

CITY OF SPOKANE DESIGN REVIEW BOARD

Rules of Procedure

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RULE 1 - GENERAL PRINCIPLES

Rule 1.1 PURPOSE

It is the purpose of the City of Spokane Design Review Board (hereinafter the “Board”) 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 Board any right to a particular procedure or affect the validity or legality of any Board action.

Rule 1.2 DUTY OF MUTUAL RESPECT

It is the constant duty of each Board member to maintain respect for each other, the City staff and the public. Likewise, the Board 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 Board vote at any regular meeting.

RULE 2 – MEETINGS

Rule 2.1 REGULAR MEETINGS

2.1.1 The Board holds regular meetings bi-monthly at 5:30 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 Board members, and may be changed by order of the chair when expedient.

2.1.1 A regular meeting may be canceled or rescheduled by the Board at a prior meeting, or by the chair, or by the Director of Planning Services, or by the secretary at any time if no design reviews have been scheduled.

2.1.3 Board 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 more than half of current board members but in no case less than four. An abstention does not change or affect the count of Board 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 following may occur: (i) Design review agenda items may be considered and advisory direction given subject to ratification by the Board at its next regular meeting when a quorum is present, or (ii) the Board members present or the secretary may adjourn the meeting until a quorum can be obtained, or the Board members present or the secretary may adjourn to their next regular meeting. Agenda items other than design reviews may be considered and advisory direction given, subject to ratification by the Board at its next regular meeting when a quorum is present

Rule 2.3 GENERAL ORDER OF BUSINESS

2.3.1 Regular meetings will generally proceed as follows:

- a. Call to Order
- b. Roll Call
- c. Board Briefing
 - Chair and Secretary Report
- d. Board Business
 - Approval of Old Minutes
 - Old Business
 - New Business
 - Review Today's Agenda
- e. Board Workshop
 - Chair Review of the Design Review Board's Role
 - Staff Report
 - Applicant Presentation
 - Public Comment
 - Applicant Responses to Comments
 - Design Review Board Discussion
 - Design Review Board Motions
- f. Other
- g. Adjourn

2.3.2 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 Board or by declaration of the chair.

2.3.3 Adjourned Meetings. Any meeting may be adjourned by majority vote or declaration by the chair, 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 Special Meetings. Special meetings may be called, canceled or rescheduled by the chair whenever he/she deems necessary, or in his/her absence by the vice-chair, and shall be called by the chair whenever four Board members shall request it. The place, date and hour of special meetings shall be set by the chair. The Board shall take no final action on matters not included in the notice of special meetings. Any recommendation made by a majority vote at a special meeting shall have the same effect as if made at a regular meeting. Special meetings are open to the public.

2.3.5 Briefings Including Field Trips. Prior to its regular meetings, the Board may meet in a briefing session (which may include a field trip) to review the final agenda, the nature of the questions before the Board and factual information, and to discuss matters of procedure and timing. The secretary shall prepare a tentative agenda and release notices prior to the briefing session and field trip if any. Briefings are open to the public. Interested persons may observe the briefing session or follow along and observe field trips when practical. The Board does not discuss the merits of the proposal with project proponents or citizens during briefings or field trips. No Board action is taken on any item during briefing. Board members are expected to attend the briefing as part of their meeting responsibility, although no quorum is required. Meeting summary need not be made of briefing sessions. The chair may order a record of some discussion be entered in the summary of the meeting on which the briefing or field trip was held.

RULE 3 - AGENDA

Rule 3.1 FUNCTIONS OF AGENDA

The agenda serves to introduce items to the Board, 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 THE AGENDA

The agenda for all meetings of the Board shall be prepared by the secretary in the format prescribed by, and in coordination with, the chair.

Rule 3.3 AGENDA APPROVAL

A final agenda for Board meetings shall be available at the opening of a meeting, subject to any change ordered by the Board. For good cause, an item not on the notice of tentative agenda may be added to the final agenda by the chair or secretary if not vetoed by majority vote of the members present. Action may be taken on items other than design reviews added to the agenda unless a required notice has not been provided in which case action must be delayed until required notice has been provided.

Rule 3.4 WITHDRAWAL AND RECONSIDERATION

After a design review has been set and notice given and the proponent requests that the matter be withdrawn or postponed the secretary shall advise the involved parties, as time permits, and the item on the final agenda shall be marked withdrawn or postponed. When the meeting containing such hearing begins, the chair shall announce the withdrawal from the agenda and the Board shall set a new date for review or file the matter indefinitely.

RULE 4 - TIME AND NOTICE

Rule 4.1 NOTICE BY AGENDA

4.1.1 Unless a law requires particular notice of a particular item, and except as provided otherwise in these rules, the agenda is the only required notice. A copy of the agenda shall be mailed by the secretary to Board members, applicant, the affected neighborhood council chair, and other interested parties, and shall be available at the city hall office of the Board secretary at least five (5) days prior to the time of said meeting.

4.1.2 The secretary shall inform the Board, the applicant, the affected neighborhood council chair, and other interested parties of any cancellation of a regular Board meeting.

Rule 4.2 SPECIAL MEETINGS

In accordance with Chapter 42.30 RCW Open Public Meetings Act, notice of every special meeting shall be given in writing to every Board member, 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 personally, by mail, by e-mail or otherwise, so as to be received at least 24 hours before the meeting. The notice shall be posted on the city's website and at the location of the meeting. The notice shall state the place and time of the meeting and the business to be conducted. The Board shall not make final disposition of any matter not included in the notice.

RULE 5 - CONDUCT OF MEETINGS

Rule 5.1 THE CHAIR

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

5.1.2 The chair shall determine all questions of procedure, subject to appeal, but shall liberally grant leave to the Board secretary, or the Planning Services Director, or the 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 Board, 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 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.

Rule 5.3 SPEAKING TO THE BOARD

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

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

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

5.3.4 In order that evidence and expressions of opinions 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 chair may require the removal of the instigator(s), recess or adjourn the meeting.

5.3.5 Following an assessment by the chair of factors such as complexity of the project apparent number of people indicating a wish to speak, and the quantity of projects on the agenda, the chair shall, in the absence of objection by the majority of the Board present, impose reasonable time limits for staff reports and applicant presentations. Any other person, who wishes to speak, shall be granted not less than three (3) minutes each.

RULE 6 – DESIGN REVIEW WORKSHOPS

Rule 6.1 IN GENERAL

6.1.1 Proponent's requests for design review shall be made on the approved application form appropriate to the specific request. Applications may be filed with the Board secretary.

6.1.2 The Board secretary shall arrange a tentative workshop date pursuant to Board rules.

6.1.3 Notice of the review date, when set, shall be sent to parties requiring notice by ordinance, the parties of record and to other parties who have requested notice.

6.1.4 A motion on a review item is made after the close of public comment and Board discussion. If the motion is to continue 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 comment, otherwise a continuation of a review shall be interpreted as anticipating additional public comment on the matter.

Rule 6.2 COMMENTS

6.2.1 All comments to the Design Review Board shall be directed to the secretary to be appropriately entered into the public record. This includes oral, written, and email comments.

6.2.2 The Design Review Board shall accept comments as part of the workshop up to the date and time of the workshop.

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

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

6.2.5 At the conclusion of a meeting, the Board may pass a motion to allow additional public comment until a specified date and time.

Rule 6.3 REASONS FOR RECOMMENDATION

6.3.1 As a matter of policy, the Board 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.

6.3.2 It shall be the obligation of every Board member participating in a meeting 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 meeting, that member will have become familiarized with the report and record using the secretary's minutes of the meeting.

Rule 6.4 WRITTEN DECISION

6.4.1 At the conclusion of a meeting or workshop where the Board has voted upon a recommendation, the Board shall authorize the chair to prepare and sign on the Board's behalf a written recommendation that shall set forth the Board's findings, conclusions and recommendations on the matter. Any dissenting Board member may prepare a dissenting recommendation individually or together with other dissenting Board members within one week. The secretary shall assist in the preparation of the Board's written recommendation.

6.4.2 The secretary shall distribute copies of the written decision together with any dissenting recommendations to the project applicant, decision making authority, Board members and interested parties.

RULE 7 - VOTING AND MOTIONS

7.1 All members (including the chair) are voting members. Voting shall be by voice unless a show of hands is called for by the chair. The chair shall declare whether the motion carried or failed and what the vote count was. Any Board member may explain the reasons for his/her vote as a matter of privilege. Meeting summary shall record the number of ayes and nays and 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 Board 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 Five votes shall constitute a majority vote except when less than eight members are present in which case more than half of those present shall constitute a majority vote; provided, in no case shall less than three votes constitute a majority vote.

RULE 8 - MEETING SUMMARY AND PUBLIC RECORD

8.1 The secretary shall take and prepare official summary of the meetings containing the actions of the Board and a substantive account of the proceedings. A record of the Board members present and absent shall be entered in the summary of the meeting. Summary shall be approved by the Board, signed by the secretary, and placed on public record in the office of the Board secretary.

8.2 Any documents, maps, charts or other material presented to the Board along with a copy of the Board briefing packet shall be stored in the office of the secretary and are public record.

8.3 Board meetings except retreats shall be recorded and made public record. Recordings will not normally be transcribed except by request of the Board chair, the Board secretary, City Council, the Planning Director, or the City Attorney.

8.4 Staff files of preliminary drafts, notes, recommendations and interdepartmental memorandums in which opinions are expressed or policies formulated or recommended are not public record unless filed for hearing or publicly cited by the Board in connection with its action. Factual data in such files or memorandums is public record.

RULE 9 - OFFICERS AND COMMITTEES

Rule 9.1 ELECTION OF OFFICERS

9.1.1 At the first regular meeting in January of each odd numbered year, the Board shall elect a chair and vice chair.

9.1.2 The chair and vice-chair shall hold their respective offices normally for a two-year term and until their successors are elected and qualified.

9.1.3 Officer vacancies shall be filled at the next regular meeting of the Board by election of the members. Officers elected to fill vacancies shall serve until the next regular election of officers.

9.1.4 Nominations shall be made in writing to the Board secretary, and circulated to all Board members, prior to the election meeting. Voting shall be by paper ballot. The candidate receiving a majority vote of a quorum of the Board shall be declared elected.

Rule 9.2 DUTIES OF THE CHAIRPERSON

The duties and powers of the chair include the following:

- A. To chair meetings.
- B. To see that the purpose and functions of the Board are progressively achieved in an objective, efficient and expeditious manner.
- C. To preserve order and decorum and enforce the rules and regulations of the Board, 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 Board such matters as, in his/her judgment, require attention.
- E. To represent the Board in "Administrative Review" of routine projects that are of a scale that will have minimal impact, generally comply with adopted development standards, and are of a class for which the Board has previously given guidance. Such review may be appealed to the full Board.
- 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 and business to be transacted at regular and special meetings of the Board, provided the notice of business prepared by the secretary shall be deemed approved by the chair unless the chair specifically orders otherwise.
- G. To call special meetings and briefings and to announce executive sessions of the Board.
- H. To set the place, date and time of special meetings; 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 Board in accordance with and to report and explain the Board's findings. To represent the Board in correspondence, meetings and in news releases.
- J. To direct the ayes and nays to be taken in vote and entered on the record on any request before the Board and to vote on all matters.
- K. To coordinate with the secretary in identifying the Board's requirements for staff support in order to assist staff in organizing their work program.
- L. To establish sub-committees and task forces, and assign committee work and members of the committee thereto, subject to Board ratification.
- M. To delegate to the vice-chair and secretary such portions of the chair's responsibilities and authority as deemed prudent.
- N. To rule on procedure where no direct rule has been adopted by the Board. In doing so, the chair shall be guided, when possible, by *Robert's Rules of Order and Parliamentary Practice*.
- O. To forward a recommendation to, or consult with, the mayor on appointments of members to the Board.

Rule 9.3 DUTIES OF THE VICE-CHAIR

The vice-chair shall act in the absence of the chair. All the duties of the office of chair shall be assigned to the vice-chair.

Rule 9.4 DUTIES OF THE SECRETARY, THE URBAN DESIGNER III

The duties of the secretary shall be as follows:

- A. To perform the duties required by the zoning code and these rules, and all duties properly devolving upon such officer or as may be assigned by the chair or Board, including:
 - 1. Scheduling applications for review by the Board;
 - 2. Preparing a written summary of the proposal, identifying applicable comprehensive plan, design guidelines, and zoning code provisions;
 - 3. Acting as recording secretary to the Board;
 - 4. Preparing a written report of the Board's decision or recommendation for its signature;
 - 5. Representing the Board and presenting the Board's report and recommendation to the hearing examiner, plan commission, or city council.
- B. To have charge of and attend the office of the Board when the Board is not in session.

- C. To attend all meetings of the Board and meetings of its sub-committees when required.
- D. To keep a true and accurate record in substance of the proceedings of the Board, and to have charge and be custodian of all Board books, documents, records, minutes and papers which properly belong to this office.
- E. The secretary shall act as the professional advisor to the Board on all design review matters and functions of the Board and participate in discussion of actions and motions before the Board and shall assure that technical recommendations bearing the Board's name are prepared in accordance with Board policy. The secretary will represent the Board on technical design review matters to the plan commission and hearing examiner. As the Board's professional advisor, the secretary is expected to keep abreast of the technical advances in urban design and to participate in professional urban design planning organizations.
- F. To handle correspondence of the Board, including responses to inquiries, providing notices of meetings and reporting findings of the Board.
- G. To assist the chair in any duties that the chair may designate or require, and to act for the chair when the chair and vice-chair are absent or unavailable.
- H. To prepare agendas and schedule business on regular Board meetings and mail a notice of a tentative agenda of business to Board members at least five (5) days in advance of the meeting. The secretary shall generally assist the chair to see that the work and meetings of the Board are carried on in an efficient, expeditious, stable, reasonable and just manner. A request to schedule time on a Board agenda for any matter which is not in sufficiently proper form for Board review may be declined. The secretary may add to or remove from the notice of tentative agenda of business. The secretary shall prepare the final agenda for regular Board meetings and arrange necessary field trips to view subjects to be considered at said meetings. All scheduling of business on Board agenda by the secretary shall be subject to the chair's approval.
- I. To notify the Mayor's Office and chair of any pending vacancy on the Board. Then organize candidate interviews including the chair, vice-chair and up to two additional members
- J. The secretary may delegate these duties to a staff representative.
- K. The secretary may adopt administrative rules and procedures not in conflict with these rules or established laws as deemed necessary to the orderly conduct of the office and administration of Board business.

Rule 9.5 COMMITTEES

9.5.1 The chair 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 Board.

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

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

9.5.4 No temporary committee shall have the power to bind the Board to the endorsement of any project or program.

Rule 9.6 REMOVAL

9.6.1 If any member of the Board shall be absent from meetings for three (3) consecutive meetings or more than 25% of the regularly scheduled meetings in any one year without adequate cause (of which the chair shall be the judge), the chair shall discuss these absences with the member. If the circumstances are expected to continue unimproved, the chair shall report the matter to the mayor in order that the city council may, if it desires, declare said office vacant and select a successor. Cause for the chair to excuse any absence includes sickness, personal emergency or temporary and unavoidable conflict of employment. To have an absence excused, the member shall request an excuse of the chair before or as soon as possible after the absence. The chair shall report the excused absence to the secretary. In December of each year, the secretary shall give a summary report of member attendance at meetings and excused absences to the chair.

Rule 9.7 LIAISONS

9.7.1 Members serving as a liaison to the Community Assembly or other board or commission are voting members and shall serve to facilitate the flow of information between these bodies and the Board.

RULE 10 - CODE OF CONDUCT AND EX PARTE COMMUNICATION

10.1 It shall be the obligation of every Board member participating in a workshop to be familiar with the facts in order to reach an informed, 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 case, using the file record of the secretary's summary or the tape of the meeting.

10.2 It is the constant duty of each member to maintain and promote respect for the Board, its members, the staff and public. Likewise, the Board shall require corresponding respect from all who attend meetings.

10.3 Board members conduct themselves at meetings in a fair, understanding and gracious manner. They seek to be considerate of all individuals, attitudes and the difference of opinion involved. Board members may, with permission of the chair, direct questions for fact or clarification to persons giving testimony; however, they refrain from debating with the public or one another or from expressing their opinion on the matter while testimony is being taken. They reserve their opinions to the discussion period preparatory to voting.

10.4 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 Board thereof shall not be made in advance of the Board's final determination of the matter, except as directed or authorized by a majority of the entire Board at any special or regular meeting or public hearing.

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

10.6 As a service to the Board and public, the Board's supporting department staff may counsel with the applicant in preparation of his proposal in order to make it as sound, desirable and understandable as possible, regardless of its seeming merit. The staff may also counsel with proponents and opponents, answering questions of fact on any projects scheduled for review.

10.7 The Design Review Board 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, Design Review Board members whom experience ex-parte communication are encouraged to disclose the details of the communication at the Board meeting after the introduction of the item of which the ex-parte communication pertained.

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

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

10.10 Except at public meetings of the Design Review Board, its members do not discuss the resolution of specific cases scheduled or likely to come before the Board 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 Board members.

10.11 Board members do not engage in any profitable employment or in any personal business transaction in which the fact of membership on the Board 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. Board members are not to benefit in any financial way due to their participation or confidential knowledge.

10.12 Board 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 Board. Well intended acceptance of such gifts could lead to misconceptions by prospective donors or the public.

10.13 A Board member shall disqualify him/herself from participating in a workshop 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.

10.14 Should a Board 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 Board, by majority vote, decide whether he or she participate. Should the Board be aware of circumstances which might appear to disqualify a member, the Board, may, by majority vote, disqualify the member.

10.15 When a Board member concludes a matter before the Board involves a conflict of interest on the member's part he/she should request permission to step down before the matter is heard, which request shall be granted by the chair, and recorded by the secretary. Where the chair considers a conflict of interest to exist, before the matter is heard, a member may be asked to request disqualification. If the member declines, the chair 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 Board member. In cases where no conflict of interest exists, a member may occasionally choose to abstain from voting in accordance with the member's best judgment.

10.16 When a conflict of interest exists and a member has been recused from hearing a matter, it is expected that the member will (a) at minimum leave the table and sit in the audience, (2) preferably leave the room before the matter is heard. While it is preferable that a recused member leave the room entirely, when the member is an integral part of a project team it may be necessary for the member to be in the audience and available to answer technical questions. On rare occasions, for members employed by very small firms, it may be necessary for a member to present a project to the Board. When this occurs, it's important to maintain a clear distinction in roles.

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

10.18 Members of the Design Review Board 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 Board 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.

RULE 11 - RULE SUSPENSION AND AMENDMENT

11.1 These rules, or any of them, may be suspended by a majority vote at any regular meeting.

11.2 These rules may be amended (including repeal) by a favorable vote of five (5) members of the Board at any regular meeting subsequent to a regular meeting wherein the amendment was proposed.

The above Rules of Procedure are hereby declared adopted at the meeting of this Board held this twenty-third day of March 2016, and all previous Design Review Board By-Laws, Rules of Procedure and Regulations in conflict herewith are hereby deemed void and repealed.

SPOKANE CITY DESIGN REVIEW BOARD

A handwritten signature in blue ink that reads "Chris Batten". The signature is written in a cursive, flowing style.

Chris Batten, Chair

Attest:

Julie Neff, Secretary

Approved as to legal form:

James Richman, Assistant City Attorney