, or educational seminars, and purchase of publications and office supplies. The City Manager's office ~~is responsible for processing~~ purchases, subscriptions and registrations. (~~Refer to Chapter 10, Paragraph 10.02, and Attachment 10.02A~~*Placeholder for Reference to section and attachment regarding Allocation of Annual ~~City Council~~Council Travel and Training Budget.*)

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#### 4.05 Gift of Public Funds

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

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

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Staff and elected officials must carefully scrutinize tTransactions in which the City ~~pays money~~allocates funds, gives property or lends money or credit ~~must be carefully scrutinized~~ in light of the restrictions concerning the gift of public funds.

#### **4.06 Fiscal Policies**

The stewardship of public funds, their safe-keeping, proper use and management, is one of the greatest responsibilities entrusted to officials and managers of the ~~City of Lacey~~City. The establishment and maintenance of wise fiscal policies enables City officials to protect public interests and ensure public trust.

This document defines financial practices and policies to be used by the City to meet its obligations and operate in a financially prudent manner.

The fiscal policies of the City are to provide a sufficient financial base and the resources necessary to sustain a high level of municipal services to ensure public health, safety, and welfare while maintaining its physical infrastructure and promoting the social well-being of the citizens of the City. *(Refer to Attachment 4.06A, Fiscal Policies.)*

## CHAPTER 5

### Communications

Perhaps the most fundamental role of a Councilmember is communication. Good communication helps build trust, promotes confidence, improves performance and teamwork, and minimizes surprises.

The ~~City Council~~Council communicates with the public to assess community opinions and needs, and to share the vision, goals, and priorities for the City. Communication with staff provides policy direction, promotes teamwork and informed decisions, and provides an understanding of the implications of policies.

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

### **5.01 Council Correspondence**

The Mayor is typically charged with transmitting the City's position on policy matters to outside agencies on behalf of the ~~City Council~~Council. The City Manager assists in preparing the correspondence. Individual Councilmembers may occasionally prepare letters for constituents in response to inquiries, or to provide requested information. City letterhead is available for this purpose, and staff can assist in the preparation of such correspondence.

Generally, citizen concerns addressed to the ~~City Council~~Council are forwarded to the appropriate staff person to prepare a response and to address the concern where possible. A copy of the initial request will be included with the response and distributed to each Councilmember. Correspondence addressed to one councilmember will be copied to all Councilmembers.

If any Councilmember receives an email sent directly to his/her address, they are not required to share their response with the full Council. However, if they decide to share the email, they should forward a copy to the generic council email address at [council@ci.lacey.wa.us](mailto:council@ci.lacey.wa.us) for distribution by the City Clerk to the full Council.

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## **5.02 Public Communication**

On occasion, Councilmembers may wish to share an opinion on an issue on which the Council has yet to take a position, or about an issue for which the Council has no position. In these circumstances, individual Councilmembers should clearly indicate they are not speaking for the Council as a whole, but as individuals. It is not appropriate to use City letterhead or Council titles for personal or political purposes.

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### 5.03 Public Notices and Legal Publications

~~The City Clerk publishes p~~Public notices related to public hearings, special council meetings, budget approval, annexations, and street vacations ~~are published by the City Clerk~~ in the legal section of the local paper, and on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) under News & Events/Public Notices. ~~The City Clerk publishes adopted Ordinances—ordinances are published~~ in the legal section of the local paper in compliance with [LMC 1.08](#) on the Monday following Council action. Five business days after publication, the ordinance becomes law.

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#### **5.04 Press Releases**

The Public Affairs Department is responsible for the majority of press releases issued by the City related to a specific event, action or announcement. The Council receives copies of all City-related press releases. If an issue is time sensitive or of significant importance, Councilmembers will be contacted directly by the City Manager or ~~staff~~their designee.

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### 5.05 City Website

The Public Affairs Department and Information Services (IS) division are responsible for the management of the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us). The website offers another resource for the City to communicate with its citizens. Information about council meetings, ordinances, resolutions, minutes, council issues, and contact information is available on the ~~City Council~~ Council homepage. Council meeting agendas and draft minutes are posted on the City's website each Friday afternoon prior to the meeting. Minutes are not official until approved at a subsequent Council meeting.

Each Councilmember has the opportunity to post a biographical page on the City's website. Councilmembers should submit their biographical information and areas of focus to the Assistant City Manager for review.

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.

#### **5.06 Requesting Council Resolution on Public Issues**

At times, local ballot measures and state-wide citizen initiatives may be placed on a ballot that affects ~~City Council~~Council policy. There are restrictions regarding what actions the City may take on ballot measures. Specifically, state statutes prohibit the use of City personnel, equipment, materials, facilities or other resources to influence the outcome of an election. The ~~City Council~~Council, however, may take a position on certain ballot measures in accordance with Council Policy. (Refer to [Chapter 10, Paragraph 10.04](#), and Attachment 10.04A, *Requesting Council Resolution on Public Issues*.)

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### **5.07 Proclamations**

Proclamations are issued by the Mayor as a ceremonial commemoration of an event or issue. Proclamations are not statements of policy and do not require the approval or action of the Council. (Refer to [Chapter 10, Paragraph 10.05](#), and Attachment 10.05A, *Reviewing Public Requests for Proclamations*.)

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## 5.08 Public Records Act

The following guidelines are provided to help ~~to~~ ensure that communications submitted to and by elected and appointed officials comply with the State Public Records Act, [RCW 42.56](#) and the State Open Meetings Act, [RCW 42.30](#), the following guidelines ~~are provided~~ exist:-

### General Communications

All letters, memoranda, and ~~interactive-computer~~ electronic communication (e.g., email, text, social media) involving Councilmembers, the subject of which relates to the conduct of government or the performance of any governmental function, with few exceptions as stated by the [Public Records Act](#), are public records.

### Written Communications

Written letters and memoranda received by the City, addressed to Councilmember's, will be distributed to Council and a copy kept in accordance with the City's Record Retention Schedule.

### Electronic Communications

Messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record. Such records are subject to public inspection and copying.

~~Email-Electronic~~ communications that are intended to be shared among four or more Councilmembers, whether concurrently or serially must be considered in light of the Open Public Meetings Act. ~~Such emails~~ Electronic communications should be restricted to providing of information such as materials for later review or notice of a potential new agenda item. Responses to such ~~emails-electronic communications~~ should be limited to ensure that Council business is conducted only at its scheduled meetings. Discussion of City business by a majority of the Council must be conducted in an open meeting. If the intended purpose of the ~~email-electronic communication~~ is to have a discussion that should be held at an open meeting, the electronic discussion should not occur. The use of ~~email-electronic~~ communication to form a collective decision of the Council is inappropriate and violates the Open Public Meeting Act.

~~Email-Electronic communications~~ should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other "confidential" City business. In general, ~~email-electronic communication~~ is discoverable in litigation. Confidential ~~email-electronic~~ communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.

City ~~e-mail~~ phones and other devices ~~should not be used~~ are not appropriate for personal use. Conversely, Councilmembers should not use personal devices to transmit official electronic communications. Electronic ~~m, since-essages~~ e-mail on a Councilmember's private ~~device~~ computer pertaining to City business may be considered open to public disclosure, and may not be deleted.

The City Clerk is the City's official Records Officer, and as such, is available to assist with public records requests. Online [public records request](#) forms are available at the City's website at [www.ci.lacey.wa.us / Popular Forms/Public Records Request](http://www.ci.lacey.wa.us / Popular Forms/Public Records Request).

## 5.09 Social Media

~~Policies and procedures for the use of social media, i.e. Facebook, Twitter, etc. by Councilmembers is under review by the Public Affairs department.~~

This policy establishes a formal process and standards for the use of social media by Elected Officials (Mayor and Councilmembers) in their official capacity. The purpose of social media ~~sites/tools/platforms~~ owned or maintained by the ~~City of Lacey~~City for Elected Officials is to provide a limited forum for Elected Officials to communicate with their constituents and members of the public regarding subjects directly related to the ~~City of Lacey~~City and the Lacey community.

The provisions of this policy shall apply only to social media sites/tools owned or maintained by the ~~City of Lacey~~City, including sites/tools established by the City for elected officials. It is primarily each Elected Official's responsibility to ensure compliance with this policy.

It is the city's preference and intent that elected officials only use social media sites/tools owned or maintained by the ~~City of Lacey~~City to communicate in their official capacity. The use of private social media sites/tools for this purpose is strongly discouraged. ~~The City asks that e~~Elected officials ~~are asked to~~ include the disclaimer in Exhibit B on personal social media accounts or pages to avoid confusion and potential violations of open government requirements. ~~The City also asks e~~Elected officials ~~are also asked to~~ include information on ~~any private accounts~~ directing visitors to their official city page for city related business.

### Definitions

"Chat" ~~or "Messenger"~~ is a feature that allows instant messages to be sent.

"Comment" is a response to a post, an article, or other social media content submitted by a visitor.

"Elected Officials" includes Mayor, Councilmembers, and any staff working on an Elected Official's behalf to represent ~~him or her~~them, using a social media ~~platform~~tool.

"Reacting" is a feature that allows users to show their reaction to specific comments, pictures, wall posts, statuses, or fan pages. The "reaction" button allows users to show ~~a range of responses, such as~~ their appreciation, dislike, or other emotion for content without having to make a written comment.

"Post" is an original entry onto a social media ~~site by the user of the site~~platform.

"Sharing" is to relay a previously created post onto a different social media site.

"Social Media" are third-party hosted online technologies that facilitate social interactions and dialogue. These online technologies are operated by non-city hosted services and may be used by the Elected Officials to communicate with the public. Such third party hosted

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services/tools may include, but are not limited to: social networking sites (Facebook, LinkedIn), micro-blogging tools (Twitter, Instagram, Snapchat), audiovisual networking sites (YouTube, Vimeo), and blogs (Wordpress, Tumblr, etc.)

"Tagging" is a mechanism of linking a person, page, or place to a post.

"Visitor" is a person who views an Elected Official's social media site.

### General Policy

While social media, with its use of popular abbreviations and shorthand, does not adhere to standard conventions of correspondence, the content and tenor of online conversations, discussions, and information posts and comments should model the same professional behavior displayed during Council ~~meetings~~ Meetings and community meetings.

Social media are not to be used by Elected Officials as mechanisms for conducting official city business other than to informally communicate with the public. Examples of business that may not be conducted through social media include: making policy decisions, official public noticing, and discussing confidential City matters that have not been approved for release to the public. Elected Officials' social media site(s) should contain links directing users back to the City's official website for in-depth information, forms, documents, or online services necessary to conduct official city business.

### Administration, Enforcement and Dispute Resolution

The City's ~~Director of Administrative Services~~ Manager or designee shall have primary responsibility to administer and enforce the provisions of this policy with respect to social media sites/tools owned or maintained by the ~~City of Lacey~~ City.

The ~~City Manager or designee~~ City's Director of Administrative Services, following consultation with the City Attorney, may cause categories of official ~~City of Lacey~~ City social media applications, tools, or sites to be permanently or temporarily discontinued if they are not or cannot be used in compliance with this policy. The ~~Director~~ City Manager or designee shall exercise such discretion in a viewpoint-neutral, evenhanded, and non-arbitrary manner.

### Content Restrictions—Ethics and Elections Rules of Compliance

All content posted on individual Elected Officials' social media sites shall comply with applicable Council Rules of Procedures, City ordinances and administrative rules, and Washington State law regulating public agencies and elected officials.

Social media ~~accounts/platforms sites/tools~~ owned or maintained by the ~~City of Lacey~~ City shall not contain posts, comments, or links to any content that supports or opposes political candidates or ballot propositions, including, without limitation, links to an Elected Official's campaign site.

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For social media ~~sites/tools~~accounts that are owned or maintained by the ~~City of Lacey~~City, no content that promotes or advertises commercial services, entities, or products may be posted.

Elected Officials will not post or release proprietary, confidential, or sensitive information on social media sites in a manner that violates applicable state law, including, without limitation, RCW 42.23.070 – Prohibited Acts.

#### Public Records Act Compliance

Content maintained in a social media format, whether on a city-owned account or personal account, that is related to City business, including communication between an individual Elected Official and constituents or the general public, and a site's listing of "friends" or "followers," may be considered a public record subject to disclosure under the state Public Records Act.

State and local records retention laws and schedules apply to social media content. All social media content that is required to be retained shall be maintained for the legally required retention period based on the subject matter of the content. Social media accounts owned or maintained by the ~~City of Lacey~~City, will be retained through the City's archiving system.

Any social media tools used should clearly state that all content submitted by members of the public is potentially subject to public disclosure pursuant to the Public Records Act, RCW 42.56. If it is not possible to display this notice prominently on the site, Elected Officials should notify users by including a link from the site to the Public Records Act notice set out in Exhibit A, notify new users via response to posts, and/or periodically notify existing users via broadcast message.

Users of, and visitors to, social media sites shall be notified that public disclosure requests must be directed to the appropriate City Public Records Officer pursuant to the City's Public Records Disclosure Policy.

Councilmembers should avoid using their official city account or page to comment on another social media accounts because those comments may not be captured for public records purposes.

#### Open Public Meetings Act and Appearance of Fairness Doctrine Compliance

Communication between Councilmembers via social media, as with telephone and email, may potentially constitute a "meeting" under the Open Public Meetings Act, Chapter 42.30 RCW.

For this reason, Councilmembers are prohibited from participating in social media discussions/threads regarding City business that involve a quorum of Council Members, and are strongly discouraged from "friending" or "following" other Councilmembers or reacting to other Councilmember's posts.

In addition, receiving or making posts or comments regarding quasi-judicial matters via social media may violate Council Policy and Chapter 42.36 RCW – the Appearance of Fairness Doctrine. To avoid receiving any comments on pending quasi-judicial matters that may violate the Appearance of Fairness Doctrine, Councilmembers are strongly encouraged to maintain social media sites with settings that can restrict users' ability to post content.

#### Content Guidelines and Restrictions

For social media sites/tools owned or maintained by the ~~City of Lacey~~City, users and visitors of social media sites who submit comments should be clearly notified that the intended purpose of the site is to serve as a mechanism for informal communication between Elected Officials and the public regarding the City-related topics discussed. If the public is allowed to post comments to an Elected Official's site, the Use Policy set out in Exhibit A must be displayed or made available by hyperlink.

Councilmembers are not allowed to post links to their personal social media accounts or "cross-post" between personal and official city accounts.

Any content removed in compliance with the Use Policy must be retained, including the time, date, and identity of the poster when available, to the extent required by law. See above Records Act Compliance.

#### Equal Access

Elected Officials are discouraged, in their official capacity, from posting or commenting on social media sites that require membership or subscription. When posting information or soliciting feedback on such a site, Elected Officials should always provide an alternate source for the same information or mechanism for feedback on the City's public web site, so that those who are not members of the social media site may have equal access.

#### Exhibit A – Disclaimer for Official City Elected Official Accounts

- The views expressed represent the views of the author and may not reflect the views of the Lacey ~~City Council~~Council.
- Responses to this communication by other Councilmembers may be limited by the provisions of the Open Public Meetings Act under which a policy discussion must be held in an open public meeting if a quorum of the ~~City Council~~Council participates.
- Posts, comments, or other content posted to this site, may be considered public records subject to public disclosure under the Washington State Public Records Act (RCW 42.56).

The following content will be removed from this site:

- (1) comments not related to the specified topics for discussion;
- (2) posts or comments in support of or opposition to political campaigns or ballot measures;
- (3) profane or obscene language;
- (4) posts or comments espousing or conveying racially, ethnically, religiously, gender-

oriented, discriminatory comments;  
(5) solicitations and/or transactions of commerce;  
(6) sexual content or links to sexual content;  
(7) encouragement, promotion or undertaking of illegal activity;  
(8) information that may tend to compromise the safety or security of the public or any City equipment, property or system;  
(9) content that violates a legal ownership interest of any party; and  
(10) posts or comments that would constitute ex parte communications in violation of the Appearance of Fairness Doctrine.

Exhibit B – Disclaimer for Personal Accounts

- This is a personal account, city business should be addressed through a ~~City of Lacey~~City official account.
- The views expressed represent the views of the author and may not reflect the views of the Lacey ~~City Council~~Council.
- Responses to this communication by other Councilmembers may be limited by the provisions of the Open Public Meetings Act under which a policy discussion must be held in an open public meeting if a quorum of the ~~City Council~~Council participates.
- Posts, comments, or other content posted to this site, may be considered public records subject to public disclosure under the Washington State Public Records Act (RCW 42.56).

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## CHAPTER 6

### Interaction with City Staff/Officials

#### 6.01 ~~City Council~~**Council** Non-participation in Administration

In order to ensure the efficient and effective delivery of City services, the Council is encouraged to work directly with the City Manager when dealing with administrative services of the City. By statute [RCW 35A.13.120](#), Councilmembers are not to direct staff or become involved in or attempt to influence personnel matters that are under the direction of the City Manager. State law also prohibits Councilmembers from being involved in, or influencing, the purchase of any supplies beyond the requirements of the City procurement code/procedures. Except for the purpose of inquiry, Councilmembers should deal with administrative services primarily through the City Manager or designee.

## **6.02 ~~City-Council~~Council/City Manager Relationship**

The employment relationship between the ~~City-Council~~Council and City Manager recognizes the fact that the City Manager is the chief executive officer of the City. All dealings with the City Manager, whether in public or private, should respect the authority of the City Manager in administrative matters. The City Manager respects and is sensitive to the policy responsibilities of the ~~City-Council~~Council and acknowledges that Council holds the final responsibility for establishing the policy direction of the City ~~is held by the City Council~~.

The City Manager is subject to a professional code of ethics as a member of the [International City/County Management Association](#) (ICMA). The code binds the City Manager to certain practices that are designed to ensure actions are in support of the City's best interests. Violations of such principles can result in censure by ICMA.

### 6.03 ~~City Council~~Council/City Attorney Relationship

Pursuant to recommendation of the City Manager, the ~~City Council~~Council makes policy for obtaining legal counsel for the City, either by appointment of a City Attorney on a full time or part time basis, or by any reasonable contractual arrangement for such professional services. ([RCW 35A.13.090](#); [35A.13.100](#)). The City Attorney is similar to other Department Director positions and is appointed by the City Manager. The City Attorney provides legal counsel for the Council, its committees, commissions and boards, the City Manager, and all City officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City. The general legal responsibilities of the City Attorney are to:

- \*• Provide legal assistance necessary for formulation and implementation of legislative policies and procedures;
- \*• Represent the City's interest, as determined by the ~~City Council~~Council, in litigation, administrative hearings, negotiations, or similar proceedings;
- \*• Prosecute violations of ordinances and other laws of the City;
- \*• Prepare or approve as to form ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes and intentions of the ~~City Council~~Council; and
- \*• Keep ~~City Council~~Council and staff apprised of court rulings and legislation affecting the legal interest of the City.

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The City Attorney does not represent individual members of Council, but rather the City as a whole.

## 6.04 Council Roles and Information Flow

### Council Roles

The full ~~City Council~~Council retains the authority to accept, reject or amend staff recommendations on policy matters. Individual Councilmembers are not to intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities. All Councilmembers with concerns affecting the ~~City of Lacey~~City should bring those concerns to the full Council and City Manager before contacting an outside agency.

### Access to Information

The City Manager is the information liaison between Council and City staff. Requests for information from Councilmembers that require research, or is solicited because of a citizen complaint or Council concern should be directed to the City Manager and will be responded to promptly. Council requests for routine, readily available information should be directed to the appropriate department director. All Councilmembers will be informed of requests and the staff response where a report is involved.

There are limited restrictions when information cannot be provided. The City is legally bound not to release certain confidential personnel information, or sales tax information on individual businesses. Certain areas of police department affairs, i.e. confidential information related to crimes, also may not be available.

### Staff Roles

The Council recognizes the primary functions of staff as executing Council policy, implementing adopted goals and priorities, addressing day-to-day issues and problems, and keeping the Council informed. Staff is obligated to take guidance and direction only from the City Manager or assigned Department Director. This direction follows the policy guidance of the ~~City Council~~Council as a whole.

City staff ~~will~~ makes every effort to respond in a timely and professional manner to all requests for information or assistance made by individual Councilmembers, provided that, in the judgment of the City Manager, the request is not of the significance, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full ~~City Council~~Council.

### Significant Requests

No Councilmember shall request or direct the City Manager or Department Directors to initiate any action or prepare any report that is significant in nature, or initiate any significant project or study without the consent of a majority of the Council. The City Manager shall determine whether or not the matter is significant.

### 6.05 Dissemination of Information

The City Manager's open-door policy encourages Councilmembers to meet with the City Manager on an impromptu basis to discuss issues, City operations, intergovernmental issues, citizen concerns, goals, ~~and~~ priorities, and the like.

Councilmembers receive a weekly ~~Committee Schedule~~ listing ~~of~~ pending agenda items. The ~~weekly-monthly LaceyLife Highlights~~ provides information about on-going City activities. The *Lantern* – the City's monthly employee newsletter, and the *Energizer* - the City's monthly wellness newsletter, also provide information and updates about happenings in Lacey. In addition, the City Manager and Department Directors ~~will~~ provide regular status reports, financial reports, staff reports and other updates, as available and needed.

Council meeting packets are available on the City's website by 4 p.m. the Friday before regular meetings. Staff notifies c~~ouncil will be notified~~ by email when the meeting packets are available.

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#### **6.06 Staff Relationship to Advisory Bodies**

~~Staff provides~~Staff support and assistance ~~is provided~~ to advisory boards, commissions and task forces. Staff support includes preparation of summary agendas, preparation of reports providing a brief background of the issues, options, alternatives, ~~and~~ recommendations, and, preparation of minutes of advisory body meetings. ~~Typically, the assigned~~ Department Director/City staff will communicate recommendations of the advisory board to the ~~City Council~~Council as necessary and appropriate.

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## CHAPTER 7

### ~~City Council~~Council Meetings

In accordance with the Open Public Meetings Act, all Council regular and special meetings are open to the public with the exception of ~~executive~~Executive sessionsSessions.

#### 7.01 Meetings

##### Council Meetings

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The ~~City Council~~Council conducts its official business, enacting laws, and approving policies during regular Council meetings. Regular Council meetings ~~are held~~occur the ~~2<sup>nd</sup>~~-first and ~~third~~4<sup>th</sup> Thursday of the month ~~from January through October, and the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of the month from November through December~~. All regular meetings begin at ~~7-7~~ p.m. in the Council Chambers at Lacey City Hall, 420 College Street SE. There are no regularly scheduled Council meetings on the 5<sup>th</sup> Thursday of the month.

##### Council Worksessions

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Worksessions provide an opportunity for the full Council to review and discuss issues in depth without taking official action. Council ~~worksessions~~Worksessions are heldoccur on the ~~second~~first and ~~fourth~~third Thursday of each month, ~~January through October, and the 2<sup>nd</sup> Thursday in November~~. All meetings begin at ~~7-7~~ p.m. in the Council Chambers at Lacey City Hall, 420 College Street SE. Although most formal Council action ~~is taken~~occurs at regular Council ~~meeting~~Meetings, the ~~City Council~~Council may make decisions and take official action at ~~worksessions~~Council Worksessions.

##### Council Committees

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~~The Council holds c~~Committee ~~meetings~~meetings are held on a monthly basis to discuss issues related to community affairs, transportation, finance, ~~economic~~development, land use, utilities, ~~and~~ general government, ~~and~~ public safety. ~~Meeting~~Meeting times and dates ~~are posted~~are posted on the City's website. ~~Staff and available on the Committee Schedule,~~ distribute ~~ad~~ weekly schedule of pending agenda items to ~~Council~~Council and staff. Three Councilmembers serve on each committee to discuss emerging issues, review City programs and policies, and provide recommendations to the full Council. Committee issues can be forwarded to regular ~~council~~Council Mmeetings for action or to a Council Worksession or committee meeting for further review. Generally, audience participation is not allowed during committee meetings, unless permitted by the Chair. *(Refer to Chapter 10, Paragraph 10.03, and Attachment 10.03A, Council Policies, Organization & Procedures of Lacey City Council)* ~~City Council~~ – Resolutions 620, 842, 893.)

##### Special Meetings

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- Retreats – The ~~City Council~~Council meets annually to develop short goals, priorities and policies for the upcoming year, and strategic long-term goals.

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- Legislative Meetings – Prior to the state legislative session in January, Councilmembers, City Manager, and/or staff meet with state legislators from the 2<sup>nd</sup> & 22<sup>nd</sup> Districts to discuss legislative issues of importance to the City.
- Joint Worksessions – ~~The Council meets~~ with the Planning Commission, School Board, and other interjurisdictional bodies are scheduled annually to discuss regional topics and issues.
- Bus Tours – Occasionally, the ~~City Council~~Council ~~will schedule~~s community tours with ~~the Planning Commission and Parks Advisory~~ Boards to view public works projects, parks, and similar private and public development projects.
- Editorial Board Meetings – Once or twice a year, the City ~~is contacted by~~ the Olympian Editorial Board ~~requests to a meeting~~ to discuss current City issues. The City Manager and three Councilmembers attend. Council rotates in order to ensure everyone has an opportunity to attend.

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## **7.02 Public Notice of Meetings and Hearings**

~~The City Clerk publishes p~~Public notices related to public hearings, special council meetings, budget approval, annexations, and street vacations ~~are published by the City Clerk~~ in the legal section of the local paper, and on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us) under News & Events/Public Notices. ~~Ordinances are published in the legal section of the local paper in compliance with LMC 1.08 on the Monday following Council action. Five business days after publication, the ordinance becomes law.~~

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### **7.03 Special Meetings**

Special meetings may be called at any time by the Mayor, a majority of the Council, or the City Manager by delivering personally, by mail, by fax, or by email, a written notice to each member of the Council and the City's official newspaper, and to each local radio/television station with a written notification request on file at least 24 hours before the time of such meeting specified in the notice. The notice ~~shall~~ specifies the time and place of the special meeting and the business to be transacted.

The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notices make it impractical.

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#### 7.04 Executive Session

When appropriate, the ~~City Council~~Council may adjourn to an Executive Session to privately discuss and consider matters of confidential concern to the City. Executive Sessions are scheduled at the request or concurrence of the Mayor, or by a majority vote of the full Council during a meeting. The Council may hold ~~executive~~Executive Sessions before, after, or during a regular or special meeting to consider matters permitted by [RCW 42.30](#), or other applicable state law. The purposes for which an Executive Session may be held include, but are not limited to:

- \*• Discussion with legal counsel on pending or potential litigation;
- \*• Property acquisition/disposition where public discussion may increase or decrease the price and influence the terms of the sale;
- \*• Matters affecting national security;
- \*• Quasi-judicial matters;
- \*• Complaints or charges brought against a public officer or employee;
- \*• Qualification/performance review of the City Manager;
- \*• Evaluate qualifications of candidates for appointment to elective office;
- \*• Planning or adopting a position to be taken during collective bargaining, professional negotiations, ~~or~~ grievance or mediation proceedings, or reviewing proposals made in ongoing negotiations; ~~or~~
- \*• Receive confidential advice from the City Attorney under the attorney-client privilege.

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Before convening in Executive Session, the Mayor ~~shall~~publicly announces the purpose of the Executive Session, the estimated time when the Executive Session will conclude, and whether the Council will reconvene to take action. An Executive Session may be extended to a later time by announcement of the Mayor ([RCW 42.30.110](#)).

## 7.05 Agenda Development

The City Manager coordinates the development of regular ~~Council Meeting~~, ~~Council Worksession~~, and committee agendas with the ~~Mayor~~, ~~Department Directors~~, and ~~Committee Chairs~~.

### Advancing Agenda Items:

A Councilmember may request an item be considered on a future agenda either by making a request at a regular ~~council-Council meeting~~~~Meeting~~, ~~Council Worksession~~, or committee meeting, or by contacting the Mayor or City Manager. Items may be added to committee meeting agendas by consensus of the Committee.

Department Directors and staff may request an item be considered on future agendas by submitting their request to the City Manager. As needed, the City Manager will consult with the Mayor before taking matters to the full Council for consideration.

A member of the public may request an item be placed on a future agenda while addressing the ~~City-Council~~~~Council~~ during a regular meeting and/or by submitting the request in writing to the ~~City-Council~~~~Council~~ through the City Clerk's office. The Council will decide whether to consider an issue proposed for a future agenda.

In order to allow sufficient time for Council to review and staff to research the issue, the request should be submitted at least 15 working days prior to the meeting for which the item is requested to be placed on the agenda. Once the issue has been approved for placement on an agenda, the City Clerk's office will notify the requestor to invite their attendance.

Emergency items may be added to an agenda in accordance with state law. Emergency items are only those matters immediately affecting the public health, safety and welfare of the community, such as widespread civil disorder, disaster, and other severe emergencies. The reason for adding an emergency item to the agenda shall be announced publicly at the meeting and the issue shall be included in the minutes of the meeting.

### Agenda Timeline

~~The City Clerk's office developed the The~~ following timeline ~~has been developed by the City Clerk's office~~ to ensure timely distribution of regular ~~council-Council meeting~~~~Meeting~~, ~~Council Worksession~~, and committee meeting packs.

- ~~\*• Most agenda items require a S~~~~Staff report~~~~Report. Staff Reports~~ ~~are required for most~~ agenda items, and must be ready for City Manager's review by 1 p.m. two Wednesdays prior to the meeting.
- ~~\*• Staff posts a~~Agendas and meeting pack~~ets will be posted~~ on the City's website by 4 p.m. on the Friday prior to a council meeting.
- ~~\*• Staff notifies Council~~~~Council~~ ~~will be notified~~ by email when the meeting pack~~ets~~ are available.

The addition of last minute agenda items is discouraged, unless of an urgent nature, which will be determined by the City Manager and/or Mayor.

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## 7.06 Order of Business

The Council agenda sets the order of business for regular council meetings.

### Call to ~~order~~ Order

The Mayor, or in the Mayor's absence, the Deputy Mayor, presides over all meetings of the ~~City Council~~Council, and after determining a quorum is present, calls the meeting to order. In the absence of the Mayor and Deputy Mayor, a Councilmember is selected from among the body to act as Chair (see 2.07 Absence of the Mayor). Following the call to order, those in attendance are asked to join the Council in reciting the Pledge of Allegiance.

### Excused Absences

The Mayor announces the excused absences of individual Councilmembers.

### Consent Agenda

The ~~consent~~Consent agenda-Agenda consists of items that are routine in nature and do not require additional discussion. The Consent Agenda includes mMinutes of regular ~~C~~council ~~M~~meetings and Council Worksessions, final plat approvals, and LID/ULID's (local improvement districts/utility local improvement districts)-~~are placed on the consent agenda~~. The Mayor and Council can remove items from the ~~consent~~Consent Agenda for further discussion.

### Public

#### • Public Recognition

When appropriate, the ~~Council~~Council recognizes volunteer service, presents special awards, and receives public presentations.

#### • Public Comments

~~Citizens~~ Members of the public are invited to address the ~~Council~~Council regarding topics ~~that are~~ not scheduled on the agenda. Each person addressing the ~~Council~~Council ~~will give~~s their name and address for the record, and ~~shall is asked to~~ limit their address to three minutes, unless ~~a City engor period is permitted by~~ CouncilCouncil permits a longer period. If several people wish to speak to the same issue, the Mayor may limit the total amount of time dedicated to that specific issue. The Mayor may interrupt ~~citizen~~public comments that continue too long, relate negatively to others, or are otherwise inappropriate. The Mayor ~~shall have~~has the option to allow or not allow comments on matters before Council.

#### • Public Comments for Items on the Agenda

• As appropriate, the ~~Council~~Council ~~will may~~ allow the public to address items on the agenda. A ~~three minute~~three-minute limit ~~will apply~~applies, but may be reduced to two minutes if there are more than four persons wishing to comment on a subject. These comments ~~shall are~~ not ~~be~~ considered as part of a hearing. The public should ask the ~~mayor~~Mayor in advance of the start of the Council ~~meeting~~Meeting if they may speak.

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### Public Hearings

~~Council holds P~~Public hearings ~~Hearings are generally held~~ following the adoption of the consent agenda and public comment period. Individuals who wish to address the Council ~~should be encouraged to~~ sign in. The Mayor ~~will open~~ the Public Hearing, and the City Clerk ~~will note~~ the time for the record. Speakers ~~will be~~ called forward in the priority in which they signed in, and are required to state their name and address. Comments are limited to the specific matter for which the ~~public~~Public hearing ~~Hearing is being held~~occurs and are limited to ~~3-three~~ minutes, unless ~~a longer period is permitted by the Mayor~~the Mayor permits a longer period. Written comments are permitted prior to and during the public hearing, and should be submitted to the City Clerk before the public hearing ~~is closed~~ed. ~~The City Clerk enters w~~Written documents ~~will be entered~~ into the record, but ~~will not~~they are ~~not be~~ read aloud.

Once the ~~speakers from the sign-in list complete their comments, has been completed,~~ the Mayor ~~will ask if there are~~offers time to any additional ~~citizens~~members of the public who wish to speak at the ~~public~~Public Hearing. After the ~~P~~public H~~earing is closed~~closes, ~~no~~ members of the public ~~shall be~~are not permitted to address the Council or staff on that specific issue during the meeting. Once the Mayor closes the ~~public~~Public H~~earing,~~ the City Clerk notes the time for the record. ~~time will be noted by the City Clerk for the record.~~

### Proclamations

In response to citizen requests, the Mayor may issue proclamations in declaration or recognition of a special event, organization, or person according to Council Policy. At this time, either the Mayor or ~~a City Council~~Council member reads the Proclamation into the record. (Refer to Chapter 10, Paragraph 10.05, and Attachment 10.05A, Council Policies, Reviewing Public Requests for Proclamations.)

### Referral from Planning Commission

The nine member Planning Commission develops recommendations for long-range comprehensive planning goals and policies in the ~~City of Lacey~~City and areas outside of the City seeking annexation. Issues reviewed by the Planning Commission are forwarded to Council for consideration and adoption.

### Referral from Hearings Examiner

The ~~H~~earings ~~E~~examiner ~~shall~~ interprets, reviews, and implements land use regulations. In addition, the ~~examiner~~Hearings Examiner ~~shall~~ hears appeals relating to the City's construction codes, as described in LMC Section 14.18.030. ~~The Mayor appoints t~~The ~~examiner~~Hearings Examiner and any ~~D~~eputy ~~E~~examiners, subject to ~~shall be appointed by the Mayor and confirmation ed~~ by the ~~City Council~~Council (LMC 2.30.020).

### Ordinances

Ordinances are the official laws of the City and must be approved by Council prior to enactment. The City Attorney's office prepares ordinances, which are published by the City Clerk on the Monday following the meeting at which they were approved. An ordinance officially becomes law five business days after publication in the City's official newspaper (The

Olympian). The ordinance is codified by the City Clerk's office into the [Lacey Municipal Code](#). The original ordinance is archived as a permanent record. Beginning in 2010, adopted ordinances will be posted on the [City's website](#). Requests for ordinances prior to this time are available as a public records request through the City Clerk's office.

#### Resolutions

Resolutions signify the intent of the ~~City Council~~[Council](#) related to specific issues, events, or ballot measures. ~~The City Attorney, or designated City staff, prepare Resolutions-resolutions. The City Attorney approves to form can be prepared by the City Attorney, or designated City staff.~~~~a~~All resolutions ~~are approved to form by the City Attorney.~~ Once approved by the ~~City Council~~[Council](#), ~~the City Clerk archives the resolution is archived~~ as a permanent record. ~~Beginning in 2010, The City Clerk posts all resolutions adopted on or after January 1, 2010, resolutions will be posted~~ on the [City's website](#). Requests for resolutions prior to ~~this time~~2010 are available as a public records request through the City Clerk's office.

#### Mayor's Report

The Mayor reports on ceremonial events, functions, and meetings attended on behalf of the ~~City Council~~[Council](#). ~~The Mayor may also~~ make announcements, and appoints, with Council approval, ~~citizens-community members~~ to ~~Council~~[Council](#) advisory boards and commissions.

#### City Manager's Report

The ~~City Council~~[Council](#) awards bids, and authorizes the City Manager to sign City contracts during this section of the meeting. The City Manager may also make announcements regarding City operations. In an effort to keep the public informed of City business, and to provide education on City operations, staff may provide brief informative presentations to the ~~City Council~~[Council](#) and ~~general the~~ public during this time.

#### Standing Committee Reports

There are six standing ~~Council~~[Council](#) committees with three Councilmembers appointed to each committee. At this time, Committee ~~chairs-Chairs~~ report on the topics discussed, and any recommendations forwarded to full ~~Council~~[Council](#) for action.

#### Intergovernmental Boards & Commission Reports

Councilmembers provide reports and updates of activities and discussions from each of the Intergovernmental Boards and Commissions to which they are appointed. If additional discussion or consensus is required on a regional issue, the topic may be forwarded to a [Council](#) Worksession for further review and discussion.

#### Old Business

Items and topics ~~which have~~ previously ~~been~~ discussed by ~~Council~~[Council](#), but need further discussion, may be placed under this agenda item.

#### Adjourn

The Mayor adjourns the meeting and the City Clerk notes the time of adjournment for the record. All meetings will conclude no later than 10:00 p.m., unless this provision is waived by a majority of the ~~Council~~Council. Consideration of the agenda matter then on the floor ~~will be~~is continued beyond 10:00 p.m. by majority vote of the Council. In the event the remaining agenda cannot be concluded at any meeting by 10:00 p.m., the meeting ~~will be~~is recessed to a definite time and place, and notice of such continued meeting ~~will be~~is given as provided by statute.

#### Executive Session

As needed, the ~~City Council~~Council may adjourn to an Executive Session to privately discuss and consider matters of confidential concern to the City. ~~The purposes for which an Executive Session may be held are identified in RCW 42.30.110, and Section 7.04 Council Policies/Procedures. Before convening in Executive Session, the Mayor shall publicly announce the purpose of the Executive Session, the estimated time when the Executive Session will conclude, and whether the Council will reconvene to take action. An Executive Session may be extended to a later time by announcement of the Mayor. For more information, refer to 7.04 Executive Sessions.~~

### **7.07 Audio and Televised Recordings of Meetings**

The City Clerk's office records all regular Council ~~meetings~~Meetings, Council Worksessions, and ~~Committee-committee~~ meetings, except for those portions of the meeting conducted in Executive Session. Recordings are available under the Public Disclosure Act and archived for six years according to the State Records Retention Schedule.

The City contracts with Thurston County Media (TC Media)~~CTV~~ to provide local television programming of all regular ~~City Council~~Council meetings on Channel 3 (TCTV). Meetings are rebroadcast on ~~TCTV-TCTV~~on Tuesday at noon and Thursday at 7 p.m. ~~Tapes of the~~ Recordings are available by contacting ~~TCTV~~TC Media.

~~In~~Since 2011, the City ~~has begun video streaming~~streamed Council meetings online to provide greater public access to government operations. The videos are ~~linked to~~available on the City's website at [www.ci.lacey.wa.us](http://www.ci.lacey.wa.us).

## 7.08 General Procedures

### Seating Arrangement of the ~~City Council~~Council

Customarily, the Deputy Mayor sits next to the Mayor, and ~~newly-elected~~newly elected Councilmembers ~~are seated-sit~~ adjacent to the City Clerk. However, the Mayor with the approval of Council may reorder the seating arrangements for regular ~~council-Council~~meetingsMeetings.

~~When viewing the Council desks from the entrance to the Council Chambers from left to right, the order shall be as follows.~~The seating order of the Council dais from left to right is:

- \*• City Clerk
- \*• Newly-elected Councilmembers
- \*• Current Councilmembers
- \*• Deputy Mayor
- \*• Mayor
- \*• City Manager
- \*• City Attorney

Department Directors sit at the staff table immediately to the left of the City Clerk.

### Signing of City Documents

The Mayor, City Clerk and City Attorney sign all ordinances and/or resolutions approved by ~~Council~~Council, immediately following the meeting. If the Mayor is unavailable, the Deputy Mayor signs the ordinances and/or resolutions. The City Manager is authorized by the ~~City Council~~Council to sign all contracts and agreements.

### Quorum

Four members of the Council ~~shall~~ constitute a quorum and are necessary for the transaction of City business. If a quorum is not present, the Council ~~meeting-Meeting will be~~is cancelled.

### Minutes

The City Clerk or designee shall~~takes~~ minutes of all regular ~~council-Council~~meetingsMeetings, Council Wworksessions and committee meetings. The City Clerk or designee posts t~~The draft minutes will be posted~~ on the City website in draft format on the Friday prior to the Council ~~meeting-Meeting~~ and ~~Council~~Council approval. Once ~~Council~~Council ~~has approved~~s the minutes, it will be noted on the staff updates the website to reflect that the minutes ~~have been~~are approved. Copies of minutes are available upon public records request through the City Clerk's office. Original minutes ~~will be~~are archived as permanent records.

Corrections to minutes made by Councilmembers will be so noted, and revised minutes will be posted and archived as the City's official record.

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### 7.09 Open Public Meeting Act

The [Open Public Meeting Act](#) applies to the ~~City Council~~Council, all quasi-judicial bodies, and all standing or advisory boards, commissions, and committees. All meetings of the ~~Council~~Council shall be open to the public, except in special instances as provided in [RCW 42.30.110](#). A meeting takes place when a quorum (a majority total number of Councilmembers currently seated on the ~~Council~~Council) is present and information concerning City business is received, discussed, and/or acted upon. The only exception to the public meeting requirement is an ~~executive~~Executive session~~Session~~.

Under the Americans with Disabilities Act, the ~~City of Lacey~~City provides accommodations to provide accessible meetings for people with disabilities. Assisted-listening devices are available for use in the Council Chambers. If special accommodations are required, please contact the City Clerk three days prior to the meeting.

## Chapter 8

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

#### 8.01 Conflicts of Interest

##### Applicability

All City officers, elected and appointed, are subject to the conflict of interest law in [RCW 42.23](#). This includes ~~Council~~Councilmembers.

The conflict of interest law is ~~one of the most important, yet most complicated laws on the books~~important and complicated. To understand its effect on a Councilmember's actions, ~~it is suggested that~~Councilmembers should discuss the law and potential conflicts with the City Attorney. It is imperative that Councilmembers identify in advance what their conflicts are.

It is illegal to fail to declare a conflict of interest, or to participate or otherwise be involved in discussions on land use issues, or service or construction contracts where such an interest exists. Violations of the conflict of interest law may result in significant penalties, including criminal prosecution.

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

##### Prohibited Acts (RCW 42.23.070)

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

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### Definition Remote Interests

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

- A non-salaried officer or member of a non-profit corporation doing business or requesting money from the City. Therefore, being such an officer or member would not constitute a conflict.
- The landlord or tenant of a contracting party. For instance, a Councilmember may lease office space to a party which has a private interest in a public matter without it resulting in a conflict of interest.
- The owner of less than 1 percent of the shares of a corporation or a cooperative doing business with the City.
- ~~Reimbursed~~ Reimbursement only for actual and necessary expenses incurred in performance of official duties.

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### Acts not Constituting a Conflict of Interest

- Receiving municipal services on the same terms and conditions as if not a City official. Thus, when a Councilmember who owns a business within the City votes for or against an increase in the business license fees, a conflict would not exist because this action would apply to all businesses in the corporate limits.
- An officer or employee of another political subdivision or public agency unless it is the same governmental entity being served who is voting on a contract or decision which would not confer a direct economic benefit or detriment upon the officer. Therefore, a Councilmember who is a school teacher may vote to enter into an intergovernmental agreement with the school district, unless such agreement would confer some direct economic benefit, such as a salary increase, upon the Councilmember.
- A member of a trade, business, occupation, profession, or class of persons and has no greater interest than the other members of that trade, business, occupation, or class of persons. A class must consist of at least ten members to qualify the interest as remote. A City official may sell equipment, material, supplies, or services to the City if this is done through an award or contract let after public competitive bidding. An exception to this law permits the ~~City Council~~ Council to approve a policy on an annual basis to allow the City to purchase supplies, materials, and equipment from a member of the Council without going to public competitive bid as long as the single transaction does not exceed \$300 and the annual total of such transactions does not exceed \$1,000.

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### Declaration of a Conflict

When a substantial interest exists, the City official must:

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

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

#### City Attorney Opinions

A ~~Council~~Councilmember's request for an opinion from the City Attorney concerning conflict of interest is confidential. However, formal final opinions are a matter of public record and must be filed with the City Clerk. This filing requirement does not apply to verbal communications between Councilmembers and the City Attorney.

Councilmembers may seek advice from a private attorney, at their own expense, concerning potential conflicts. In such cases, no disclosure policy would apply.

#### Apparent Conflict of Interest in Litigation Matters

A Councilmember who actively supports a position contrary to an official ~~City of Lacey~~City action or position, as adopted or ratified by a majority of the ~~City Council~~Council, must recuse themselves and not participate in any vote, deliberation, executive session, or distribution of confidential information regarding further consideration or action in that matter once litigation has been served or filed regarding the matter. Litigation shall include but is not limited to legal action or appeals of any type including Growth Management Hearings Board appeals.

- The fact a Councilmember voted in opposition or expressed an opinion in opposition to the official action or position prior to the filing or service of litigation shall not, by itself, be sufficient to trigger the need for recusal or non-participation.
- 
- Once litigation has been served or filed, communication regarding the case with anyone other than City staff or legal counsel involved in the litigation of the case is discouraged during the pendency of the litigation.
- 
- Councilmembers shall voluntarily recuse themselves and choose not to participate under the conditions listed above. However, if Councilmembers fail to voluntarily recuse themselves or withdraw from participation, any other Councilmember may challenge the ongoing participation and request the challenged Councilmember to disclose any communication and participation with regard to the pending litigation.
- 
- If the apparent conflict still cannot be resolved voluntarily after such challenge, a majority plus one of the council as a whole may vote to sanction and remove the challenged Councilmember from further participation with regard to the pending litigation on the basis of an apparent conflict of interest.

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Later legislative participation by a previously recused or sanctioned Councilmember, related to the same issue, is not prevented by the provisions of this subsection once the conflict no longer exists or the litigation has terminated.

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## 8.02 Liability

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

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

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

## Chapter 9

### Parliamentary Procedures

Parliamentary procedure provides the process for proposing, amending, approving, and defeating legislative motions. Following these procedures potentially reduces Council actions being declared illegal or challenged procedurally. The Lacey ~~City Council~~ Council has adopted and will follow s Robert's Rules of Order, revised, unless the same is superseded by provisions of the [Lacey Municipal Code](#).

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### 9.01 Order of Discussion

The presiding officer ~~should~~s follow the prepared agenda as much as possible. However, for those occasions when deviations are necessary or convenient, the presiding officer ~~will~~ clearly announces that the Council has decided to rearrange the agenda. When changing the order of discussion, it ~~must must be done so as not to~~ prevent or deny any member of the public the opportunity to listen to the discussion of any agenda item.

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## 9.02 Obtaining the Floor

A Councilmember ~~shall~~es the presiding officer and gains recognition prior to making a motion or engaging in debate. The presiding officer ~~will~~recognizes Councilmembers by their last name, such as "Councilmember Jones." Councilmembers ~~will~~ address each other as Councilmember, followed by last name, such as "Councilmember Jones." Cross-exchange between Councilmembers and the public should be avoided. This ~~is to prevent~~s general conversation and ~~to keep~~s the order necessary to maintain decorum and accomplish the business of the Council.

After a member ~~has concluded~~ comments and ~~yielded~~yields the floor, if two or more members are trying to obtain the floor at the same time, the general rule is that the person who addresses the chair first is entitled to be recognized. When a motion is open to debate, however, there are three instances in which the presiding officer ~~should assign~~s the floor to a person who may not have been the first to address the chair. These are:

1. The Councilmember who made the motion currently under debate is entitled to be recognized in preference to other members if that individual is claiming the floor and has not already spoken on the question.
2. No member is entitled to the floor a second time in the meeting on the same motion as long as another member who has not spoken on the motion desires the floor.
- \* 3. In instances where the person to be recognized is not determined by (1) or (2) above, and where the presiding officer knows that members who are seeking the floor have opposite opinions on the motion, the chair should let the floor alternate as much as possible between those favoring and those opposing the motion.

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### 9.03 Questions to Staff

~~After recognition by the presiding officer, a~~ Councilmember may ~~after recognition by the presiding officer,~~ address questions to staff members.

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#### **9.04 Interruptions**

Once recognized, a Councilmember should not be interrupted while speaking, except to make a point of order or personal privilege. If a Councilmember is called to order while speaking, the individual shall cease speaking until the question order is determined. Upon being recognized by the presiding officer, members of the staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

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#### **9.05 Discussion Limit**

A Councilmember should not speak more than once on a particular subject until every other Councilmember has had the opportunity to speak. Councilmembers are encouraged to discuss items during the decision-making process.

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## 9.06 Basic Steps to Conducting Business

Specific requests or proposals that are presented to Council for consideration and possible action must be introduced in the form of a motion. For the proper presentation and disposition of most motions, certain steps are generally required. The basic steps to conducting business include:

### The Presiding Officer (Mayor)

- \*• Introduces the item to be considered as presented on the agenda, and if appropriate, asks for a staff presentation;
- \*• If the agenda calls for a public hearing, opens a public hearing;
- \*• Closes the public hearing after receiving comments (if any) from the public; and
- \*• Calls for discussion.

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### A Councilmember

- \*• Addresses the Mayor;
- \*• Is recognized by the Mayor; and
- \*• Proposes the motion.

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### A ~~second~~ Second Councilmember

- \*• Seconds the motion.

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### The Presiding Officer (Mayor)

- \*• States the motion;
- \*• Calls for any further discussion or debate; and
- \*• Restates the motion and puts the motion to a vote.

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### The City Clerk

- \*• Records the vote.

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### 9.07 Making a Motion

Under parliamentary procedure, there are three steps required to bring a motion before the Council for its consideration:

- A Councilmember makes a motion;
- Another Councilmember seconds the motion, and
- The chair states the motion.

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Unless the motion can interrupt a speaker as explained in *Robert's Rules of Order*, a member must obtain the floor to make a motion. Once the chair ~~has~~ recognizes a Councilmember, the individual makes the motion by saying, "I move that..." or "I move to..." and ~~announcing~~ announces the what is proposed.

Councilmembers should attempt as much as possible to state motions in the positive form--- that is, "I move to..." rather than "I move not to..." Motions where one must vote "yes" to vote against a proposal are confusing not only for Councilmembers, but also for staff and citizens.

If a proposal has only minimal support, a Councilmember might state "I make this motion in order to put it on the floor for discussion. I am not sure of my position on it at the present time."

### 9.08 Seconding a Motion

After a motion ~~has been~~<sup>is</sup> made, and if it requires a second, another Councilmember who wishes to see the motion considered says, without obtaining the floor, "I second the motion," or simply, "Second." A second ~~merely~~ implies that the Councilmember agrees ~~that~~ the motion should come before the meeting, not necessarily that the member favors it. If another member of the Council does not second the motion, the chair normally asks, "Is there a second to the motion?" If there is no second, the chair should say, "Since there is no second, the motion is not before this meeting." If seconded, the maker of the motion should then be regarded as having the refusal of the floor in preference to all other members.

The purpose of a second is to prevent time being spent on motions that only one person wants to discuss. After the Council makes a motion, no person shall address the Council without first securing the permission of the Mayor or Council to do so.

### 9.09 Stating the Question

Under parliamentary procedure, making and seconding a motion does not put it before the Council for consideration. This can be done only by the ~~chair~~Chair. ~~The~~when the Chair ~~presiding officer~~ repeats the motion and indicates that the motion is open for debate by stating: "It has been moved and seconded that ... Is there any discussion?"

#### Right to Withdraw or Modify a Motion

Until the ~~chair~~Chair ~~has stated~~states the question, the maker has the right to modify or withdraw the motion. After ~~the Chair states~~the motion ~~has been stated~~, however, it can be withdrawn only with the ~~Council~~Council's consent. If any objection is made, it will be necessary to obtain leave to withdraw by a motion for that purpose. When a motion is withdrawn, the effect is the same as if it had never been made.

#### Pending Motions

~~After~~When the ~~C~~chair ~~states~~has stated a motion, it is said to be *pending*. When several motions are pending, the last one stated by the chair, and the first to be disposed of, is called the *immediately pending question*. Thereafter, other pending motions are considered in descending order of rank.

### 9.10 Amendment of the Main Motion

When the main motion does not exactly suit the members of the Council, it may be changed by means of amendment *before* it is finally voted upon. Once recognized by the chair, a Councilmember may make the motion to amend by stating, "I move to amend the motion by..." ---adding, striking out, inserting, or substituting. An amendment to the main motion requires a second; it is debatable, requires a majority vote, and must be germane---that is, closely related to or having bearing on the subject of the motion to be amended. If the motion on the amendment passes, the chair puts the main motion, as amended, to a vote. If the motion on the amendment fails, the chair puts the main motion, as originally presented, to a vote.

The Council member, who offers the motion, until it has been is stated by the chair Chair, can modify the motion, or withdraw it entirely; After the Chair states the motion it is stated, the Council member he/she can do neither not modify or withdraw the motion without the consent of the body (majority). For example, the mover may state, "With the consent of the body Council I will modify my motion to state as follows..." If no one objects, it shall be deemed that he/she has they have the consent of the body Council to modify his/her their motion. When the mover modifies his/her their motion, the one who seconds it can withdraw their his/her second.

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## 9.11 Postponement of Business

### Postpone to a Time Certain

~~Council~~Council may delay action on a pending question by making a motion to postpone the item either indefinitely or to a certain time-~~certain~~. This motion can be made regardless of how much debate has taken place. The question may be postponed either so that it may be considered at a more convenient time or because debate has shown reasons for delaying a decision.

### Postpone Indefinitely

Council may decline to take a position on a pending question by moving to postpone the item indefinitely. Voting to postpone indefinitely kills the main motion and avoids a direct vote on the question. This motion is useful for disposing of a badly expressed main motion that cannot be either adopted or expressly rejected without possibly undesirable consequences.

### Table

Commonly misused in place of a motion to postpone, ~~Council~~Council may lay the pending question aside temporarily when some other issue of immediate urgency has arisen. *Lay on the Table* is out of order if the evident intent is to kill or avoid dealing with an item. This motion requires a majority vote and halts consideration of a question immediately and without debate. After a question ~~has been~~is laid on the table, it can be taken from the table by a majority vote as soon as the interrupting business is disposed of and when no other question is pending.

### 9.12 Voting Procedures

Each Councilmember ~~shall~~ votes on all questions put to the ~~City Council~~Council, unless a conflict of interest under State law or an appearance of fairness question is present. Unless a member of the ~~Council~~Council states that ~~he or she~~they are ~~is~~ not voting, ~~his or her~~their silence ~~shall~~ will be recorded as an affirmative vote.

If it is determined by majority vote of the ~~City Council~~Council as a whole, plus one, that a Councilmember has a conflict of interest under State law or would violate the appearance of fairness doctrine by participating in, and/or voting on, a matter coming before the Council, then the member determined to have the conflict of interest or appearance of fairness doctrine violation shall not participate in or vote on said matter. In the event a challenged member or members requests additional time prior to the challenge having been voted on by the ~~City Council~~Council in order for the Councilmember to present further information to the Council, then the ~~City Council~~Council's determination with respect to the challenge shall be continued to the next regularly scheduled meeting of the ~~City Council~~Council, at which time the member or members requesting the additional time shall present such additional information. At the conclusion of the presentation, the ~~City Council~~Council shall make its determination as provided above. When the debate appears to be over and if no one indicates a desire to continue discussion, the chair puts the motion to a vote by stating, "If there is no further discussion, cast your votes."

Only those ordinances, resolutions, or motions that receive an affirmative vote by the majority of the present and voting members of the ~~City Council~~Council who also constitute a quorum shall be passed or become effective unless other voting requirements are provided by Washington State law. Pursuant to state law, any ordinance or resolution granting or revoking a franchise or license for authorizing the payment of money shall require an affirmative vote of at least a majority of the whole membership of the Council. In order for an ordinance to take effect immediately, rather than ~~5~~ five days after its publication, the ordinance must receive an affirmative vote of a majority plus ~~one~~ 4 of the whole membership of the Council, and designate that the ordinance is a public emergency ordinance necessary for the protection of public health, public safety, public property or the public peace. Such emergency ordinance may not levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money.

A conflict of interest ~~shall be~~is declared whenever appropriate and in compliance with state law. The affected Councilmember will not participate in the discussion and will abstain from the voting process by leaving the Council Chambers until such time as consideration of the item has been concluded.

#### Affirmative Vote

Affirmative votes will be cast in an audible tone. Unless a member of the Council states that they are not voting, their silence will be recorded as an affirmative vote. ~~of voice.~~

#### Abstention from Voting

Any member may abstain from voting on any question; provided, at the time of declaring ~~his/her~~their abstention, ~~they~~he/she shall state the reason.

#### Tie Vote

A tie vote results in ~~the motion having failed~~ a failed motion. The presiding officer may publicly explain the effect of the tie vote for the benefit of the audience.

#### Reconsideration

Reconsideration of an item ~~may will be considered~~ occur by a majority vote of the Council. A member of the prevailing majority must make a motion for reconsideration when the previous vote was taken, and can be made no later than the next regular meeting after which the previous vote was taken.

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### **9.13 Right of Protest**

A Councilmember is never required to state reasons for a dissenting vote; provided, however, that any member of the ~~City Council~~Council shall have the right to have the reasons for ~~his or her~~their dissent from, or protest against, any action of the Council entered on the minutes.

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#### **9.14 Parliamentarian**

The Mayor, or in the absence of the Mayor, the Deputy Mayor, shall serve as parliamentarian for the ~~City Council~~Council and as such shall decide all questions of parliamentary procedure in accordance with the parliamentary rules contained in *Robert's Rules of Order, Revised*. Before deciding any question of parliamentary procedure, the Mayor may request advice from the City Attorney or designee. In cases where serious errors in procedure are used or contemplated, the City Attorney should give advice even when it has not been requested.

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## CHAPTER 10

### Miscellaneous Council Policies

#### 10.01 Appointments to Council Advisory Boards and Commissions

Prior to serving on one of Lacey's Advisory Boards and Commissions, the full ~~City Council~~ ~~Council shall~~ confirms all citizen representative appointments forwarded by the Mayor. ~~Citizen-Community~~ members, serving on Lacey's Boards and Commissions, serve in an advisory role and make recommendations on issues related to land use, zoning, social services, parks, library services, and historical matters. ~~Citizen-Community~~ involvement is a key element in the ~~City Council~~ ~~Council's~~ decision-making process. The duties and responsibilities of advisory boards and commission members are defined in the [Lacey Municipal Code](#) (LMC), the [Revised Code of Washington](#) (RCW) and through intergovernmental agreements. (Refer to Chapter 2, Paragraph 2.13.)

Procedure for appointments to Council Advisory Boards and Commissions:

1. All Boards/Commissions are identified as *codified* and *non-codified*.
2. *Codified* Boards/Commissions are defined in the [Lacey Municipal Code](#) (LMC) as City law, or in the [Revised Code of Washington](#) (RCW) as State law. Terms of office, length of service, and meeting times/days are described in the code.

~~A-a.~~ Planning Commission ([LMC 2.32](#)) 3 year term/2 term limit

~~B-b.~~ Historical Commission ([LMC 2.42](#)) 3 year term/2 term limit

~~C-c.~~ Library Board ([LMC 2.46](#)) 5 year term/2 term limit

~~D-d.~~ Board of Park Commissioners ([LMC 2.44](#)) 3 year term/2 term limit

~~e.~~ The Commission on Equity ([LMC 2.34](#)) 3 year term/2 term limit

~~E-f.~~ Civil Service Commission ([RCW 41.12](#); [LMC 2.52](#)) 6 year term/2 term limit

~~F-g.~~ Law Enforcement Officers, Fire Fighters (LEOFF) I Disability Board

~~a.~~ ([RCW 41.26](#)) 2 year term/no term limit

~~Lodging Tax Advisory Committee~~ ([LMC 3.03.045](#)) 3 year term/no term limit

~~h.~~

3. *Non-codified* Boards/Commissions are *not* enacted as law in the LMC. A description of these Boards/Commissions, their terms of office, length of service, and meeting times/days can be found in an informational brochure, *Serving on a ~~City of Lacey~~ City Advisory Board or Commission*.

a. Thurston Community ~~Television-Media~~ Board (~~TCTV~~[TC Media](#)) no term limits

~~b.a.~~ ~~Lodging Tax Advisory Committee~~ 3 year term/no term limit

~~e-b.~~ Public Facilities District (~~PFD~~) 4 year term/no term limit

4. A candidate must be a resident of Lacey or the urban growth area. Specific residency requirements are outlined in the [LMC](#) or [RCW](#) for the Planning Commission, Historical

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Commission, Library Board, Board of Park Commissioners, Civil Service Commission, and LEOFF Board. There are no other requirements for eligibility.

5. ~~Citizens-Community members~~ cannot serve on multiple Boards/Commissions at the same time.

#### Recruitment Process

~~The City Manager's office ensures that a~~All vacancies ~~will be~~are publicly advertised, unless a current list of qualified candidates exist.

1. ~~The City Manager's office announces vacancies~~ ~~Announcements will be placed~~ in the local paper, the City's newsletter, Lacey Life, posted on the Lacey website, and ~~made~~ at televised Lacey ~~City Council~~Council meetings.
2. The Mayor and City Clerk ~~will~~ determine if applications will be accepted until the vacancy is filled, or if an ending date will be set.
3. ~~The City Manager's office prints and mails a~~Applications and ~~the~~ informational brochures, ~~Serving on a~~ ~~City of Lacey~~City ~~Advisory Board or Commission,~~ ~~will be printed and mailed by the City Manager's Department~~ year-round.

#### Application Process

1. ~~The City accepts a~~Applications ~~are accepted~~ year-round.
2. Applicants ~~are asked to~~must submit a completed ~~an~~ application form, ~~and submit a~~ letter of interest, and a resume.
3. ~~Staff route~~ ~~The original applications~~ ~~is routed~~ to the City Clerk. ~~The City Clerk distributes c~~Copies of the application ~~are distributed~~ to the Mayor and appropriate staff.
4. ~~A letter of acknowledgement is mailed by t~~The Deputy City Clerk mails a letter of acknowledgement to the applicant.
5. The Mayor determines the appropriate interview and selection process depending upon the number of applicants, the urgency to fill the vacancy, and the skills, knowledge and abilities required.
6. The Deputy City Clerk sends a notification letter to those who applied, but were not selected. Their applications are kept on file for one year.

#### Appointment Process

1. ~~The Mayor appoints community members~~Citizens are appointed by the Mayor, subject to confirmation by Council at a regular Council ~~meeting~~Meeting, or by the City Manager for the Civil Service Commission.
2. Prior to the Council meeting, the Deputy City Clerk forwards copies of applications, letters of interest, and resumes to the ~~City Council~~Council for review and comment.
3. Following the appointment of a citizen to a Board or Commission, the City Clerk prepares a letter of appointment for the Mayor's signature.

#### Recognition Process

1. All members who serve at least one full-term on a Lacey Board or Commission, receive the *Distinguished Public Service Award* at the end of their service. The award is presented at a regular Council ~~meeting~~Meeting. ~~The City Manager's office orders t~~The plaque ~~is ordered by the City Manager's Department~~ and charges ~~the costs~~ to the *Council Special Events* account.
2. On even-numbered years, the Lacey ~~City Council~~Council hosts an *Appreciation Dinner* for members of the Council Boards/Commissions. ~~The event is coordinated by the~~The City Manager's ~~Department~~office coordinates the event, and charges ~~the costs~~ to the *Council Special Events* account.

(Refer to Attachment 10.01A – Application for Appointment to Lacey ~~City Council~~Council Boards and Commissions, and Attachment 10.01B – Serving on a ~~City of Lacey~~City Advisory Board or Commission.)

## **10.02 Allocation of Annual ~~City Council~~Council Travel and Training Budget**

It is the intent of the ~~City Council~~Council that each member takes advantage of training and professional development opportunities to broaden ~~his/her~~their understanding of municipal government and enhance ~~his/her~~their role as an elected ~~city~~-City official. To that end, funds are budgeted annually to accommodate reasonable travel for conferences, seminars, workshops, and other training opportunities for each Councilmember. Councilmembers are encouraged to attend events sponsored by Association of Washington Cities (AWC), National League of Cities (NLC), or similar local government associations, including conferences, seminars, legislative meetings, and training programs. (*Refer to Chapter 4, Paragraph 4.04.*)

Funds allocated to Council travel and training shall be distributed equally by Council position to adequately allow a Councilmember to attend two conferences annually. In addition, adequate funds will be budgeted annually to accommodate travel by the Mayor or other selected Councilmember to meet with the ~~C~~city's congressional delegation to discuss community needs.

Councilmembers shall determine which conferences they wish to attend during the calendar year, as well as a good faith estimate of total training and travel costs by the first Council ~~worksession~~-Worksession of March. If a Councilmember's travel request is lower than their budgeted funds, their remaining funds will be distributed to other Councilmember's whose travel requests are higher than their budgeted funds. Any remaining funds not allocated towards training and travel during the March ~~worksession~~-Worksession shall be held in reserve to cover additional training or travel requests from Councilmembers.

If a Councilmember wishes to attend additional conferences or trainings during the calendar year, they must present their proposal to the General Government Committee for recommendation to be approved by the ~~City Council~~Council. Approval ~~shall be~~is granted by a majority vote of the ~~City Council~~Council.

If there are not adequate funds for each Councilmember to attend two conferences, the ~~City Council~~Council may propose a budget amendment to cover the additional costs.

The City Manager's office coordinates rRegistration and travel arrangements for the Mayor and Councilmembers ~~are to be coordinated through the City Manager's office.~~

Travel authorization and expenditures for Councilmembers requires approval of the Mayor. Travel authorization for the Mayor requires approval by the Deputy Mayor.

All travel and training are subject to City policy.

*(Refer to Attachment 10.02A - Reimbursement for Expenses Incurred in the Conduct of City Business; also refer to Chapter 4, Paragraph 4.04.)*

### 10.03 Organization and Procedures of ~~City Council~~Council

#### ~~4. Council Meetings:~~

~~1. The City Clerk's office prepares a~~ proposed agenda ~~shall be prepared~~ prior to each meeting of the ~~City Council~~Council. The proposed agenda, together with copies of all information ~~to be considered~~for consideration by the Council at the forthcoming meeting, ~~shall be~~ posted to the City's website, and each Councilmember will be notified by email when it is available by 4 p.m. the Friday before the meeting.

~~A.~~

~~2.~~ The reading of the minutes of the previous meeting shall be dispensed with, provided that such minutes are made available to each Councilmember prior to the meeting, unless the Council directs otherwise. Any amendments or corrections to the minutes ~~shall be~~ stated and agreed to by the Council.

~~B.~~

~~3.~~ Councilmembers shall attempt to conduct business at all ~~council~~ Council meetings ~~Meetings~~ in a manner, which will allow for adjournment no later than 10:00 p.m.

~~C.~~

~~D.4. Robert's Rules of Order, revised, shall govern the deliberations of the Council, except when such rules are in conflict with state state law, Ordinances ordinances of the City or this Resolutionresolution.~~

#### ~~4. Standing Council Committees:~~

The standing committees of the Council and the scope of their jurisdiction are as follows:

~~1. The Community Relations and Public Affairs: Committee This committee shall be~~ responsible for policy development and review concerning the City's art, cultural, community relations, historic preservation and parks and recreation activities.

~~A.~~

~~2. The Finance and Economic Development: This cCommittee shall be~~ responsible for policy development and review concerning the financial matters of the City. The committee shall periodically review the City's budget and financial status and make recommendations to the Council relating to the City's expenditures and revenues, including the level and appropriateness of various non-utility fees and charges. The committee shall also consider and make recommendations to the Council regarding such other budget, financial and economic development matters it deems appropriate.

~~B.~~

~~3. The Land Use and Environment: This cCommittee shall be~~ responsible for policy development and review of matters referred to the Council by the City's Planning Commission and Thurston Regional Planning Council, as well as urban growth policy, and housing issues. Committee members shall also review matters concerning the environment including stewardship, conservation, regulations, policy, initiatives, and projects.

~~C.~~

~~4. The General Government & Public Safety: This committee is~~ shall be responsible for policy development and review concerning the general administrative and regulatory functions of the City, including licensing, intergovernmental relations not falling within

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the jurisdiction of another standing committee, social and health services, library services, and such personnel policy matters as may be properly before the Council. Committee members shall also review public safety matters, including police, fire, criminal justice, dispatch and communication systems, disaster and emergency services, and water safety.

D.

5. ~~The~~ Transportation: ~~This committee~~ Committee shall be responsible for policy developments and review concerning streets, highways, public transit, sidewalks, bicycle routes, traffic safety, rail, parking, and all other transportation matters. The committee shall review and make recommendations to the Council on matters relating to local and regional comprehensive transportation plans, transportation improvement proposals and matters referred to the City by the Transportation Policy Board and the Thurston Regional Planning Council.

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E.

F-6. ~~The Utilities~~: ~~This eCommittee shall be responsible for policy development and review concerning all City utilities including water, wastewater, stormwater, reclaimed water, and energy related matters. The committee ~~will~~ reviews utility comprehensive plans and improvements, existing and proposed utility service delivery areas, boundaries, and issues relating to utility service fees and rates and the boundaries for all proposed annexation areas.~~

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3.

#### 4. Authority of Standing Committees

\_\_\_\_\_To recognize the relationship between standing committees and the full ~~City Council~~ Council, standing ~~council~~ Council committees shall be concerned primarily with policy matters and responsibilities vested in the legislative body of the City. Each committee shall review those policy matters assigned by the terms of ~~the Resolution 1071~~ as may be determined by direction of the ~~City Council~~ Council and shall formulate recommendations to the Council for action. Standing committees are subordinate to the ~~City Council~~ Council and the activities of such committees shall not substitute for Council action, but ~~shall~~ will be designed to facilitate Council business, unless specific or limited authority ~~has been~~ is granted by the full Council to conduct business on behalf of the full Council.

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#### 6. Appointment of Committee Members

—~~The Mayor appoints~~ \_\_\_\_\_ ~~The appointment of~~ all members of standing and special committees of the Council, ~~shall be made by the mayor~~ with the approval of the Council. ~~Committee members elect~~ The chair ~~Chair, who of each committee is elected by its committee members, and~~ presides over the meeting.

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#### 7. Special Committees

The Council may create special committees by motion to accomplish specific tasks of limited duration.

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8. *Committee Meetings:*

—All committees should coordinate their activities with one another and with the Council as a whole. The schedule of committee meetings ~~shall be~~ maintained at City Hall and provided to Councilmembers through regular distributions. All committee meetings ~~shall be~~ open to the public unless the subject matter at such meeting is one upon which the Council as a whole would meet in ~~executive~~ Executive session, pursuant to state law. A Councilmember who is not a member of a particular committee may attend a meeting of that committee, but may not be involved in the committee discussion. Also, that Councilmember should provide sufficient advance notice so that the City can assure compliance with the advance notice provisions of the State Open Public Meetings Act.

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9. *Committee Reports:*

—Committee reports may be oral or in writing. However, when complex or particularly significant action is requested of the Council, a recommendation of a committee should be contained within a written report distributed to Councilmembers prior to Council consideration.

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10. *Staff Assistance to Committees:*

—The City Manager ~~shall provide for such~~ assigns staff assistance to ~~a~~ committees, as the committee ~~chair~~ Chairs ~~may~~ shall request. If it appears to the City Manager that the amount of staff assistance ~~being~~ requested exceeds budget allocations or interferes with the administrative operations of the City, or interferes with established Council priorities, the City Manager shall bring the situation to the attention of the Mayor and ~~City Council~~ Council.

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11. *Citizen-Community Involvement:*

—Any standing or special committee of the Council may seek involvement or advice of ~~citizens~~ members of the community through advisory task forces, focus groups, neighborhood or other area meetings, or by such other means as the committee may deem appropriate.

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(Refer to Attachment 10.03A - Resolutions 1071, 893, 842, 620; also refer to Chapter 7.)

#### 10.04 Requesting Council Resolution on Public Issues

As issues arise, individual ~~citizens~~ community members or groups request Council to take official action as Lacey's governing body in support of or in opposition to issues of interest to them. This document section establishes policies and procedures for addressing when and under what circumstances the ~~City Council~~ Council will take such official action.

Council will consider requests to take official action in support of or in opposition to specific issues when:

- ~~1.~~ The issue in question has direct financial or policy implications for the City as a governmental organization; or
- ~~2.~~ The issue in question has a direct economic or substantive impact on the Lacey community and is of importance and interest to a broad cross-section of Lacey residents; and
- ~~2.~~ The issue in question is one that is appropriately addressed by the ~~City Council~~ Council as opposed to another governing body such as the county, state, or federal government; or when the issue is one that is more appropriately addressed in the courts or through public election.

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#### Procedure:

1. The individual or group(s) making the request should be Lacey residents. An individual or group making such request should be based in Lacey.
2. It is generally the policy of the ~~City Council~~ Council that actions requested on issues of a controversial, political, or divisive nature are appropriate to address only where there is an important and vital community interest to be served by doing so.
3. The City's determination regarding requests for official positions on ballot measures will be in accordance with RCW 42.17A.555 *(to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view).*
4. The person-(s) making the request must submit a completed *Application Requesting Council Position on Ballot Proposition*, supply a copy of the ballot proposition, and provide supporting documentation, materials, and other pertinent information relative to the action requested of the ~~City Council~~ Council.
5. Requests must be made at least six weeks prior to the requested Council action date, if any, unless waived by the General Government & Public Safety Committee.
6. The correspondence and associated materials will be reviewed by the General Government Committee whose recommendation regarding the request along with all appropriate materials and information will be forwarded to full Council.

7. ~~The City Manager's office will notify t~~The individual or group(s) making the request ~~will be notified~~ of the Committee meeting date and time. Where possible and practicable, the Committee ~~will~~ strives to obtain information from the opposing point of view, and where appropriate will also invite certain representatives of said opponents to the Committee meeting.
8. The Committee ~~will~~ first reviews the request to determine if it meets the policy requirements and guidelines established in this policy.
9. The Committee ~~will~~ then reviews the request along with pertinent materials and information to determine if this is a matter they wish to recommend to the full ~~City Council~~ Council for consideration. If so, a report on the matter, along with the recommendation, will be forwarded to the ~~City Council~~ Council.
10. If the ~~City Council~~ Council decides that it will act on the recommendation, ~~the Ra~~ resolution will be prepared by the City Attorney for consideration at a subsequent Council ~~meeting~~ Meeting. If the ~~City Council~~ Council decides that it is appropriate to officially consider the request, the City Clerk ~~will~~ advertises an open public meeting on the matter including the title and number of the ballot proposition.
11. If the Committee determines that it will not recommend official action on the request, the proponents will be so notified, and, a report on the matter will be presented to the Council for their consideration at the next appropriate meeting.

(Refer to Attachment 10.04A - Application Requesting Council Position on Ballot Proposition; also refer to [Chapter 5, Paragraph 5.06.](#))

### **10.05 Reviewing Public Requests for Proclamations**

The Council will consider requests to proclaim certain events or causes, when such proclamations positively impact the community and convey an affirmative message to Lacey ~~residents~~community members. Proclamations that are political in nature, that are controversial, or that likely would not enjoy a high level of community interest and support, are discouraged.

#### ~~Procedure~~

1. The person(s) making the request should be a Lacey resident(s).
2. The request should be made at least four weeks in advance of a regularly scheduled Council meeting.
3. A local citizen should agree to be in attendance to accept the proclamation.
4. The City retains the right to modify, edit, or otherwise amend the proposed proclamation to meet its requirements, needs, or policy determinations.
5. The City retains the right to decide if the proclamation will be issued or not.
6. The person(s) making the request must submit a completed *Application Requesting a City Proclamation* and submit a copy of the proposed proclamation. A sample proclamation is attached to the application to provide format suggestions.
7. The Mayor, City Manager and/or staff designee will determine if the proposed proclamation meets the intent of this policy. When there is uncertainty in making this determination, the Mayor will consult with the General Government Committee for their guidance.
8. Once approved, the proclamation will be added to the appropriate Council agenda.
9. If not approved, the applicant will be notified of the decision and the reason(s) for the decision.

(Refer to Attachment 10.05A – *Application Requesting a City Proclamation*; also refer to [Chapter 5, Paragraph 5.07.](#))

#### **10.06 Guidelines for Editorial Board Meeting**

In an effort to improve communications and discuss issues of public interest, the Olympian Editorial Board ~~has initiated~~may request quarterly meetings with Lacey Councilmembers. This policy is intended to set forth guidelines for attendance and communication at these meetings.

##### *Procedure:*

1. In order to ensure conformance with the State Open Meetings Law, no more than three members of the Council should attend each meeting. If more than three Councilmembers plan to attend, the City Clerk will provide appropriate notice ~~notification of the meeting will be communicated~~ to the public and retain a record of the meeting ~~shall be maintained~~.
2. Whenever possible, Councilmembers ~~will~~ rotate attendance at the quarterly Editorial Board meetings. Variance from this practice may occur where it is anticipated that special knowledge or experience on a particular issue may be necessary or desirable.
3. Whenever possible, the City Manager ~~will~~ attends the Editorial ~~board~~Board/Councilmember meeting. The City Manager ~~will~~ participates in discussions and provides s supplemental details and information on behalf of the City.
4. When Editorial Board questions arise that involve an expression of a personal opinion or points-of-view ~~as~~ opposed to Council decision or policy, Councilmembers and the City Manager should ~~be careful to~~carefully distinguish between the two when sharing information and perspectives.
5. At the regular Council ~~meeting~~Meeting immediately following the Editorial Board discussion, the full Council will be briefed regarding the highlights of the meeting.

[\(Refer to Chapter 7, Paragraph 7.01.\)](#)

### 10.07 Guidelines for Use of Washington Center

The ~~City of Lacey~~City periodically makes the Washington Center available free of charge for events in which the City has a major interest, with the following conditions:

The ~~City of Lacey~~City has two free days available each year at the Washington Center. One free-day is designated for City use, and one ~~free~~-day is designated for non-profit use. If the City decides not to sponsor an event, the second ~~free~~-day could be offered to a non-profit agency/organization.

1. ~~The City accepts a~~Applications ~~will only be accepted~~ from January through July to request a ~~free~~-day in a subsequent year. ~~For example, i.e.~~ to reserve a date in 2004, an application should be submitted between January and -July of 2003.
2. The requesting group must be non-profit in nature.
3. Use of the Center for the event does not occur more frequently than once each year.
4. No group will receive the use of the City's free day on an annual basis, unless no other eligible applications ~~have been~~are received by the deadline.
5. The event may be used for fund-raising purposes if approved by the Lacey ~~City Council~~Council (funds raised in this way would be through admission charges, donation solicitation, or fee assessment).
6. The City determines there is general community interest in the proposed event.
7. The City determines that the activity constitutes a public use that the City is authorized to sponsor.
8. The City will receive formal recognition for its sponsorship, i.e. an announcement during the event, or recognition on a program or flier.
9. The group or individual, using the Center, agrees to hold the City harmless for any claims resulting from use of the Center.
10. Applicant must be willing to meet or comply with all Washington Center rules, regulations, and policies.
11. Applicant agrees to report attendance, participation rate, and other appropriate details in writing.

#### Procedure:

1. Applicant must complete an *Application for Use of the Washington Center* form and return it to the City Manager's office for processing.
2. City Manager's staff will contact the Washington Center to confirm availability of the date requested.

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3. The request will be forwarded to the Community Relations and Public Affairs Committee for consideration. Their recommendation will be presented to the full Council for approval.
4. City Manager's staff will notify the Washington Center and applicant of the Council's decision.

*(Refer to Attachment 10.07A – Application for Use of the Washington Center.)*

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#### 10.08 Waiver of Building Permit and Construction Related Fees

The purpose of this policy is to set forth specific requirements, parameters, and processes wherein the City Manager or his/her designee is authorized to waive specified building-related fees to assist low-income families with home ownership and to mitigate construction-related expenses for the Lacey Boys and Girls Club.

The Lacey ~~City Council~~Council finds that home ownership by low-income people benefits the general welfare of the ~~City of Lacey~~City and its citizens. -The Council also finds that waiving the payment of certain building fees will assist low-income families in owning a home. Further, the ~~City Council~~Council has determined it will be beneficial to the youth of the community and the residents of the City to waive certain construction fees for projects which are constructed to carry out the activities of the Lacey Boys and Girls Club.

On October 13, 2005, Council passed Ordinance 1248 creating a policy to waive building, plumbing, electrical, and mechanical permit fees, and, water meter, water construction, traffic mitigation, and plan check fees for low-income home construction projects when all of the following provisions apply:

1. The single family residential structure is to be owned and occupied by a qualifying low-income family;
2. The single-family residential structure is located within the City limits;
3. The single-family residential structure meets all building code requirements;
4. A qualified and experienced non-profit 501.C.3 organization sponsors, coordinates, and constructs the low-income single-family residential structure; and
5. The non-profit organization has a track-record, capacity, qualifying requirements, established policies and procedures, and a program of home construction for low-income families very similar or equivalent to that offered through the Habitat for Humanity organization.

The Council herein finds that Habitat for Humanity, a non-profit 501.C.3 corporation, has a long-standing, positive record and an innovative, effective, and successful program of enabling home ownership for low-income families. The Council further finds that Habitat for Humanity low-income housing projects meet the requirements of this policy and qualify for waiver of the above referenced fees, unless otherwise determined by the City Manager.

On January 27, 2011, the ~~City Council~~Council approved Ordinance 1362 relating to the provision of services to youth of the community and providing a waiver of certain fees for construction of facilities by the Lacey Boys and Girls Club. The Council therein determined it ~~will to~~ be beneficial to the youth of the community and the residents of the City to waive certain construction fees for projects which are constructed to carry out the activities of the Lacey Boys and Girls Club.

#### Procedure:

1. Habitat for Humanity, the Lacey Boys and Girls Club, or other qualifying organization, ~~shall~~ submit to the Lacey City Manager a written request for a waiver of fees. The request ~~shall~~ must include a thorough response to the above provisions, including the location of the project, an estimated timeframe for construction, and the name, e-mail, and telephone number of the person responsible for the project.
2. The waiver of fees does not remove responsibility for obtaining all building and related construction permits and associated inspection services. Habitat for Humanity, the Lacey Boys and Girls Club, or other qualifying organizations, are responsible for obtaining appropriate permits and inspections.
3. The City Manager ~~shall~~ makes arrangements through Habitat for Humanity, or other qualifying organization, for reimbursement of waived City fees if the home is sold within five years of construction or other time frame consistent with that established by Habitat for Humanity policy.
4. The City Manager is authorized to approve the fee waiver provided all requirements for eligibility are met. The City Manager ~~shall notify~~ notifies all involved departments of said waiver.
5. The City Manager ~~shall notify~~ notifies the Mayor and ~~City Council~~ Council of a fee waiver and shall include a copy of the request for waiver with such notification.

*(Refer to Attachment 10.08A – Ordinance 1248 and Attachment 10.08B – Ordinance 1362.)*

### 10.09 Public Art Policy

The purpose of this policy is to provide a process for selecting and installing public artwork that defines City boundaries and entryways; creates a sense of community identity and character; reflects the City's history, heritage, values, and culture; makes the community more livable and enjoyable; and, celebrates the value, benefit, and contribution of art to our society.

The City will periodically acquire pieces of art to enrich our community, promote art appreciation, and enhance the aesthetics of our City. The ~~City Council~~Council retains final authority on the selection and placement of all art to be located in public rights-of-way and city-owned properties within Lacey. It is the intent of this policy that all art placed in the public rights-of-way, or placed on City-owned property be tasteful, non-controversial, and non-offensive.

Public art will be funded in part through revenue generated from an annual one dollar (\$1.00) per capita set-aside as outlined in Resolution 1105. Additionally, funds are to be budgeted in accordance with Lacey Ordinance 1022, which provides that *all appropriations for city construction projects visible and useable by the public, except street and utility projects, which appropriations exceed \$500,000 shall include an amount equal to one-fourth of 1% of the estimated construction cost of such project for works of art.*

1. Selections of public art should accomplish one or more of the following objectives:

- ~~A.a.~~ Define City boundaries or entryways into the community
- ~~B.b.~~ Create a sense of community, identity, and character
- ~~C.c.~~ Reflect Lacey's history, heritage, community values and culture
- ~~D.d.~~ Provide interactive opportunities for the general public
- ~~E.e.~~ Provide a pleasing living, working, and playing environment
- ~~F.f.~~ Enhance economic development and attract visitors
- ~~G.g.~~ Provide sustainable maintenance and operation costs
- ~~H.h.~~ Create opportunities for civic engagement
- ~~I.i.~~ Evoke a sense of fun

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2. Themes for public art should reflect one or more of the following ideas:

- ~~A.a.~~ The natural beauty of the City as reflected in its trees and lakes
- ~~B.b.~~ A history of our community as reflected in historic buildings, founding families, and events of historical significance
- ~~C.c.~~ The importance of family and youth in our community
- ~~D.d.~~ Northwest artifacts, symbols and signs, including Native American Art, salmon, orcas, fishing, and timber
- ~~E.e.~~ Historic reproduction lighting, ornamental poles, landscape furnishings, entry signs, park signs, clocks, bell towers, and fountains
- ~~F.f.~~ The rich diversity of the community
- ~~G.g.~~ Exceptional military service or the community's military connection

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3. Public art should be placed at the following locations to compliment or enhance the surroundings:

- ~~A.a.~~ Medians on arterial streets identifying entrances into the City
- ~~B.b.~~ Activity hubs such as business districts, commerce centers, and residential areas
- ~~C.c.~~ Roundabouts or traffic devices to compliment or enhance the natural landscaping of trees, shrubbery and bushes
- ~~D.d.~~ City-owned civic buildings and grounds, such as City Hall, the Community Center, the Lacey Timberland Regional Library, the Lacey Child Care Center, and the Virgil S. Clarkson Senior Center
- ~~E.e.~~ Lacey parks, trails, and publicly owned spaces
- ~~F.f.~~ Utility structures maintained by the City to include, but not limited to, utility boxes, poles, sidewalks, and maintenance hole covers

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Procedure:

1. City staff maintain a catalogue existing art pieces, which identify the artist, the location of the art piece and the purchase cost. The catalogue includes a map representing the locations of existing pieces.
2. City staff maintain a map representing the locations of existing art pieces.
3. City staff develop a list identifying locations to place art pieces over a six-year period and provide revisions to the list as pieces of art are completed.
4. The City solicits for art pieces pursuant to City purchasing policies. The Community Relations Committee performs the initial review on solicitations and recommend art pieces for approval by the ~~City Council~~Council.
5. The ~~City Council~~Council review and approve the final purchase and placement of the art installation.

(Refer to Attachment 10.09A – Ordinance 1022.)

### **10.10 Youth Representation on Council Advisory Boards & Commissions**

According to Lacey Municipal Code, Sections 2.42.020, 2.44.020, and 2.46.020, it is the policy of the City of Lacey to appoint youth representatives to the Lacey Library Board, Board of Park Commissioners and Historical Commission.

#### Criteria for Eligibility:

- ~~0. 16-18 years of age (16 at time of appointment, not at time of application).~~
- ~~0. Enrolled as a Junior or Senior in the North Thurston Public School District; or enrolled in private school or homeschooled in Lacey or the urban growth area~~
- ~~0. Resident of Lacey or urban growth area.~~
- ~~0. Complete an application and participate in interview process.~~
- ~~0. Commitment to prepare for and attend monthly meetings.~~

#### Terms of Office:

- ~~0. One position available on the Board of Park Commissioners, the Library Board and the Historical Commission.~~
- ~~0. One year term from September to September.~~
- ~~0. One term limit.~~
- ~~0. Applications accepted in the spring.~~
- ~~0. Voting member of the Board or Commission.~~
- ~~0. Appointment by the Mayor with confirmation by Council.~~

#### Recruitment:

- ~~0. In the schools, through administrative staff, teachers, counselors, and peers.~~
- ~~0. In LaceyLife (City newsletter).~~
- ~~0. In local newspapers.~~

#### Recruitment and Application Procedure:

##### March

- ~~0. City Clerk or Deputy City Clerk will write a news release to announce vacancies.~~
- ~~0. City Manager's office will distribute flyers and applications to all NTPS high schools.~~

##### April 1-June 1

- ~~0. Completed applications are returned to City Hall, where Deputy City Clerk will forward to the Mayor and appropriate staff for review.~~

##### June 1-30

- ~~0. Deputy City Clerk will call applicants to schedule interviews with the Mayor and appropriate staff person (i.e. Parks Director for Parks Board, and Historical Commission; Head Librarian for Library Board). Following interviews, all candidates will be notified of the results.~~

##### July

- ~~0. The Mayor's recommendation will be made to full Council at the second regularly scheduled meeting in July.~~
- ~~0. The City Clerk will prepare and mail letter of appointment with the Mayor's signature.~~

~~(Refer to Attachment 10.10A—Application for Youth Representation on Council Advisory Boards & Commissions.)~~

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### 10.11 Water Utility System

The purpose of this policy is to manage the City's water resources in a manner which ~~will~~ protects environmental quality, provides for the public health, protects fish and other aquatic habitat, provides for a vibrant local economy, and accounts for anticipated growth mandated by the State Growth Management Act.

In response to limited water resources and despite the City's efforts described below, the Lacey ~~City Council~~Council passed Resolution No. 917 on December 21, 2006, creating policies limiting the availability of water for future water customers. To address limited water resources, the City's previously:

1. Set goals for reducing per capita water usage by adopting a tiered water rate schedule, mandating limitations on summer watering schedules, providing for the use of reclaimed water, providing water conservation services and water audits to its customers and establishing a leak detection program.
2. Promoted water quality by acquiring land along the Woodland Creek corridor, consistently expending funds for habitat enhancement along Woodland Creek.
3. Entered into a lengthy process to eliminate untreated discharges of stormwater into service water bodies within the City's jurisdiction.
4. Adopted a low impact development ordinance and engaging in other activities designed to enhance water quality and salmon restoration.
5. ~~Actively p~~Participated actively in the preparation and implementation of the WRIA 11 Nisqually River Watershed Management Plan and the planning efforts of the WRIA 13 Deschutes River Watershed Management Plan.
6. Partnered with LOTT Alliance for a Water Conservation Coordination Plan.
7. Supported the efforts of the interjurisdictional Stream Team and Project Green.
8. Cooperated with the City of Olympia for joint mitigation of potential impacts of water supply production.
9. Filed applications with the Washington State Department of Ecology for additional water rights and water right transfer.
10. Engaged jointly with the Cities of Olympia and Tumwater in an attempt to acquire and transfer for municipal use existing water rights formerly held by the Brewery located in the City of Tumwater.
11. Secured over one-half of its existing water rights by purchase from private parties with and adjacent to the City's water service area, however, the availability of additional rights to purchase is nearly exhausted.

Since the City was unable to secure water rights and water to provide for the health and safety of an expanding population mandated by the Washington State Growth Management Act, the ~~City Council~~Council instituted the following policies limiting the availability of water for future water customers:

~~A-1.~~ The City shall only commit to future water services pursuant to Subsection B of this Section; provided, however, water services to properties located within the City shall be provided if both water rights and water production is available at the time that buildings located upon such properties are connected to the City's system.

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~~B-2.~~ Commitments for future water services shall be made by the City only if one of the following conditions applies:

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~~(1)a.~~ Sufficient water production is available and the owner or developer of the property provides water rights to the City sufficient to serve such property and the transfer of such water rights for municipal use is approved by the State Department of Ecology.

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~~(2)b.~~ The owner or developer of the property provides water rights to the City and facilitates an acceptable water supply agreement with another qualified water purveyor for furnishing to the City sufficient water to serve the subject property.

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~~(3)c.~~ The owner or developer of the property enters into an agreement acceptable to the City which commits such owner or developer to use reclaimed water for all irrigation and toilet flushing within the development and, in addition, where feasible and allowed by State law and regulation, use for other purposes within the development. The City shall not approve such an agreement unless a sufficient supply of reclaimed water beyond that needed for water right mitigation is available in the area in question and the agreement makes provision for the installation or advanced payment for the infrastructure necessary to store, distribute, and convey such reclaimed water from LOTT reclaimed water facilities to the development.

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~~C-3.~~ The City Manager is authorized to enter into such agreements as may be necessary pursuant to the Coordinated Water System Plan for Thurston County for providing of temporary water service by other public water purveyors or water purveyors meeting the requirements of the Washington State Department of Health and regulated by the Washington State Utilities and Transportation Commission to properties which are located within the City's service area but cannot currently be served by the City under the policies adopted.

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(Refer to Attachment 10.11A – Resolution 917.)

### 10.12 Spirit of Lacey Award

The Spirit of Lacey Award ~~To establish a~~ program ~~that~~ provides the ~~City Council~~Council a formalized means of recognizing individuals, organizations, and businesses who make significant contributions to the betterment of the greater community, or, whose acts of heroism, courage, selflessness, or exceptional volunteerism are worthy of special recognition.

#### Eligibility:

1. Individuals
2. Organizations – private, public, and not-for-profit
3. Businesses

#### Criteria:

1. Exceptional contributions that promote the betterment of the community (e.g. long-term extraordinary individual or group volunteerism that meets a special need in the community or provides a service not otherwise provided)-
2. Actions that provide long-term value and benefit for future generations (e.g. initiating a major new program with broad community-wide benefit and that fills a critical need)-
3. Acts of heroism and selflessness (e.g. saving a life, by risking one's own life)-
4. Exceptional environmental stewardship (e.g. a major land donation that protects and preserves sensitive environmental property)-
5. Extraordinary generosity or investment in the community (e.g. a major cash or land donation valued that helps address an important community need and enhances the overall community)-

#### Frequency:

1. As merited-

Note: The *Spirit of Lacey Award* ~~is established to~~ recognizes 'exceptional' and 'out-of-the-ordinary' contributions to the community. It is intended to be awarded sparingly and on a limited basis so as not to diminish its significance and the extraordinary contributions of recipients.

#### Nomination Process:

1. Nominations can be made by submitting a nomination form in writing at any time to the ~~City Council~~Council Community Relations Committee, 420 College Street, Lacey, WA, 98509, or via e-mail to [council@ci.lacey.wa.us](mailto:council@ci.lacey.wa.us). Individuals, businesses, and organizations are welcome to submit nominations. Nomination forms should document in detail the significant and extraordinary contributions of the proposed recipient.

2. Information about the *Spirit of Lacey Award*, including this program outline, ~~will be maintained~~ is available on the City's website for general public access and to encourage submittal of nominations.

#### Selection Process:

1. The Lacey ~~City Council~~Council Community Relations Committee ~~will schedule~~ s time at a regularly scheduled meeting to determine if there are any businesses, individuals, or organizations that qualify for the *Spirit of Lacey Award*.
2. Nominations received during the course of the year will be considered along with other recommendations, if any.
3. The Community Relations Committee ~~will review~~ s and ~~deliberate~~ s on the merits of each nomination utilizing the criteria and principles established herein.

A.a. If the Committee determines the nomination ~~does meet~~ s the criteria, their recommendation will be forwarded to the ~~City Council~~Council with documentation supporting the exceptional actions or extraordinary contributions of the individual, business, or organization.

B.b. If the Committee determines the nomination does not meet the criteria, the nomination will not be forwarded to the ~~City Council~~Council. For those that are not forwarded to the ~~City Council~~Council, the Committee will determine the appropriate level of recognition and acknowledgment based on the information received as part of the *Spirit of Lacey* nomination process.

#### Award and Presentation:

1. *Spirit of Lacey Awards* will be presented to recipients by the Mayor at regularly scheduled and televised ~~City Council~~Council meetings.



2. Recipients of the Award will be acknowledged on the City's official website provided permission is granted.

#### Historical Record:

- I
1. A record of all *Spirit of Lacey Award* recipients will be maintained by the City Manager's Office and will be made available to the Community Relations Committee as a means of ensuring nominations meet the high standard of exceptional and extra-ordinary contribution to the community.

(Refer to Attachment 10.12A – *Spirit of Lacey Award Nomination Form*)

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### 10.13 Annexation Policy

~~The Annexation policy~~ serves as the framework from which specific annexation requests can be reviewed and evaluated.

#### Guiding Principles:

1. The City ~~will~~ ensures that annexations are processed in accordance with State annexation laws in a timely and efficient manner.
2. The City ~~will~~ insures that annexations ~~will~~ include the participation of the annexation area residents through either the petition or election methods of annexation.
3. The City ~~will~~ collaborates on annexations with affected jurisdictions in order to accomplish an orderly transfer of contiguous lands within the urban growth area into the City (county wide policy).

#### Process and Review Criteria:

The ~~City of Lacey~~ City ~~will~~ utilizes standard criteria, empirical data, and best practices to evaluate annexation requests to ensure they best meet the service delivery, health and safety, quality of life, ~~and~~ financial goals, and policies of the City.

#### ~~— Policies:~~

1. The City ~~will~~ evaluates all annexations on the basis of their short and long-term community impact. Prior to annexation, the City will perform a study of the annexation area as suggested in the MRSC annexation handbook, which at a minimum, includes the following information:
  - a. Statistical data
  - b. Maps
  - c. Existing public services, level of service, and cost
  - d. Crime statistics
  - e. Roadway condition analysis
  - f. Traffic management deficiencies
  - g. Capital improvement requirements
  - h. Utility assessment
  - i. Water, wastewater, and storm water system assessment
  - j. Environmental assessment
  - k. Urban service needs
  - l. Service requirement costs
  - m. Estimated revenues
  - n. Social and economic characteristics
  - o. Impact on existing inter-local agreements
  - p. Special issues, if any
  - q. Amount of bonded indebtedness to be assumed by the annexation area.

2. The City ~~will~~considers expanding or contracting the area of a proposed annexation when such an expansion or contraction would serve to make City boundaries more regular, where the area to be served is a logical extension of City service capabilities, or where the best interests of the city are an overriding consideration.
3. Annexation of land should be directly dependent upon the City's ability to provide, acquire, operate and maintain services for public works (streets, stormwater, water, and sewer), police protection, parks and recreation, code enforcement, and related municipal services. Annexation should be considered only after the City is satisfied that these services a) can be made available in a manner cost effective to the City, b) are not detrimental to existing services provided Lacey residents, and, c) the annexation is in the best interest of the City.
4. Private streets, facilities, and/or utilities located in an annexation area will not be assumed by the City as a result of annexation unless requested and the private streets, facilities and/or utilities meet the City's current standards for construction and maintenance and, it is in the interest of the City to assume this additional responsibility.
5. An area proposed for annexation will assume ~~it's~~its prorated share of the City's bonded indebtedness existing at the time of annexation.
6. The City ~~will~~evaluates proposed annexations based on the following criteria:
  - a. The ability of the City to provide public services at a level equal to or better than that available from current service providers;
  - b. The ability of the City to provide public services at the City's current levels of service;
  - c. Whether the annexation will cause a financial burden or a reduction in level of service to the City or existing citizens;
  - d. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island(s);
  - e. Whether the annexation would follow logical boundaries, such as streets, subdivisions, waterways, or substantial topographic changes;
  - f. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery;
  - g. The relative costs and affordability to serve the proposed annexation versus the revenue to be derived from annexation;
  - h. The proposed annexation is consistent with the Growth Management Act and the adopted Comprehensive Plan; ~~and;~~
  - i. The capital cost and affordability to the City of making required infrastructure improvements and/or addressing infrastructure deficiencies.
7. In order to accomplish the above, the ~~City of Lacey~~City will support the following annexation procedures:
  - a. The City Manager ~~will~~designates the Community Development Department and/or other staff to perform the following:

- 4)i. Receive and process annexation requests.
- 2)ii. Furnish the public and City officials with annexation procedure information
- 3)iii. Coordinate the preparation of annexation studies, technical studies and assessments on the impacts from annexation

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- b. The City ~~will~~ reviews the zoning of the annexation area to ensure consistency with the adopted comprehensive plan. The annexation request will be referred to the Planning Commission if a comprehensive plan amendment or rezone is warranted.
- c. Prior to any annexation, the City ~~will~~ confers with affected special districts and other jurisdictions to assess the impact of annexation.
- d. The City should follow the provisions of [RCW Chapter 35A.13](#) regarding its relationship to water districts when annexation takes place.
- e. ~~The City c~~Creates, updatess, refiness, and maintainss a City annexation brochure and other informational resources relating to annexation.
- f. ~~The City d~~Develops a standardized matrix and evaluation process for conducting fiscal feasibility studies to determine the economic impact of proposed annexations.
- g. ~~The City d~~Develops a priority list of annexations based on the development potential of land within the planning area and the "squaring" up of boundaries for service enhancement. Annexations processed at the request of property owners will be prioritized as they are received.

#### Utilities:

The ~~City of Lacey~~City should support the extension of City utilities into the unincorporated Urban Growth Area, provided the utilities extension meets City standards, is consistent with current City utility policies, and the residents to be served commit to annexation into the City when the City deems annexation is appropriate.

#### ~~Policies:~~

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1. Unincorporated, undeveloped land which is immediately adjacent to the City boundary should be required to annex to the City at the time development is proposed in order to receive the full range of urban services. Provided, the policies and requirements of this document are satisfactorily met.
2. Unincorporated and undeveloped land, which is located within the Urban Growth Area but is not adjacent to the City boundary and is not practical to annex at the time of development may be developed subject to compliance with the Comprehensive Plan and implementation ordinances, standards and guidelines. Connection to utilities should not occur unless public improvements are constructed to City standards and the properties served commit to annexation into the City when the City deems annexation is appropriate.

3. Until adequate water rights are obtained as determined by the City, annexation of undeveloped properties will be considered only if the terms of Resolution 917 are met, summarized below: (Resolution 917)

a. Sufficient water production is available and the owner or developer of the property provides water rights to the City sufficient to serve such property and the transfer of such water rights for municipal use is approved by the Department of Ecology.

a-

b. The owner or developer of the property provides water rights to the City and facilitates an acceptable water supply agreement with another qualified water purveyor for furnishing to the City sufficient water to serve the subject property.

b-

c. The owner or developer of the property enters into an agreement acceptable to the City which commits such owner or developer to use reclaimed water for all irrigation and toilet flushing within the development and, in addition, where feasible and allowed by state law and regulation, use for other purposes within the development. The City shall not approve such an agreement unless a sufficient supply of reclaimed water beyond that needed for water right mitigation is available in the area in question and the agreement makes provision for the installation or advanced payment for the infrastructure necessary to store, distribute and convey such reclaimed water from LOTT reclaimed water facilities to the development.

4. The City may, by Council approval, coordinate the extension of City utilities and services to developed and undeveloped properties to encourage and guide needed and desirable urban growth, provided that (Resolution 541):

a. The owners of lands to be served by such water and/or sewer service agree to participate financially by formation of local improvement district or other means, to the extent and in the manner agreeable to the City, in capital improvements taking or projected to take place.

b. The area and property owners served by water and/or sewer are subject to a contractual arrangement wherein it is agreed all utility improvements meet City standards and residents of the area agree to annex to the City at such time the City deems appropriate.

c. The owners of lands to be served by such water and/or sewer service, provide when requested by Local Improvement District or other non-City funds, specified water and/or sewer supply, transmission, distribution and storage facilities, intertied with City systems. Ownership and control of such facilities shall be transferred to the City following construction, inspection and acceptance.

#### Inter-local Agreements:

#### Policies:

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1. The City where appropriate, ~~will~~collaborates with adjacent jurisdictions in the creation of inter-local agreements to provide technical and financial support for the extension and improvement of public services and facilities within in the City's Urban Growth Area.
2. The City supports the Memorandum of Understanding between the Lacey, Olympia Tumwater and Thurston County relating to Urban Growth Area Zoning and Development Standards establishing uniform adoption and implementation of comprehensive plan, zoning and development standards within the Urban Growth Boundary.

The City ~~will~~participates in the planning for areas outside its boundaries but within its urban growth area to ensure that land uses are compatible with the ~~City of Lacey~~City and Thurston County Land Use Plan for the Lacey Urban Growth Area, goals, policies and land use designations.

#### 10.14 Flag Policy

The flag policy shall apply to all City-owned locations at which the City flag is displayed.

The Lacey ~~City Council~~Council may choose to fly a different flag in place of the City flag. Any decision to fly a different flag must be made independently by the ~~Council~~Council. The approval to fly a flag in place of the City flag must be made by a majority of the ~~Council~~Council at any regular Council meeting. The decision can be made to fly the flag for a specific period of time or on a recurring annual basis.

Any flag ~~that is displayed~~flown by the City must be purchased and owned by the City.

##### ~~City Council~~Council Approved Flags

- ~~Sister City Flag: The flag of Lacey's sister city may be flown during the visit of a sister city delegation to City Hall.~~
- ~~The Pride Flag: The Pride Flag will be flown annually from June 1 to June 30.~~

~~(Adopted August 23, 2018)~~

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## 10.15 Interlocal Agreements Approval Process

### Policy

The following policy is established for Interlocal Agreements approved by the Lacey City Council.

### Definition

Interlocal Agreements are authorized through the Interlocal Cooperation Act, Chapter 39.34 RCW. The act provides for public agencies to contract with one or more other public agencies to perform governmental activities or services which each agency is authorized by law to perform individually. This means a city may contract with another city, the county, a special purpose district, or an agency of the state or federal government.

### Procedure

#### 1. Determine classification category for the interlocal agreement.

~~4.~~

##### a. Routine

~~a.~~ ÷

i. Any Interlocal Agreement that requires a City commitment of equal to or less than \$25,000; ~~OR~~

~~i.~~

ii. Any agreement previously established that is set for renewal or amendment that does not include any significant language changes or increase in level of City support.

~~ii.~~

##### b. Substantial or Significantly Modified

~~b.~~ ÷

i. Any Interlocal Agreement that requires a City commitment of more than \$25,000; ~~or~~

~~i.~~ ~~OR~~

ii. Any agreement previously established that is set for renewal or amendment that **includes** significant language changes or increase in level of City support.

#### 2. Each category must follow its respective approval process for Interlocal Agreements.

~~2.~~

##### a. Routine Category

~~a.~~ ÷

i. The City Manager is authorized to execute Interlocal Agreements categorized as "Routine."

~~i.~~

ii. The City Manager will report on approved Routine Interlocal Agreements during the City Manager's Report.

~~ii.~~

##### b. Substantial or Significant Category

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- ~~b.~~ ÷
- i. Any Interlocal Agreement categorized as “Substantial” or “Significantly Modified” should be presented to the respective Council Committee.
- ii. After committee review, the Interlocal Agreement should then be forwarded to the full ~~City Council~~Council for consideration.

~~(Adopted September 13, 2018)~~

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### **10.10 Naming of Public Parks, Trails, Parkways, etc.**

It is the policy of the City to utilize an established procedure to name public spaces, including public parks, trails, parkways, recreation facilities, community buildings, plazas, open space areas, habitat reserves, memorials, and accessories.

#### **Eligibility:**

To define the criteria and procedures for naming of public spaces.

#### **Criteria:**

In the naming of public spaces, consideration shall be primarily given to:

1. Neighborhood, geographic or common name identification.
2. A natural or geological feature.
3. Significant historical events or cultural attributes.
4. A historical figure.
5. An individual (living or deceased) who has made a significant land and/or monetary contribution to the park system and who has stipulated the name as a condition of the donation.
6. An individual who has contributed outstanding civic service to the City.
  - a. Facilities shall not ordinarily be named for living persons, except under the following conditions:
    - i. The individual in his or her lifetime has provided exceptional service to the City. This service should be of substantial length and leadership.
    - ii. His or her accomplishments must have had a measurable effect upon the quality of life within the community, and be directly related to the park and recreation movement.
  - b. Park and recreation facilities may be named for a deceased person subject to the following conditions:
    - i. The person has been deceased for a minimum of two years.
    - ii. The person made a significant direct financial contribution for the development/construction of, or donated land for a park, trail and/or recreation facility.
7. An organization that has donated a significant parcel of property or facility, or has provided a majority of the financing for the acquisition of a public space. An organization that provides for significant development of a park and/or element within a park, may receive secondary name recognition as outlined in the "Procedure – item 7."

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Procedure:

1. The naming of public spaces should be approached without preconceived notions and with patience and deliberation.
2. Timing is important in naming public spaces, since temporary designations tend to be retained. During the development, a number or street designation will be used until the formal naming of the public space. Whenever possible, naming will be made upon closing a purchase or construction of the public space.
3. Once a name has been approved, it should be considered permanent.
4. Suggestions for names may be solicited from organizations and/or individuals, including residents surrounding the property to be named, at the request of the Lacey Park Board or at the discretion of the Council. All written suggestions, solicited or not, shall be acknowledged and recorded for consideration.
5. To avoid duplication, confusing similarity or inappropriateness, the Lacey Park Board, in considering name suggestions, will review existing names in the park system and surrounding area.
6. The Council, following public review and/or recommendation by the Lacey Park Board, shall designate names for park and recreation facilities. The Lacey Council will have the prerogative of accepting or rejecting all proposals.
7. All portions of a public space will have, as a general rule, the same name as the entire park, trail or facility. However, elements within a public space may be named separately as long as the name does not detract from the intended identity. Thus, the two names can be used in combination, i.e. Beaver Park's Cleaver Field or Riverfront Park's Blooming Arboretum.
8. Public spaces shall be identified by the established name, and signs shall be maintained as a source of identity and civic pride.
9. Where appropriate, a "Contributors Corner" may be established to honor those who have made significant contributions to the site.
10. Upon approval of the name, the name will be filed with the Fire Department, 911, the Lacey Police Department or any agency/business that would use names as a reference.

Definitions:

1. Lacey Park Board – an appointed board of six members representing the citizens of the City.
2. Public spaces – all City owned, public parks, parkways, trails, recreation facilities, community buildings, plazas, open space areas, habitat reserves, memorials, and features in the park and recreation system of the City.
3. Memorials – all sculptures, permanent artwork, fountains, memorial gardens, plazas, and exhibits which honor or commemorate a person(s), group or event.
4. Basic park accessories include typical amenities, i.e. benches, picnic tables, equipment, trees, drinking fountains, game equipment and exhibits.

### **10.11 Naming of Historical Buildings**

It is the policy of the City to utilize the following procedures and selection process for recognizing the community's history, places and people.

#### *Purpose:*

To define the selection criteria and procedures for recognizing buildings, sites, people, organizations and events important to community's heritage. To amplify and clarify procedure outlined in existing City ordinances regarding historical resources. To assure that historical references and recognition are valid, appropriate and timely.

#### *Criteria:*

City Ordinance No. 531 and Ordinance No. 796 identifies the process or recognizing buildings, streets, areas, districts, sites and other activities associated with the City's heritage. The following shall be implemented to augment to existing ordinances:

1. Calendar age will not be a factor in limiting recognition.
2. As an addition to and without alternating the ordinances, recognition may be given to:
  - a. Buildings and sites associated with events important to the City's Heritage.
  - b. Buildings and sites associated with persons important to the City's heritage.
  - c. Significant historical cultural attributes.
  - d. People and organizations that have contributed to the community's history.
  - e. An individual (living or deceased) who has made a significant land and/or monetary contribution to the preservation or enhancement of Lacey's historical resources.
  - f. An individual who has contributed exceptional civic service to the City.
  - i. Recognition is not ordinarily given to living persons, except under the following conditions:
    - 1) The individual in his or her lifetime has provided exceptional service to the City. This service should be of substantial length and leadership.
    - 2) His or her accomplishments must have had a measurable effect upon the quality of life within the community, and be directly related to the community's history and development.
  - g. An individual or organization that has donated a significant parcel of property or facility, or has provided a majority of the financing for the acquisition of a public facility.
  - h. An individual or organization that has undertaken significant activities that further the understanding of the community's heritage.

### Selection Process

1. Providing recognition of the community's history, places and people should be approached objectively with patience and deliberation.
2. All suggestions, recommendations and applications for recognizing people, organizations, sites and events that are directly related with the community's history shall be reviewed by the Lacey Historical Commission.
3. The Lacey Historical Commission will provide guidance, background data, and advice to the entity originating the recommendation for recognition, and will submit recommendations to the Lacey Council for consideration. The Commission, in considering suggestions for recognition, will review existing data known to the Commission.
4. The Lacey Council will have the prerogative of accepting or rejecting all proposals.
5. Duplicates of recognition may be allowed. Some people or organizations contribute in many ways and can be recognized as appropriate for each action or event.
6. Memorials may be dedicated to the cause for which they were given by an appropriate plaque or sign under the following conditions:
  - a. Requirements are that the building, site, person, organization or event will have met the criteria for recognition.
  - b. The memorials are appropriate for the location and approved by the land owner or City department. The City may, but is not obligated to, replace memorials.
7. Placement of signs or plaques will be considered only on permanent monuments, structures, or facilities.
8. The donations of items associated with the community's heritage will be encouraged with or without donor information. However, the City will not be obligated to replace the identification placed on the item.
9. Where appropriate, a "Contributor's Register" may be established at the Lacey Museum or other City facility to honor those who have made significant contributions to the community.

### Definitions

1. Lacey Historical Commission – an appointed board of nine members representing the citizens of the City. The Commission's actions and responsibilities are identified in City Ordinance No. 531 and Ordinance No. 796.

### Procedure

1. Suggestions for recognizing historical events, places and people shall be solicited from organizations, individuals and City staff, or may be voluntarily submitted by any citizen. All written suggestions, solicited or not, shall be acknowledged and recorded for consideration by the Lacey Historical Commission.
2. The Lacey Historical Commission may act on any recommendation for recognition at a regularly scheduled meeting, special meeting, or telephone poll.

3. The Council, following public review and recommendation by the Lacey Historical Commission, shall provide for the specific recognition.
4. Buildings, sites, and other specific facilities shall be identified by the established name, and signs shall be maintained as a source of identity and civic pride.

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**Attachment 3**  
**Recommended Table of Contents Changes**  
**to the *Lacey City Council Policies-Procedures Manual***

## **FOREWORD**

### **CHAPTER 1 Introduction and Overview**

- 1.01 Council Manager Form of Government
- 1.02 Interpersonal Standards, Protocols, and Ground Rules
- 1.03 Overview of Key City Documents

### **CHAPTER 2 City Council: General Powers and Responsibilities**

- 2.01 Eligibility for Office
- 2.02 Elections – Terms of Elective Officers
- 2.03 Lacey City Council: General Powers and Responsibilities
- 2.04 Role of Mayor and Deputy Mayor
- 2.05 Incompatibility of Offices
- 2.06 Election of Officers
- 2.07 Absence of Mayor
- 2.08 Council Attendance
- 2.09 Council Vacancy
- 2.10 New Councilmember Orientation
- 2.11 Appointment and Role of City Manager
- ~~10.03~~ 2.12 *Organization and Procedures of City Council* (move)
- ~~2.12~~ 2.13 *Council Committees and Intergovernmental Boards & Commissions* (move)
- ~~2.13~~ 2.14 *Advisory Boards and Commissions* (move)
- ~~10.01~~ 2.15 *Appointments to Council Advisory Boards and Commissions* (move)
- ~~2.14~~ 2.16 *Lacey Youth Council* (add)

### **CHAPTER 3 Administrative Support to the City Council**

- 3.01 Staff/Clerical Support
- 3.02 Office Equipment
- 3.03 Information Technology
- 3.04 Meeting Rooms
- 3.05 Mail and Deliveries

## **CHAPTER 4 Financial Matters**

- 4.01 Budget
- 4.02 Council Compensation
- 4.03 Financial Disclosure
- 4.04 Council Professional Development and Training
- 4.05 Gift of Public Funds
- 4.06 Fiscal Policies

~~10.02~~ 4.07 *Allocation of Annual City Council Travel and Training Budget* (move)

## **CHAPTER 5 Communications**

- 5.01 Council Correspondence
- 5.02 Public Communication
- 5.03 Public Notices and Legal Publications
- 5.04 Press Releases
- 5.05 City Website

~~5.06~~ *Requesting Council Resolution on Public Issues* (duplicative with 10.04 - combine)

~~10.04~~ 5.07 *Requesting Council Resolution on Public Issues* (duplicative with 5.06 - combine)

~~5.08~~ *Proclamations* (duplicative with 10.05 - combine)

~~10.05~~ 5.09 *Reviewing Public Requests for Proclamations* (duplicative with 5.07 - combine)

5.10 Public Records Act

5.11 Social Media

~~10.14~~ 5.12 *Flag Policy* (move)

~~10.10~~ 5.13 *Naming of Public Parks, Trails, Parkways, etc.* (move)

~~10.11~~ 5.14 *Naming of Historical Buildings* (move)

## **CHAPTER 6 Interaction with City Staff/Officials**

- 6.01 City Council Non-participation in Administration
- 6.02 City Council/City Manager Relationship
- 6.03 City Council/City Attorney Relationship
- 6.04 Council Roles and Information Flow

- 6.05 Dissemination of Information
- 6.06 Staff Relationship to Advisory Bodies

## **CHAPTER 7 City Council Meetings**

- 7.01 Meetings
- 7.02 Public Notice of Meetings and Hearings
- 7.03 Special Meetings
- ~~10.06~~ 7.04 *Guidelines for Editorial Board Meeting* (move)
- 7.05 Executive Session
- 7.06 Agenda Development
- 7.07 Order of Business
- 7.08 Audio and Televised Recordings of Meetings
- 7.09 General Procedures
- 7.10 Open Public Meeting Act

## **CHAPTER 8 Conflicts of Interest, Appearance of Fairness Doctrine, and Liability of Elected Officials**

- 8.01 Conflicts of Interest
- 8.02 Liability

## **CHAPTER 9 Parliamentary Procedures**

- 9.01 Order of Discussion
- 9.02 Obtaining the Floor
- 9.03 Questions to Staff
- 9.04 Interruptions
- 9.05 Discussion Limit
- 9.06 Basic Steps to Conducting Business
- 9.07 Making a Motion
- 9.08 Seconding a Motion
- 9.09 Stating the Question
- 9.10 Amendment of the Main Motion
- 9.11 Postponement of Business

- 9.12 Voting Procedures
- 9.13 Right of Protest
- 9.14 Parliamentarian

## **CHAPTER 10 Miscellaneous Council Policies**

~~10.07~~ 10.01 *Guidelines for Use of Washington Center* (move)

~~10.08~~ 10.02 *Waiver of Building Permit and Construction Related Fees* (move)

~~10.09~~ 10.03 *Public Art Policy* (move)

~~10.10~~ *Youth Representation on Council Advisory Boards & Commissions* (delete – out of date and covered by 2.16 Lacey Youth Council)

~~10.11~~ 10.04 *Water Utility System* (move)

~~10.12~~ 10.05 *Spirit of Lacey Award* (move)

~~10.13~~ 10.06 *Annexation Policy* (move)

~~10.15~~ 10.07 *Interlocal Agreements Approval Process* (move)