

CITY OF SPOKANE PLAN COMMISSION

RULES OF PROCEDURE

TABLE OF CONTENTS

	PAGE
RULE 1 – GENERAL PRINCIPLES	3
Rule 1.1 PURPOSE	3
Rule 1.2 DUTY OF MUTUAL RESPECT	3
Rule 1.3 ROBERT’S RULES OF ORDER	3
Rule 1.4 SUSPENSIONS OR AMENDMENT	3
RULE 2 – MEETINGS	3
Rule 2.1 REGULAR MEETINGS	3
Rule 2.2 QUORUM	4
Rule 2.3 GENERAL ORDER OF BUSINESS FOR REGULAR MEETINGS	4
RULE 3 – AGENDA	5
Rule 3.1 FUNCTIONS OF AGENDA	5
Rule 3.2 PREPARATION OF AGENDA	6
Rule 3.3 AGENDA APPROVAL	6
RULE 4 – TIME AND NOTICE	6
Rule 4.1 NOTICE BY AGENDA	6
Rule 4.2 SPECIAL MEETINGS	6
Rule 4.3 SPECIAL NOTICE	6
RULE 5 – CONDUCT OF MEETINGS	7
Rule 5.1 THE CHAIR	7
Rule 5.2 ORDER OF BUSINESS	7
Rule 5.3 SPEAKING DURING COMMISSION MEETINGS	7
RULE 6 – HEARINGS	8
Rule 6.1 IN GENERAL	8
Rule 6.2 CONDUCTING A HEARING	9
Rule 6.3 COMMENTS	10

Rule 6.4	REASONS FOR DECISION	10
Rule 6.5	WRITTEN DECISION	11
RULE 7 – VOTING		11
RULE 8 – COMMISSION OFFICERS, COMMITTEES, and LIAISONS		11
Rule 8.1	ELECTION OF OFFICERS	11
Rule 8.2	DUTIES OF PRESIDENT	12
Rule 8.3	DUTIES OF VICE PRESIDENT	13
Rule 8.4	DUTIES OF THE SECRETARY	13
Rule 8.5	COMMITTEES	14
Rule 8.6	REMOVAL	14
RULE 9 – RECORDS, PUBLICATIONS AND REPORTS		14
RULE 10 – CODE OF CONDUCT		15
RULE 11 – WORK PROGRAM		17

CITY OF SPOKANE PLAN COMMISSION

RULES OF PROCEDURE

RULE 1 – GENERAL PRINCIPLES

Rule 1.1 PURPOSE

It is the purpose of the City of Spokane Plan Commission in adopting these rules to provide a method for the conduct of its affairs. It is not intended that these rules confer upon any person who is not a member of the Commission any right to a particular procedure or affect the validity or legality of any Commission action.

Rule 1.2 DUTY OF MUTUAL RESPECT

It is the constant duty of each Commission member to maintain respect for each other, the City staff and the public. Likewise, the Commission shall require corresponding respectful behavior from all persons who attend a meeting or hearing.

Rule 1.3 ROBERT’S RULES OF ORDER

Matters of procedure not otherwise provided for herein shall, insofar as practical, be determined by reference to Robert’s Rules of Order, Newly Revised.

Rule 1.4 SUSPENSIONS OR AMENDMENT

These rules, or any of them, may be temporarily suspended or amended by a majority of the Plan Commission vote at any regular meeting.

RULE 2 – MEETINGS

Rule 2.1 REGULAR MEETINGS

2.1.1 The Plan Commission holds regular meetings bi-monthly at 2 p.m. on the second and fourth Wednesday of each month, unless otherwise advertised. Meetings are held at City Hall. The place, date and hour of regular meetings may be changed by a majority vote of the Commission members, and may be changed by order of the President when expedient.

2.1.2 A regular meeting may be cancelled or rescheduled by the Commission at a prior meeting, or by the President, or by the Planning Director at any time, if no public hearings have been scheduled and advertised by notice.

2.1.3 Plan Commission meetings are open to the public in accordance with the requirements of Chapter 42.30 RCW (Open Meetings Act).

Rule 2.2 QUORUM

2.2.1 A quorum is a majority of the current membership of the Plan Commission and in no case shall a quorum be less than five. An abstention does not change or affect the count of Commission members present for a quorum; however, a disqualified member shall not be counted in determining whether a quorum exists.

2.2.2 In case there is no quorum present on a date set for a regular, continued or special meeting, the Commission members present or the Secretary may adjourn the meeting until a quorum can be obtained or may adjourn to their next regular meeting. Before such adjournment, to accommodate the public in attendance, said Commission members present may, as a committee, hear testimony on matters advertised for public hearing and cause the same to be recorded in the minutes to be considered by a quorum of the Commission at the meeting date to which the hearing shall be continued. Agenda items other than hearings may be considered and advisory direction given, subject to ratification by the Commission at its next regular meeting when a quorum is present.

2.2.3 Plan Commission members are encouraged but not required to attend meetings in person. Commission members may participate virtually in all or part of a Plan Commission meeting if: (a) all persons participating in the meeting are able to hear each other at the same time, such as by the use of speaker phone; and (b) the member participating virtually shall have reviewed all of the applicable material and participated in the relevant portion of the meeting related to the topic to which the member is voting on.

Rule 2.3 GENERAL ORDER OF BUSINESS FOR REGULAR MEETINGS

2.3.1 Briefing. A regular meeting may include a briefing session for purposes of the following:

- a. President's Report
- b. Committee Reports
- c. Liaison Reports
- d. Secretary's Report
- e. Commission business;
- f. Approval of old minutes; and
- g. Review current agenda.

2.3.2 Open Forum. An allotment of meeting time, not to exceed thirty (30) minutes, will be devoted to public comment by citizens on matters not on the current or advance agenda. If no one has signed up to speak at the open forum session, it will be dispensed with.

2.3.3 Adjourned Meetings. Any meeting may be adjourned by majority vote or declaration by the President, to a specific place and time. Unless otherwise specified in the motion, the meeting will be adjourned to the place and time of the next regular meeting. In the event any meeting is adjourned, all matters on the agenda not disposed of, or deferred to a specific meeting date, shall be continued to the next regular meeting.

2.3.4 Workshops. Workshops are working sessions of the Plan Commission held to discuss items in preparation for public hearings. City staff facilitates the dialogue, provides information, composes working drafts and answers questions. No public testimony is taken during workshops. Members of the public may be invited to speak by the President when appropriate. When a member of the public is invited to speak on an item related to a private application, all known parties with an interest in the application shall be notified.

2.3.5 Special Meetings. Special meetings may be called, cancelled or rescheduled by the President whenever he/she deems necessary, or in his/her absence by the Vice-President, and shall be called by the President whenever four Commission members shall request it. The place, date, and hour of special meetings shall be set by the President. The Commission shall take no final action on matters not included in the notice of special meetings. Any measure adopted by a majority vote at a special meeting shall have the same effect as if adopted at a regular meeting.

2.3.6 Collaborative Meetings. The Plan Commission shall request to meet with the City Council for collaborative meetings on a semi-annual basis. Collaborative meetings are open to the public and require public notice.

2.3.7 Field Trips. The Plan Commission may conduct field trips in order to make more fully informed recommendations. The Secretary shall prepare a tentative agenda and release notices prior to the trip. Interested persons may follow along and observe field trips when practical. The Commission does not discuss the merits of public hearing items with citizens during field trips. No Commission action is taken on any item requiring public hearing or testimony during field trips. Commission members are encouraged to attend field trips as part of their meeting responsibility although no quorum is required to proceed. Minutes need not be taken of field trips. The President may order a record of some discussion be entered in the minutes of the meeting with which the field trip corresponds.

RULE 3 – AGENDA

Rule 3.1 FUNCTIONS OF AGENDA

The agenda serves to introduce items to the Commission, to establish the order of business and to give notice to the public. The notice of special meetings is the agenda for such meetings.

Rule 3.2 PREPARATION OF AGENDA

The agenda for all meetings of the Commission shall be prepared by the Secretary in the format prescribed by, and in coordination with, the President.

Rule 3.3 AGENDA APPROVAL

The final agenda is approved by the Plan Commission at the beginning of the meeting. For good cause, an item not on the notice of tentative agenda may be added to the final agenda by the President or Secretary if not vetoed by majority vote of the members present. No final action can be taken on an item added to the agenda until required notice has been met.

RULE 4 – TIME AND NOTICE

Rule 4.1 NOTICE BY AGENDA

Unless a law requires particular notice of a particular item, and except as provided below, the agenda is the only required notice. A copy of the agenda is emailed out the week before Plan Commission meetings to Commission members and other interested parties.

Rule 4.2 SPECIAL MEETINGS

Notice of every special meeting shall be given in writing to every Commission member, to the liaison(s), and to the City Attorney, and to all local news media representatives who have on file with the Secretary a request for such notices. The notice shall be delivered by email, personally, by mail, by facsimile or otherwise, so as to be received at least 24 hours before the meeting. The notice shall state the place and time of the meeting and the business to be conducted. The notice shall be posted on the City of Spokane's website, and shall also be prominently displayed at the main entrance of the Commission's principal meeting location, or the meeting site if not held at the Commission's principal meeting location. The Commission shall not make final disposition of any matter not included in the notice.

Rule 4.3 SPECIAL NOTICE

Notices of all meetings, whether regular or special, shall comply with the Spokane Municipal Code and applicable Washington State laws, including, but not necessarily limited to Chapter 36.70 RCW (Planning Enabling Act), Chapter 36.70A RCW (Growth Management Act), Chapter 43.21C RCW (State Environmental Policy Act), Chapter 58.17 RCW (Plats-Subdivisions-Dedications) and 42.30 RCW (Open Meetings Act).

RULE 5 – CONDUCT OF MEETINGS

Rule 5.1 THE CHAIR

5.1.1 The Commission President, or in his or her absence or incapacity the Vice-President, shall preside over meetings of the Commission and cause the business of the Commission to be transacted in accordance with these rules. The President should be mindful that the meeting is being recorded and shall be responsible for informing speakers that their remarks are to be recorded. The President may yield the Chair to a member of the Commission's choice to conduct a portion of a meeting.

5.1.2 The Chair shall determine all questions of procedure, subject to appeal, but shall liberally grant leave to the Planning Director, or a designated representative of the Planning Director, or City Attorney, to speak to the question. A ruling of the Chair can be appealed before the ruling is acted on by announcing an appeal and by a second. The Chair shall then state the question in terms of upholding the ruling and may state his or her reasons for the ruling. Then the member appealing has the floor to open debate on the appeal.

5.1.3 The Chair may make or second any motion, and may present and discuss any matter as a member of the Commission, and shall be entitled to vote on all matters.

Rule 5.2 ORDER OF BUSINESS

5.2.1 General Order of Business. See Rule 2.3.1 above.

5.2.2 Agenda. Items shall be acted upon in the order in which they appear on the agenda, provided items may be taken out of order, combined, or separated by majority vote of the Commission or by declaration of the Chair.

5.2.3 Executive Session. The business of an executive session is determined case by case within the restrictions of Chapter 42.30 RCW, known as the Open Public Meetings Act.

5.3 SPEAKING DURING COMMISSION MEETINGS

5.3.1 No one may speak without first being recognized for that purpose by the President.

5.3.2 Each member of the public speaking at a public hearing shall print his or her name and address on the sheet provided, and verbally identify him/herself by name, address and, if appropriate, representative capacity.

5.3.3 A speaker asserting a statement of fact may be asked to document and

identify the source of the factual datum being asserted.

5.3.4 Each speaker shall follow all instructions from the President so that his/her remarks may be heard, understood and recorded.

5.3.5 In order that evidence and expressions of opinion be included in the record and that decorum befitting a deliberative process be maintained, no modes of expression not provided by these rules, such as demonstrations, banners, applause and the like will be permitted. In the event such disorders persist, the President may require the removal of the instigator(s), recess or adjourn the meeting.

5.3.6 Following an assessment by the President of factors such as complexity of issue, apparent number of people indicating a wish to testify, and the quantity of business on the agenda, the President shall, in the absence of objection by the majority of the Commission present, impose reasonable time limits for staff reports and designate representatives of proponents and opponents and impose reasonable procedural time limitations for the same. Any other person who wishes to speak for either side, shall be granted not less than three (3) minutes each.

5.3.7 In the event there appears to be more than two groups wishing to advocate distinct, different positions on a specific issue, the President may grant the same procedural and time allowances to each group or groups.

RULE 6 - HEARINGS

Rule 6.1 IN GENERAL

6.1.1 Hearings shall ordinarily be scheduled by motion of the Commission. Hearings may be scheduled by the Secretary if approved in writing by the President.

6.1.2 Where specific provision is made by statute, ordinance, or Commission order for time and manner of giving notice of hearing, the department processing the hearing item shall be responsible for securing a hearing date from the Secretary, sending required notices and reporting said notice at the Commission's hearing.

6.1.3 If a hearing is continued to a specified date, time, and place, no further notice of the continued hearing is required. If continued indefinitely and without a specified date, notice of the continued hearing date, when set, shall be sent to the parties of record at the prior hearing and to the parties who have requested notice.

6.1.4 Notice of the meeting at which the Commission is to set a date of hearing need not be given. An interested party may speak to the matter of setting a hearing date either in person at the meeting or by filing a letter with the Secretary prior to the meeting. Comments must be confined solely to the setting of the date.

6.1.5 A motion on a hearing item is made after the close of testimony and Commission discussion. If the motion is to continue the hearing or action to a later date, the interested parties present shall be given opportunity to speak to the matter of the continued date. Motions to continue shall clearly state whether continued with or without further public testimony, otherwise a continuation of a hearing shall be interpreted as reopening public testimony on the matter.

Rule 6.2 CONDUCTING A HEARING

6.2.1 The President opens the public hearing, reviews the agenda, and explains the process.

6.2.2 The Secretary or staff describes the matter under consideration. The staff answers any questions the Commission may have.

6.2.3 The President invites proponents, opponents and the public to offer testimony and evidence on the pending matter. The Commission may ask questions of any person at conclusion of their testimony but shall refrain from debating with the public or each other while testimony is being taken.

6.2.4 Following an assessment by the President of factors such as complexity of issue, apparent number of people indicating a wish to testify, and the quantity of business on the agenda, the President shall, in the absence of objection by the majority of the Commission present, (a) impose reasonable time limits for staff reports and (b) designate representatives of proponents and opponents and impose reasonable procedural time limitations for the same. Any other person, who wishes to speak for either side, shall be granted not less than three (3) minutes each.

Rule 6.3 COMMENTS

6.3.1 All public comments to the Plan Commission shall be directed to the Secretary to be appropriately entered into the public record.

6.3.2 The Plan Commission shall accept comments as part of the public hearing up to the date and time of the public hearing.

6.3.3 Comments should be dated, signed and contain correspondents printed name and address.

6.3.4 If a Commission member personally receives written comments (including email) or information from a citizen or group regarding an upcoming agenda item, they shall immediately email, mail, fax or in some other manner deliver that item, or a complete copy thereof, to the Secretary for inclusion into the record of public testimony.

6.3.5 At the conclusion of a public hearing the Plan Commission may pass a motion to keep the record open for public comment until a specified date and time.

Rule 6.4 REASONS FOR DECISION

6.4.1 As a matter of policy, the Commission shall endeavor to have explanations of reasons occur during the discussions or debate prior to voting. When the matter is one for which a report has been made containing an explanation of reasons for recommended action, or when the motion includes a statement of reasons, it will be presumed that those members voting to recommend approval of matters set forth in the report or for the motion agree with and adopt the stated reasons in the absence of further explanation. When the motion is to recommend adoption of a formal written resolution or ordinance, the motion includes any statement of findings, policy, and reasons embodied within the document unless the document is amended.

6.4.2 It shall be the obligation of every Commission member participating in a hearing to be familiar with the facts in order to reach an informed, independent judgment. When a member discussing or voting on a matter was not present at the hearing, that member will have become familiarized with the report and record using the Secretary's minutes of the hearing.

Rule 6.5 WRITTEN DECISION

6.5.1 At the conclusion of a meeting or hearing where the Commission has voted upon a recommendation to the City Council, the Commission shall authorize the President to prepare and sign on the Commission's behalf a written decision that shall set forth the Commission's findings, conclusions and recommendations on the matter. Any dissenting Commission member may prepare a dissenting decision individually or together with other dissenting Commission members. The Planning Director shall assist in the preparation of the Commission's written decision.

6.5.2 The Secretary shall distribute copies of the written decision together with any dissenting decisions to the City Council, Commission members and interested parties.

RULE 7 - VOTING

7.1 All members (including the President) are voting members. Voting shall be by ayes and nays and is called for by the President. The President shall declare whether the motion carried or failed and what the vote count was. Any Commission member may explain the reasons for his/her vote as a matter of privilege. Minutes shall record the votes with the names and number of members for and against, as well as the names of any members abstaining.

7.2 The Secretary records the specific wording of the motion in the minutes as it

was proposed before the vote.

7.3 The Commission shall endeavor to give explanations of their reasons for support and non-support of an action during their discussion of the item or as part of the motion thereon.

7.4 As a courtesy to staff and other Commission members, potential amendments to a proposal should be provided in writing to the Secretary at least four hours prior to a hearing. The Secretary shall distribute proposed amendment language so received to all members of the Plan Commission prior to the start of the hearing.

RULE 8 – COMMISSION OFFICERS, COMMITTEES, and LIAISONS

Rule 8.1 ELECTION OF OFFICERS

8.1.1 At the first regular meeting in January of each odd numbered year, the Commission shall elect a President and Vice-President.

8.1.2 The President and Vice-President shall hold their respective offices for a two-year term and until their successors are elected and qualified.

8.1.3 Nominations shall be made in writing to the Commission clerk, and circulated to all Commission members, prior to election meeting. The candidate receiving a majority vote of a quorum of the Commission shall be declared elected.

Rule 8.2 DUTIES OF THE PRESIDENT

The duties and powers of the President include the following:

- A. To chair meetings.
- B. To see that the purpose and functions of the Commission are progressively achieved in an objective, efficient and expeditious manner.
- C. To preserve order and decorum and enforce the rules and regulations of the Commission, including adjournment of any meeting where, in his/her judgment, the order is such as to prevent a proper consideration of business.
- D. To present to the Commission such matters as, in his/her judgment, require attention.
- E. To call special meetings and briefings and to announce executive session of the Commission.
- F. To prescribe and change the order of business. Prior to the time of the meeting, to

approve, change, cancel or reschedule to another meeting, the hearings an business to the transacted at regular and special meetings of the Commission, provided the notice of business prepared by the Secretary shall be deemed approved by the President unless the President specifically orders otherwise.

- G. To set the place, date and time of special meetings.
- H. To change the place, date or time of a regular meeting where circumstances prevent or render impractical the regular schedule.
- I. To prepare and sign all official recommendations or documents on behalf of the Commission in accordance with and to report and explain the Commission's findings to the City Council. To represent the Commission in correspondence, meetings and news releases.
- J. To direct the ayes and nays to be taken in vote and entered on the record on any request before the Commission and to vote on all matters.
- K. To establish committees and designate committee members.
- L. To appoint a representative to represent the Plan Commission whenever appropriate.
- M. To delegate to the Vice-President and Secretary such portions of the President's responsibilities and authorities as deemed prudent.
- N. To rule on procedure where no direct rule has been adopted by the Commission. In doing so, the President shall be guided, when possible, by *Robert's Rule of Order, Newly Revised*.
- O. To notify the Mayor of any vacancy or pending vacancy on the Commission and consult with the Mayor on appointments of members to the Commission.

Rule 8.3 DUTIES OF THE VICE PRESIDENT

The Vice President shall act in the absence of the President. All the duties of the office of the President shall be assigned to the Vice-President.

RULE 8.4 DUTIES OF THE SECRETARY

The Planning Director or a designee serves as secretary to the Commission. The duties of the Secretary shall be as follows:

- A. To perform the duties required by law and these rules, and all duties properly devolving upon such officer or as may be assigned by the President or Commission.

- B. To attend all meetings of the Commission and meetings of its committees when required.
- C. To act as the professional advisor to the Commission on all Planning matters and functions of the Commission, and participate in discussion of actions and motions before the Commission.
- D. Assure that the Comprehensive Plan and reports bearing the Commission's name are prepared in accordance with Commission policy.
- E. Direct staff to provide technical and administrative assistance to the Commission.
- F. To keep a true and accurate record in substance of the proceedings of the Commission, and to have charge and be custodian of all Commission books, documents, records, minutes and papers.
- G. To handle correspondence of the Commission, including responses to inquiries, providing notices of meetings and reporting findings of the Commission.
- H. To assist the President in any duties that she/he require and to act for the President when the President and Vice-President are absent or unavailable.
- I. To prepare agenda, schedule business and distribute notices, as required by state law.

Rule 8.5 COMMITTEES

8.5.1 The President has the authority to create temporary committees of one or more members and to appoint members to such committees and appoint committee chairs, which may be charged with such duties as examination, investigation and inquiry into one or more subjects of interest to the Commission.

8.5.2 The Commission may assign one or more persons to sit with and participate in the proceedings of any committee of the Commission as deemed appropriate, to provide a specific expertise or viewpoint. The person will not be considered a member of the Commission and will have no authority to vote.

8.5.3 Committees should analyze issues, receive briefings, and formulate motions and/or recommendations for the full Commission to consider. Final decisions are made by the Commission.

8.5.4 No temporary committee shall have the power to bind the Commission to the endorsement of any Plan or program.

Rule 8.6 LIAISONS

8.6.1 Liaisons provide regular reports to the Commission and share information about Plan Commission business with their respective bodies.

8.6.2 Liaisons may participate in workshop discussion and in deliberations. Per SMC 04.12.040(C) liaisons do not vote or make motions.

8.6.3 Liaisons may participate in subcommittees of the Plan Commission as full voting members, subject to the subcommittee rules.

Rule 8.7 REMOVAL

If any member of the Commission shall be absent from Commission meetings for three (3) consecutive meetings or six (6) regularly scheduled meetings in any twelve-month period without adequate cause (of which the President shall be the judge), the President shall discuss these absences with the member. If the circumstances are expected to continue unimproved, the President shall report the matter to the Mayor in order that the Mayor may, if he or she so desires, declare said office vacant and nominate a successor for appointment by the City Council. Cause for the President to excuse any absence includes sickness, personal emergency or temporary and unavoidable conflict of employment. To have any absence excused, the member shall request an excuse of the President before or as soon as possible after the absence. The President shall report the excused absence to the Secretary.

RULE 9 - RECORDS, PUBLICATIONS AND REPORTS

9.1 The Secretary shall take and prepare official minutes of the meetings containing the actions of the Commission and a substantive account of the proceedings. A record of the Commission members present and absent shall be entered in the minutes of the meeting. Minutes shall be approved by the Commission, signed by the Secretary and placed on public record on the City website.

9.2 Any documents, maps, charts or other material presented to the Plan Commission along with Plan Commission briefing packets shall be stored in the office of the Secretary and are public record.

9.3 Meeting of the Plan Commission shall be recorded and made public record. Recordings will not normally be transcribed, except by request of the City Council, President of the Commission, the City Attorney or Secretary.

RULE 10 - CODE OF CONDUCT

10.1 It is the constant duty of each Commission member to maintain respect for each other, the staff and the public. Likewise, the Commission shall require corresponding respectful behavior from all persons who attend a meeting.

10.2 It shall be the obligation of every Commission member forming Plan Commission recommendations to be familiar with the facts in order to reach an informed and independent judgment. To discuss or vote on a matter heard at a meeting from which a member was absent, said member shall have familiarized himself with the subject matter, using the file of record of the Secretary's minutes or the recordings of relevant workshops and hearings. Such familiarization shall be confined to the official files and referenced documents.

10.3 General Communications

10.3.1 Except at public meetings of the Commission, its members do not discuss specific cases scheduled or likely to come before the Commission with applicants, their representatives, proponents or opponents, or other public with direct interest. Questions of fact or clarification concerning these cases prior to hearing are normally to be addressed to the Secretary's office rather than to Commission members.

10.3.2 While any member has a right to express personal views and opinions pursuant to our Constitutional guarantees of freedom of speech, statements purporting to represent the view or pronouncements of the Commission or committees thereof shall not be made in advance of the Commission's final determination of the matter, except as directed or authorized by a majority of the entire Commission at any special or regular meeting or public hearing. The Commission shall appoint one of its members to issue such statements as the Commission deems necessary. This shall not prejudice the right of any dissenting members to express their minority position.

10.3.3 Commission members may speak as an individual member – reflect and inform about Commission positions and activities and on their own position - as long as it is clear whether such position is or is not a Commission position and clearly specifying they are speaking as an individual, or as an individual Plan Commissioner articulating their own views and concerns.

10.3.4 When expressing personal views, Commission members do not include a reference to their Commission membership on letterhead, in a signature line, or in another way that could be construed as representing the Commission as a whole.

10.3.5 Pursuant to City administrative policy 5600-17-06, the City issues email accounts for purposes of conducting Commission business. Members limit usage of City-issued email to communications on official City business and do not use their City-issued email account to express personal views. Members use City-issued email and refrain from using personal email for all Commission business in order to ensure preservation of communications for compliance with the Public Records Act. Members who use personal email for Commission business risk subjecting their personal email to disclosure.

10.4 Ex Parte Communication

10.4.1 The Plan Commission desires to conduct all proceedings fairly, to create a record that includes all of the evidence upon which recommendations and decisions were made, and to prevent the appearance of undue influence on its recommendations and decisions. To this end, Plan Commission members who experience ex-parte communication are encouraged to disclose the details of the communication at the Commission meeting after the introduction of the item related to the ex-parte communication.

10.4.2 Plan Commission members may attend meetings held by applicants with adjacent property owners, however only in the capacity of an observer. If a Plan Commission member does decide to take part in discussions at said meeting, he/she shall disclose the nature of their participation to the Plan Commission prior to participating in a hearing or deliberations on a request.

10.5 Each Commission member decides which invitations to public and private functions can appropriately be accepted as a member of the Commission. A member must differentiate whether a stated action or comment is solely the member's or represents the official position of the Commission.

10.6 Commission members do not engage in any profitable employment or in any personal business transaction in which the fact of membership on the Commission or any knowledge of its actions unique to membership would be a qualification for such employment or a significant reason for the personal business transaction. Commission members are not to benefit in any financial way due to their Commission participation or confidential knowledge.

10.7 Commission members do not accept gifts from applicants, their representative, or other persons and institutions concerned with matters which have been or might come before the Commission. Well intended acceptance of such gifts could lead to misconceptions by prospective donors or the public.

10.8 Members of the Plan Commission shall fully comply with Chapter 42.23 RCW (Code of Ethics for Municipal Officers), Chapter 42.36 (Appearance of Fairness) (to the extent applicable to Commission business) and such other rules and regulations as may be

adopted by the City Council (SMC [Chapter 01.04](#) Code of Ethics) regulating the conduct of any person holding appointive office within the City.

10.9 When a Commission member concludes a matter before the Commission involves a conflict of interest on the commissioner's part he/she should request permission to step down before the matter is heard, which request shall be granted by the President and recorded by the Secretary. Where the President considers a conflict of interest to exist, before the matter is heard, a Commission member may be asked to request disqualification. If the Commission member declines, the President will request that the member confer with legal counsel from the city legal staff. If further action is still needed, this matter may be decided by a majority vote of the members, other than said Commission member. In cases where no conflict of interest exists, a Commission member may occasionally choose to abstain from voting in accordance with the member's best judgment.

10.10 A Commission member shall disqualify him(her)self from participating in a hearing whenever bias, interest or other influences will prevent or appear to prevent him or her from exercising fair-minded, independent judgment on the facts and established policy. Disqualifying influences include prejudgment of the issues that cannot be swayed by the facts in evidence, a partiality or personal bias for or against a party, and a personal pecuniary interest in the subject matter. Examples of disqualifying bias include a close personal, family or business relationship with a party, ownership of property the value of which might be affected by the decision, and a business or personal financial situation that might be affected by the decision.

10.11 Should a Commission member be aware of circumstances which might appear to disqualify him or her, he or she can either disqualify him(her)self or explain the circumstances before the hearing and let the rest of the Commission, by majority vote, decide whether he or she participate. Should the Commission be aware of circumstances which might appear to disqualify a member, the Commission, may, by majority vote, disqualify the member.

10.12 It is in the public interest that, to the greatest extent possible, all members of the Commission should have an opportunity to be aware of and act upon the information that is available to other members. Therefore, all members are encouraged to place upon the record of the Plan Commission the substance of all ex-parte contacts that have occurred during the time that a legislative matter has been introduced and is still before the Plan Commission for a decision.

10.13 Except for submitting a written dissenting opinion as provided under these rules of procedure, no Commission member shall work for the frustration or the overturn of any decision made by a majority of the Commission outside the framework of the Commission.

10.14 Except for submitting a written dissenting opinion as provided under these rules of procedure, no Commission member shall lobby City Council members for votes or

actions that undermine the decisions of the Plan Commission.

RULE 11 – WORK PROGRAM

11.1 Commission work programs should be established consistent with the following:

11.1.1 City Charter Sections 126, 127, and 128, and Spokane Municipal Code Section 4.12.010, as amended from time to time by the Council, including such Commission initiatives as are authorized thereunder;

11.1.2 Such functions as are conferred or requested by the City Council by ordinance or resolution;

11.1.3 Such requests as are made by the Mayor;

11.1.4 Legislative mandates;

11.1.5 City Department work programs; and

11.1.6 Other agency work programs.

11.2 Commission work programs should be established on a 12-month basis and should anticipate when the Commission will be taking an action. Work programs should indicate the amount of staff time allocated to each task. A minimal amount of time will be reserved on the work program to respond to crisis issues, subject to the Commission's obligations under the Charter and Municipal Code.

11.3 The Commission should hold an annual retreat to orient new members, evaluate the Commission's performance, and adopt the next 12-month work program.

The above Rules of Procedure are hereby declared adopted at the meeting of this Commission held this [insert date here], and all previous Commission By-Laws, Rules of Procedure and Regulations in conflict herewith are hereby deemed void and repealed.

SPOKANE CITY PLAN COMMISSION

By: *Greg Francis*
Greg Francis (Apr 19, 2024 19:29 PDT)

President

Attest:

Approved as to form:



Secretary

James Richman
James Richman (Apr 19, 2024 10:21 PDT)

Assistant City Attorney