

November 14, 1984

THURSTON REGIONAL PLANNING COUNCIL

AGREEMENT

THIS AGREEMENT made and executed this 14th day of November, 1984, superceding the original Agreement of November 21, 1967, by the undersigned general and special purpose governments and public institutions.

WITNESSETH:

WHEREAS, the general and special purpose jurisdictions and public institutions of Thurston County have joined together to form a Regional Planning Council in order to address common problems and issues, provide coordinated, quality planning, and achieve economies by sharing staff resources; and

WHEREAS, the rationale for such a Council have been identified as follows:

A. Governmental and institutional functions within one jurisdiction may have substantial impact on adjoining jurisdictions.

B. Planning regarding resources and services should be done through a coordinated, interjurisdictional approach.

C. A regional planning agency offers the opportunity to accomplish area-wide coordination and planning of a quality generally unattainable by individual entities.

D. A single regional planning staff allows members to draw on a wider range of technical expertise and provide the potential for a greater number of more specialized staff resources than would be available individually; and

WHEREAS, the undersigned have by resolution or ordinance directed their appropriate representatives to participate in the creation and operation of such regional planning council;

NOW, THEREFORE, the undersigned, for and in consideration of the covenants and conditions hereinafter contained, agree as follows:

SECTION I: CREATION

Pursuant to the laws of the State of Washington, a regional planning council for Thurston County, State of Washington, to be known as the Thurston Regional Planning Council, is hereby created.

## SECTION II: FUNCTIONS

A. The responsibilities and powers of the Council shall extend to the following functions:

1. The Regional Planning Council shall be a meeting ground for cooperation and informed policy-making among the governmental jurisdictions and institutions of the region. It shall establish a coordinated approach to policy development for an area larger than that under the jurisdiction of any single unit of local government.

2. The Regional Planning Council, as the designated Metropolitan Planning Organization and the area-wide clearinghouse, shall perform transportation planning and A-95 review functions.

3. The Regional Planning Council shall undertake programs to address problems and issues which by their nature require coordinated planning, research, information sharing, implementation and administration.

4. The Regional Planning Council shall undertake planning programs which the membership agrees should be done collectively.

5. The Regional Planning Council shall provide, on a contractual basis, local planning assistance on current and advance planning or special projects for member and non-member agencies.

B. The Council shall, insofar as possible:

1. Coordinate general planning among and for the several participating members.

2. Provide technical planning assistance within budget limitations to all of the participating members.

3. Promote and expedite orderly development of the whole of Thurston County.

C. The Regional Council may, within its authorized budget, engage a single director of planning and may authorize him to employ such other personnel as may be necessary to carry out the planning program. The Council may also engage such other special and professional personnel as may be necessary to carry out the authorized programs.

## SECTION III: MEMBERSHIP

Official membership of the Council shall consist of those duly designated official and alternate member-representatives of the undersigned members and any others as may hereafter be selected to membership by the Council.

#### SECTION IV: MEETING SCHEDULE

The Council shall hold at least six regular meetings each year and such special meetings as the Council may determine. All regular meetings shall be held at the time and place designated by the Council at the first meeting of each calendar year. The setting of special meetings and changes of time of regular meetings are addressed in the Operating Procedures.

#### SECTION V: VOTING

Voting shall be conducted in the manner prescribed in the Operating Procedures of the Regional Council.

#### SECTION VI: WORK PROGRAM AND BUDGET

The process and schedule for adoption of the annual work program and budget shall be specified in the Operating Procedures adopted pursuant to this Agreement. Member contributions for accomplishment of the work program shall be determined in accordance with the funding formula established in the Operating Procedures, as shall subsequent payments. Authority is granted for the acceptance of such lawful grants of money, gifts, services and use of property as may be appropriate to the furtherance of the Council's purpose and functions.

#### SECTION VII: AUTHORIZATION OF PAYMENTS

All funds paid to the Thurston Regional Planning Council shall be deposited to a special account in the office of the County Treasurer. Expenses and lawful claims against the Thurston Regional Planning Council shall be disbursed by the Treasurer upon warrants drawn by the County Auditor upon vouchers approved by any one of the following officers of the Thurston Regional Planning Council: Chairman, Vice Chairman, Secretary.

#### SECTION VIII: DURATION OF AGREEMENT

The term of this Agreement shall be for two years from the effective date hereof and shall be renewed annually unless action is taken to terminate or revise this Agreement.

#### SECTION IX: WITHDRAWAL FROM MEMBERSHIP

Any party to this Agreement may withdraw at the end of any Thurston Regional Planning Council fiscal year except that the withdrawing party shall continue to be financially responsible for its pro rata share of uncompleted contract projects in existence at the time of notice.

**SECTION X: OPERATING PROCEDURES**

The Council shall operate in accordance with Operating Procedures of the Thurston Regional Planning Council; such procedures shall be reviewed at least every two years.

IN WITNESS WHEREOF, the parties through their duly authorized representatives, have executed this Agreement the day and year first above written.

**Signature**

**Organization**

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- Thurston County
- City of Olympia
- City of Lacey
- City of Tumwater
- Town of Tenino
- Town of Yelm
- Town of Rainier
- Town of Bucoda
- Port of Olympia
- Olympia School District
- North Thurston School District
- Tumwater School District
- The Evergreen State College
- State Capitol Committee

RAO:Ide/TRPC

THURSTON REGIONAL PLANNING COUNCIL

OPERATING PROCEDURES

SECTION I: AUTHORITY

These Operating Procedures are promulgated in compliance with Section X of an Agreement of November 14, 1984, creating the Thurston Regional Planning Council.

SECTION II: COMPLIANCE WITH AGREEMENT

These Operating Procedures shall be in accord with the Agreement of November 14, 1984, and the Thurston Regional Planning Council shall have only those responsibilities and powers set forth in such Agreement.

SECTION III: MEMBERSHIP

The following general and special purpose jurisdictions and public institutions shall be members of the Thurston Regional Planning Council:

Thurston County	Town of Bucoda
City of Olympia	Port of Olympia
City of Lacey	Olympia School District
City of Tumwater	North Thurston School District
Town of Tenino	Tumwater School District
Town of Yelm	The Evergreen State College
Town of Rainier	State Capitol Committee

Additional agencies may become members of the Council upon approval by the Council and by making the appropriate contribution to the Regional Council. In order to promote stability and continuity, member agencies are encouraged to appoint designees for a minimum of two years.

SECTION IV: OFFICERS/DUTIES

The officers of the Regional Council shall be Chairman, Vice Chairman and Secretary, who shall be elected at the Annual Meeting of the Regional Council in January from among the representatives of the members; provided, that the officers of the Regional Council shall serve until their successors are elected. The Planning Director shall assist the officers in the execution of their duties.

A. The Chairman shall preside at all meetings; prepare the Agenda for such meetings; be authorized to approve expenditures; call special meetings; set the time and place of meetings, unless otherwise directed by the membership; establish committees (for the purpose of making recommendations on the budget or other broad policy issues to the full Council) and appoint members thereto; officially represent the Regional Council before other groups and agencies; perform annual performance review of Planning Director subject to Council review; and do such other acts as the membership may direct.

B. The Vice Chairman shall serve in the Chairman's place in his or her absence and shall be authorized to approve expenditures.

C. The Secretary is designated as the Fiscal Officer for the purpose of approving appropriate vouchers for the conduct of the Regional Council affairs.

D. The Planning Director shall maintain all records of the Regional Council, including necessary budget and finance records; shall be authorized to approve expenditures within the authorized budget; shall attend all meetings of the Council and record the proceedings; and shall issue such notices and reports as may be required. The officers are empowered to function as an Executive Committee in making recommendations to the full Council on budget, work program or other policy issues as requested by the full Council.

E. The minutes for each meeting, after approval by the Regional Council, shall be signed by the Chairman and the Planning Director.

#### SECTION V: MEETINGS

A. Regular meetings of the Regional Council shall be held in accordance with the schedule set by the Regional Council at its January meeting of each year, which shall be known as the Annual Meeting. Written notice of meetings shall be mailed to all representatives and alternates at least five (5) days prior to the date of such meetings. Notice of special meetings which may be called by the Chairman, may be by telephone and all members shall be so notified. Roberts' Rules of Order shall be observed at all meetings. A quorum shall consist of members representing 50 percent or more of the weighted votes and at least two of those representatives must be from the following jurisdictions: Thurston County, City of Olympia, City of Lacey, City of Tumwater. In the event that neither the officially designated member-representative nor the officially designated alternate member-representative are able to attend a specific meeting, then the member-representative may designate, in writing, and for that meeting only, an additional alternate member-representative who shall have all rights, privileges and authorities exercised by the member-representative.

B. The Annual Meeting of the Regional Council shall be held during the regular January meeting of each year for the purpose of:

1. Electing the officers of the Regional Council.
2. Setting meeting schedule for ensuing year.

3. Review of past year's activities by Planning Director.
4. Other appropriate actions required.

C. The Annual Conference would provide an opportunity for all of the elected and appointed officials whose agencies are members of the Regional Council to review the work of the previous year, to be briefed on work in progress, and to begin looking forward to the work program needs for the future.

#### SECTION VI: WORK PROGRAM AND BUDGET

The Regional Council shall develop and adopt an annual work program to identify the work elements to be undertaken each year. The schedule for consideration of the Work Program and Budget shall be as follows:

Mid-June. All members of all agencies invited to participate in an Annual Conference designed to review past and current work and to look toward future needs.

July 1. Mail to all member agencies and interest groups a list of potential projects for the succeeding year. Recipients would have the opportunity to review and comment on any desired additions, deletions, revisions, prioritization or emphasis.

July 31. Final date to receive proposals for potential projects.

August 15. Regional Council determines projects for which Planning staff should develop detailed cost estimates.

August 31. Planning staff mails to Thurston Regional Planning Council member agencies the proposed Work Program and Budget.

September 31. Regional Council considers and adopts Preliminary Budget.

October-November. Members agencies consider member contributions in local budgets.

December 31. Regional Council adopts final Work Program and Budget.

The steps for development of the Work Program and Budget shall be as follows:

A. A Work Program estimate for the ensuing calendar year shall be prepared by the Planning Director and mailed to each representative not later than July 1 of each year. The preliminary Work Program estimate shall include Planning Director recommendations for projects to be undertaken for the following year.

B. The Regional Planning Council should determine, subsequent to staff analysis and recommendation, the scope of effort required for each of these subject areas over a two-year period. Those that require major plan documents should be prioritized and balanced against availability and capability of staff. Where existing staff is unable to meet specific demands, the Regional Planning Council shall decide after receiving a recommendation from the Planning Director whether to add staff with special expertise or to obtain consultant services.

C. In addition to the programs mentioned above, the annual work program should include allowances for unanticipated demands (such as the Community Development Block Grant Program) from state and federal programs. Also, because it is in the interest of the larger jurisdictions to provide a similarly high level of planning assistance throughout the region, the Regional Planning Council is encouraged to earmark some funds for the purpose of providing technical assistance to the smaller member jurisdictions who are unable to pay for such items as comprehensive plans, zoning ordinances, or planning implementation.

D. Each member agency shall review this Work Program estimate making additional recommendations as it deems appropriate. The additional recommendations by member agencies shall be submitted to the Planning Director by July 15.

E. The Planning Director thereupon shall prepare and mail out a proposed Annual Work Program and Preliminary Budget by August 31 for review by the Regional Council at the regular September meeting.

The Annual Work Program shall consist of a statement of the projects and activities to be undertaken by the Regional Council and Staff during the following year. Cost estimates for all projects and activities shall provide the basis for the Preliminary Budget.

The Preliminary Budget shall show the expected expenditures and income approved for the current year and recommended for the following year. Expenditures shall be divided into the major classifications of positions and salaries, items of maintenance and operation, and capital outlay. The income section of the Preliminary Budget shall indicate by source the expected contribution of each participating member agency and all other income. The expected contribution from each participating member agency for mandatory and optional programs shall be determined in accordance with the following formula:

The sum of the products obtained by multiplying the appropriate population adjustment factor by each member's population shall be divided into the total cost of core mandatory and core optional programs to develop a per capita cost. The per capita cost shall then be multiplied by each member's adjusted population in order to determine the member's contribution.



Populations would be adjusted by the following factors:

1. A 1.0 factor for the urban County and Olympia, Lacey, and Tumwater (total populations).
2. A .5 factor for the rural County, Yelm, Tenino, Rainier, and Bucoda (total populations).
3. A .48 factor for The Evergreen State College (student population plus employees) and the State Capitol Committee (full-time state employees less TESC employees).
4. A .3 factor for the school districts (student populations).
5. A .07 factor for the Port of Olympia (total County populations).

F. The Regional Council at its regular September meeting shall consider the Preliminary Work Program and Budget and, after making such changes as it deems appropriate, approve it. Such approved Preliminary Budget shall thereafter be transmitted by the Chairman to the governing bodies of the member agencies, requesting that each agency incorporate its appropriate share of the Council's revenue in its Annual Budget.

G. At the December meeting, the Regional Council shall review the approved Preliminary Budget, make such additional changes as may be required, and adopt the Final Budget. Thereafter, two copies of the approved Budget shall be forwarded to the Thurston County Auditor by December 31, and to such other persons as the membership may direct.

H. The Regional Council may amend its Budget from time to time, provided that copies of such changes shall be filed with the Thurston County Auditor and, further provided that, at no time may the Regional Council's Budget expenditures exceed funds reasonably expected to be available.

I. In developing the Work Program, the Regional Council shall consider the following types of programs which are identified as the means of achieving the Regional Council goal and policies:

1. Core Mandatory Programs: Those programs required in order to retain eligibility for state and federal grant programs, and funded by all Council members in accordance with the adopted funding formula.

2. Core Optional Programs: Those programs, agreed to by a majority of the Council, which are regional in the sense that the implications and impacts of the program affect the entire County. Core Programs would be funded by all Council members in accordance with the adopted funding formula.

3. Optional Programs (Group Contract): Those programs having less than county-wide impacts, supported by two or more members of the Council and funded by a pro-rata share consistent with the adopted funding formula, unless alternative funding approaches are developed by the participants.

4. Individual Contract: Those programs identified by individual entities desiring Council staff to accomplish work specifically for their jurisdiction or agency. These programs would be funded entirely by each individual agency (see Section VIII).

J. Overall management and administration costs shall be apportioned among the Regional Council and the major contracting jurisdictions on the basis of their proportions of the overall Regional Council budget.

### SECTION VIII: CONTRACTUAL SERVICES

It is anticipated that a major portion of the regional Council's revenue will come from agencies contracting for services. The Regional Council staff may contract with any member agency or with any nonmember agency (subject to Council approval) to prepare comprehensive plans, to develop implementing ordinances, to administer planning services, or to perform other planning tasks. Any such contractual services shall be subject to staff availability and to terms established between the Regional Council staff and the contracting agency. Contracting agencies should make an effort to project their planning requirements for a three-year period and to make firm commitments for a two-year period in order to ensure staff stability. The commitment for the second year shall be only for the decision to continue contracting and not for a specific dollar amount.

Each contracting jurisdiction shall forward to Thurston Regional Planning Council a preliminary estimate of the amount of the ensuing year's contract no later than September 15 in order that these estimates may be included in the Council's preliminary budget.

### SECTION IX: FINANCIAL AND STATUS REPORTS

The Planning Director shall prepare a quarterly report and mail it to each representative and alternate. The report will provide budget expenditures to date, balances remaining in each budget classification, and a brief status report on each of the work elements in the Annual Work Program.

### SECTION X: FUNDS

All funds of the Regional Council shall be deposited with the Thurston County Treasurer to the account of the Thurston Regional Planning Council. Annual contributions of the participating municipalities shall be made as soon as possible after January 1 each year and shall be made payable quarterly, in advance, to the Thurston Regional Planning Council in care of the Thurston County Treasurer. Disbursements shall be made only by the Thurston County Treasurer upon warrants drawn by the Thurston County Auditor and approved by one of the appropriate certifying officers of the Regional Council.

## SECTION XI: VOTING

All matters coming before the Regional Council including the amendment of these Operating Procedures, shall be decided by representatives of the member agencies, subject to the requirements of the Agreement of November 14, 1984, and subsequent modifications. The Regional Council desires a voting system that reflects, in some measure, the population and financial participation of the member agencies while at the same time insuring that no three agencies can force an action on the Council's other members. In striving to maximize these conflicting goals, the Council hereby assigns each member one vote weighted in the following manner:

Thurston County	7
City of Olympia	4
City of Lacey	3
City of Tumwater	2
Town of Tenino	1
Town of Yelm	1
Town of Rainier	1
Town of Bucoda	1
Port of Olympia	2
Olympia School District	1
North Thurston School District	1
Tumwater School District	1
State Capitol Committee	1
The Evergreen State College	<u>1</u>
Total Votes	27

All votes before the Council shall be decided by simple majority of the members present unless two or more members request a weighted vote.

## SECTION XII: STAFF

Subject to the restrictions of the Annual Budget, the Regional Council may engage a Planning Director. The Planning Director shall be selected with the approval of the majority of the representatives of the Regional Council and may be removed by a vote of the entire membership in accordance with provisions set forth in Section XI: Voting. The representatives of the Regional Council may, by providing appropriate funds in the Annual Budget, authorize the Planning Director to engage such assistants as the work of the Regional Council may require.

The Regional Council staff shall be a basic core staff capable of providing the technical assistance necessary for the Regional Council to meet its responsibilities. The size of the core staff shall be dependent upon the scope of the work program undertaken by the Regional Council and by the level of contractual services purchased. The stability of the staff in terms of both size and tenure is dependent on the ability of both the Regional Council and the contracting agencies to determine accurately their planning needs over a two- to three-year period and to go beyond the typical one-year budget and make firm commitments for a two-year period. The second year is a commitment only to contract and not for a specific dollar amount. Such a

budget procedure would also require the development of an adequate salary schedule and a cost-of-living factor.

The staff shall operate under the policy direction of the Regional Council as exercised through its Planning Director. All of its staff's work activities shall be in accordance with the work program and priorities established by the Regional Planning Council. The staff role on Regional Council work program activities is an advocacy one only when so directed by the Regional Council. Generally, the staff role shall be one of providing hard data, research and recommendations to enable the Regional Planning Council members to make decisions. Whenever possible, staff work assignments should be made for a minimum of one year in order to minimize internal staff disruption and confusion among the public.

When performing contractual services, the staff shall perform in the manner prescribed by the contracting agency. In the case of general purpose jurisdictions, this shall mean taking direction from the legislative body and its chief administrative official. The Regional Council staff, when performing under contract, shall conduct themselves as though they were employees of the contracting agency.

#### SECTION XIII: COUNCIL ROLE

It shall be the role of the Regional Planning Council, and not the staff, to set policy direction which shall guide the Council and the staff in the conduct of their operations.

It shall be the role of the Regional Planning Council through its Planning Director generally to administer the regional work program by serving as a research and fact-finding body on subjects requested and authorized by a majority of its members. On occasion it may make recommendations of one or more policy alternatives to member agencies for consideration within their own jurisdictions. It shall not be the role of the Regional Planning Council to render judgments on issues affecting individual jurisdictions, nor shall the Council act as arbiter in settling disputes among two or more member jurisdictions, except as may be legally required of the Council as the designated Metropolitan Planning Organization.

#### SECTION XIV: ANNUAL REPORTS

The Regional Council shall adopt an annual report for the preceding year by March 1 of the following year.

#### SECTION XV: AMENDMENTS

These Operating Procedures may be amended at any regular or special meeting of the Council by a majority vote of the entire membership if the proposed amendment is presented in writing at the immediately preceding regular meeting. These Operating Procedures may be amended at any regular or called meeting by an affirmative vote of two-thirds (2/3) of the weighted votes if the proposed amendment is first presented at the same meeting.

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