



## **SPOKANE CITY COUNCIL RULES OF PROCEDURE**

### **RULE 1 - GENERAL PRINCIPLES**

#### **Rule 1.1 PURPOSE**

The Spokane City Council adopts these Rules to govern the conduct of City Council business. These Rules do not confer upon any person who is not a member of the Council any right to a particular procedure, nor do they affect the validity or legality of any Council action.

#### **Rule 1.2 DUTY OF MUTUAL RESPECT**

It is the constant duty of each Council member to treat each other, City staff, board and commission appointees, and the public with respect. Likewise, all persons who attend a Council meeting must act respectfully toward all persons who attend a meeting. Mutual respect between Council members and towards staff includes, but is not limited to, not intentionally disclosing private information about a Council member or staff such as personal telephone numbers or home address without the permission of the Council member or staff.

#### **Rule 1.3 DUTY OF ETHICAL CONDUCT**

A. Every Council member must uphold the constitution, laws, and regulations of the State of Washington and the Charter and ordinances of the City.

B. Conflicts of Interest.

1. No Council member shall have an interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, or incur an obligation of any nature that may be in conflict with the proper discharge of their duties as an elected official or as a Council member.
2. No Council member in his or her official capacity may participate in a transaction involving the City with a party in which the Council member, or a family member, owns a beneficial interest.
3. Should a Council member have a conflict of interest, or become aware that they have or may have a conflict of interest, that Council member shall immediately inform the Council of the conflict of interest and abstain from



any Council action in connection with that matter.

C. Confidential information.

1. No Council member may accept employment or engage in any business or professional activity that might reasonably require or induce them to disclose confidential information acquired by reason of the Council member's official position.
  2. No Council member may disclose confidential information gained by reason of their official position or otherwise use the information for his or her personal gain or benefit or the gain or benefit of another.
  3. No Council member may disclose confidential information to any person not entitled or authorized to receive the information. Notwithstanding the foregoing, the City Council may, upon the affirmative vote of six (6) Council members taken in an open meeting, authorize the release of specific information which would otherwise be deemed confidential information, including without limitation discussions held in executive session.
  4. For purposes of these rules, "confidential information" means (i) specific information, rather than generalized knowledge, received by a Council member as a result of their position that is not available to the general public on request; (ii) information furnished to a Council member under circumstances as to suggest the information is confidential, including when the provider of the information identifies the information as confidential; (iii) information made confidential by law, including specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy; or (iv) other information made confidential by the Public Records Act ("PRA") (Chapter 42.56 RCW) or the Open Public Meetings Act ("OPMA") (Chapter 42.30 RCW).
- D. No Council member may use or authorize the use of facilities of the City, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the purpose of or opposition to a ballot proposition. Council members shall comply with RCW 42.17A.555 (Use of public office or agency facilities in campaigns—Prohibition—Exceptions). Notwithstanding the foregoing, nothing in these Rules prevent any member of the public from exercising their rights to free expression by wearing clothing, buttons, or other attire which displays messages of a political nature in a Council meeting, so long as such conduct does not include the display of signs and/or disrupt the Council meeting.

## **Rule 1.4      ROBERT'S RULES OF ORDER**



Matters of procedure not otherwise provided for herein are, insofar as practical, determined by reference to *Robert's Rules of Order, newly revised*.

## **Rule 1.5      AMENDMENT**

These rules may be amended by resolution of the City Council.

## **RULE 2 – MEETINGS**

### **Rule 2.1      PLACE AND TIME OF MEETINGS**

- A. As provided in SMC 02.01.010, the regular meeting of the City Council is at 3:30 p.m. every Monday in the Council Chambers. If a Monday is a City Holiday, that week's regular meeting may be held on the next day that is not a holiday if a quorum is available, unless cancelled at the discretion of the Council President.
- B. The 3:30 p.m. Council session is a briefing session in which the Council receives staff reports on matters of interest, committee reports, background information from staff regarding matters on the advance agenda for the next week's meeting and for that day's agenda, making any adjustments to the agenda and agreeing as to any issues of procedure for that day's meeting. Once the advance agenda has been reviewed, the City Council shall approve the agenda by motion.
- C. At the conclusion of the briefing session, there is an administrative session during which action will be taken on consent agenda items. Upon the request of any Council member, an item on the consent agenda may be considered and voted on separately from the consent agenda. Upon the request of two (2) Council members, an item on the consent agenda will be carried over for Council consideration and possible action to that day's legislative session.
- D. At the conclusion of the administrative session, or at other time properly announced, the City Council may adjourn into executive session consistent with the OPMA. Before so doing, the Chair shall announce the subject matter of the executive session with as much particularity as will not frustrate the purpose of the executive session and the estimated duration of the executive session. The Council determines which person(s) shall attend each executive session.
- E. The 6:00 p.m. Council session is the legislative session, during which the Council may take public testimony, discuss and take action on agenda items, and hold the open forum. The Council President may combine specific agenda items for purpose of public comment and voting if there is no objection by attending Council Members, and if there is an objection, by majority vote.

### **Rule 2.2      OPEN FORUM**

- A. At each meeting, prior to the legislative agenda, an amount of time may be devoted



to public comment of up to thirty (30) minutes at the first open forum. When all agenda items have been acted on, unless it is 10:00 p.m. or later, a second open forum shall continue for up to an additional fifteen (15) minutes unless no one wishes to speak at the second open forum session.

- B. At the beginning of the first open forum session, staff will collect the sign-up sheet(s) and deliver them to the Chair. The order of the speakers and the appropriate time limits for the speakers will be determined at the discretion of the Chair. Each speaker shall be limited to three minutes.
- C. No action, other than a statement of Council consensus to take up the matter as a future agenda item, points of order, or points of information will be taken by Council members during an open forum.
- D. The open forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City and items not currently on the current or advance Council agendas. No person shall be permitted to speak in open forum regarding items on the current or advance agendas, pending hearing items, or initiatives or referenda in a pending election. Individuals speaking during the open forum shall address their comments to the Council President and shall not use profanity, engage in obscene speech, or make personal comment or verbal insults about any individual.
- E. To encourage wider participation in open forum and a broad array of public comment and varied points of view from residents of the City of Spokane, no person shall be permitted to speak at the first open forum more often than once per calendar month. Any person may speak at the second open forum if they have not yet spoken in that meeting's first open forum or concerning any agenda item at that day's meeting, unless the meeting is that person's first address at open forum in that month. There is no limit on the number of regular legislative agenda items on which a member of the public may testify, such as legislative items, special consideration items, hearing items, and other items before the City Council and requiring Council action that are not adjudicatory or administrative in nature, as specified in Rules 5.3 and 5.4.

## **Rule 2.3      ADJOURNED MEETINGS**

- A. At the conclusion of the legislative session, unless there is further business before the Council, the Chair shall adjourn the meeting until the next regularly scheduled Council meeting.
- B. Any meeting may be adjourned to a place and time set by motion. Unless otherwise specified in the motion, the meeting will be adjourned to the place and time fixed for the next regular meeting. If a regular meeting be adjourned to a place and time specified, that adjourned meeting is a regular meeting.



- C. If at the time fixed for the beginning of any meeting, or at any time in the course of a meeting, less than a quorum be present, the Council President, or in the President's absence any member, or if there are no Council members present then the City Clerk, shall declare the meeting adjourned to the next regular meeting.
- D. If a meeting is adjourned prior to the completion of the City Council's agenda, all matters on the agenda not disposed of shall be continued to the adjourned meeting. The City Clerk or other person designated by the Clerk shall post a written notice of adjournment conspicuously on or near the main door of the place of any meeting which has been adjourned. The notice shall be posted as soon as possible after the adjournment and shall state the fact of adjournment and the place and time to which the meeting was adjourned.
- E. At 10:00 p.m. or at any time thereafter, it shall be in order for any member to move, or for the Chair to declare, based on the opinion that the business at hand cannot be concluded within a reasonable time, that a regular meeting be adjourned.

## **Rule 2.4 SPECIAL MEETINGS**

A special meeting may be called by the Council President or by passage of a motion made during a regular meeting. All such special meetings shall be noticed in compliance with the OPMA and Rule 4.2 of these Rules.

## **Rule 2.5 STUDY SESSIONS**

Study sessions are held each Thursday at 11 a.m. for receiving information on staff matters, staff briefings, and discussion among Council members on issues of public concern, conducted in a workshop format, with no public hearing, and at which no Council action shall be taken to dispose of any item unless the study session was noticed as a special meeting in compliance with the OPMA and Rule 4.2 of these rules. The Council President may schedule additional study sessions as needed. A quorum of the Council is not necessary in order to proceed with a study session, though a quorum is required for the Council to take any action to dispose of any item.

## **Rule 2.6 QUORUM**

A quorum is four (4) or more Council members present and qualified to act, unless a particular action requires the affirmative vote of more than four. The quorum for the adoption of an ordinance making an emergency expenditure as provided in RCW 35.33.081 and .091, adoption of an ordinance effective immediately under subsection 19(a)(1) of the Charter, and override of a veto as provided in subsection 16(b) is five (5).

## **Rule 2.7 SERVICE ANIMALS AT CITY COUNCIL MEETINGS**

- A. For purposes of these Rules, only dogs that are individually trained to do work or



perform tasks for a person with a disability are recognized as service animals. Dogs or other animals whose sole function is to provide comfort or emotional support do not qualify as service animals under these Rules. Service animals are permitted to accompany people with disabilities in City Council meetings, as well as all areas where members of the public are allowed to go.

- B. Service animals must, at all times while present in a City Council meeting, be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices, in which case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- C. When it is not obvious what service an animal provides, City staff may only inquire (1) whether the dog is a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. City Staff shall not ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- D. Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.
- E. A person with a disability cannot be asked to remove their service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When one of these situations exists, City staff shall offer the person with the disability the opportunity to be present at the City Council meeting without the animal's presence.
- F. No person with a disability who uses a service animal will be isolated from other people, or treated less favorably than another person in the conduct of a City Council meeting.
- G. City staff shall not be required to provide care or food for a service animal at a City Council meeting.

## **RULE 3 – AGENDA**

### **Rule 3.1      FUNCTIONS OF AGENDA**

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



## **Rule 3.2 INTRODUCTION OF ITEMS**

- A. Resolutions and ordinances shall only be placed on a regular legislative meeting agenda by the Council President or any Council member, except as otherwise provided by Rule 5.6 (Suspension of Rules). No such item may be filed for consideration on the legislative agenda unless it has first been presented in or scheduled for presentation in a committee or study session before the date of Council consideration and possible action, and is recommended by at least two Council members for full Council consideration.
- B. Regular meeting agendas are prepared by the City Clerk in the manner and format prescribed by the City Council and consistent with administrative policies and procedures and these Rules.

## **Rule 3.3 AGENDA PROCESS**

- A. The process of submitting agenda items and preparing the agenda for all Council meetings shall be consistent with these Rules and any administrative policies and procedures governing Council meetings and agenda items. In a conflict between these Rules and an administrative policy and procedure, these Rules shall control.
- B. An agenda item is submitted using the agenda sheet presented to the City Clerk and in the template provided for in the exhibit to these Rules.
- C. The wording for the agenda item and the relevant information placed on the agenda sheet is provided by the person submitting the item. The City Clerk and City Attorney's office staff may edit agenda items for grammatical or typographical errors.
- D. Each Council member shall have the continuing duty to be familiar with all agenda items and all accompanying information.

## **RULE 4 – TIME AND NOTICE**

### **Rule 4.1 NOTICE BY AGENDA**

Except as provided below, the agenda is the only required meeting notice.

### **Rule 4.2 SPECIAL MEETINGS**

Notice of every special meeting shall be given in writing to every Council member, Council staff, the Mayor, the City Attorney, and to all parties who have on file with the City Clerk a request for such notices. The notice shall be delivered personally, electronically, by mail, by facsimile or otherwise, so as to be received at least 24 hours before the meeting or as otherwise provided for in RCW 42.30.080. The notice shall state the place and time



of the meeting and the business to be conducted. The Council shall not make final disposition of any matter not included in the notice. Notices of special meetings are prepared by the City Council Office staff and issued by the City Clerk's office.

## **RULE 5 – CONDUCT OF MEETINGS**

### **Rule 5.1 THE CHAIR**

- A. The Council President, or in their absence or incapacity, the Council member elected by the Council to serve as Council President *pro tem* pursuant to SMC 02.005.020(A), each of whom is referred to in these Rules as “the Chair,” shall preside over meetings of the Council and cause the business of the Council to be transacted in accordance with these rules. The presiding officer may yield the Chair to another Council member to conduct a portion of the meeting. In the absence of the Council President and the Council President *pro tem*, the Council Member having the most Council service seniority shall preside over the meeting.
- B. The Chair shall determine all questions of parliamentary procedure, subject to appeal as provided in this Rule 5.1.2, but shall liberally grant leave to the City Council Policy Advisor and/or City Attorney to speak to the question. A ruling of the Chair can be appealed, before the ruling is acted on, by any Council member's announcement of an appeal, which appeal is perfected by receiving a second. The Chair shall then state the question in terms of upholding the ruling and may state the reasons for the ruling. Then the member appealing has the floor to open debate on the appeal. Upon the close of debate, the Council shall vote on the appeal.
- C. The Chair may not make a motion. The Chair may second a motion only if there is no other second and only for the purposes of discussion. The Chair may vote as any other Council member.
- D. The Chair has the authority to recess, subject to appeal, any meeting when noise, disturbance, indecorum, or other circumstances warrant a recess to enable the Council to conduct its meeting in an appropriate manner. The Chair may direct any person disrupting the meeting to be removed from the chambers or to otherwise eliminate a source of disruption.
- E. The Chair has the authority to recess a meeting upon the request of any Council member. Recognizing that fatigue, discomfort, and tedium detract from the quality of participation in deliberative process on the part of all participants, the Chair is encouraged to call or grant requests for recesses as needed and at such frequency as dictated by the time of day, temperature, and other factors.

### **Rule 5.2 ORDER OF BUSINESS**

- A. Briefing Session.  
The regular order of business in a briefing session is as follows:



1. Roll call;
2. Council or staff reports of matters of interest;
3. Background information from staff regarding matters on the advance agenda;
4. Discussion of and any adjustments to the advance agenda for the following week's meeting;
5. Approval by motion of the advance agenda;
6. Any new background for items on the current agenda; and
7. Discussion of and any adjustments to the current agenda.

B. Administrative Session.

The regular order of business in an administration session is as follows:

1. Reading of consent agenda items by the Clerk;
2. Request(s), if any, to consider any specific consent agenda items separately from the consent agenda;
3. Action on the consent agenda; and
4. Action on any items considered separately from the consent agenda.

C. Executive Session.

The business of an executive session is determined case by case within the restrictions of the OPMA and other provisions of state law.

D. Legislative Session.

The regular order of business in a legislative session is as follows:

1. Pledge of Allegiance;
2. Words of inspiration and special introductions;
3. Roll call to establish the presence of a quorum;
4. Council and Committee reports;
5. Announcement of adjustments to the agenda;
6. Council appointments and approval of Mayoral appointments;



7. Report from the Administration on internal City issues;
8. Open forum (first session);
9. Reading of each agenda item by the Clerk;
  - a. Report by staff and questions to staff;
  - b. Motion and second (except for a hearing in which case the motion is made at the close of the hearing);
  - c. Comment from citizens;
  - d. Deliberation by Council, and such further dialogue with staff and citizens as Council may desire; and
  - e. Vote.
9. Open forum (second session, if needed).
10. Adjournment.

E. 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 at the Chair's discretion, absent the objection of a majority of the Council. Items on the agenda may be grouped under various headings or sections and entire sections may be read and acted upon at one time at the discretion of the Chair absent the objection of a majority of the Council.

F. All City Council appointments or Mayoral appointments which require City Council approval shall be announced and voted upon by motion during the legislative session; provided, that the confirmation of mayoral nominations of department heads, the City Clerk, and the City Attorney, pursuant to Section 24 of the City Charter, shall be by resolution.

### **Rule 5.3 PARTICIPATION BY MEMBERS OF THE PUBLIC IN COUNCIL MEETINGS**

A. Members of the public may address the Council regarding items on the Council's legislative agenda, special consideration items, hearing items, and other items before the City Council requiring Council action that are not adjudicatory or administrative in nature. This rule shall not limit the public's right to speak during the open forum.

B. No member of the public may speak without first being recognized for that purpose



by the Chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet and provide their city of residence as a condition of recognition. In order for a Council member to be recognized by the Chair for the purpose of obtaining the floor, the Council member shall either raise a hand or depress the call button on the dais until recognized by the Council President.

- C. Each person speaking at the public microphone shall verbally identify themselves by name, city of residence, and, if appropriate, representative capacity.
- D. Each speaker shall follow all written and verbal instructions so that verbal remarks are electronically recorded and documents submitted for the record are identified and marked by the Clerk.
- E. 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, including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language, or personal insults will be permitted.
- F. A speaker asserting a statement of fact may be asked to document and identify the sources of the factual datum being asserted.
- G. When addressing the Council, members of the public shall direct all remarks to the Council President and shall confine remarks to the matters that are specifically before the Council at that time.
- H. When any person, including members of the public, City staff, and others, are addressing the Council, Council members shall observe the same decorum and process, as the rules require among the members *inter se*. That is, a Council member shall not engage the person addressing the Council in colloquy, but shall speak only when granted the floor by the Council President. All persons and/or Council members shall not interrupt one another. The duty of mutual respect set forth in Rule 1.2 and the rules governing debate set forth in *Robert's Rules of Order, newly revised*, shall extend to all speakers before the City Council. The City Council Policy Advisor and/or City Attorney shall, with the assistance of Council staff, assist the Council President to ensure that all individuals desiring to speak shall be identified, appropriately recognized, and provided the opportunity to speak.

#### **Rule 5.4 PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS – TIME LIMITS**

- A. The City Council shall take public testimony on all matters included on its legislative agenda, with those exceptions stated in Rule 5.4(B). Public testimony shall be limited to the final Council action. Public testimony shall be limited to three



(3) minutes per speaker, unless, at their discretion, the Chair determines that, because of the number of speakers signed up to testify, less time will be needed for each speaker in order to accommodate all speakers. The Chair may allow additional time if the speaker is asked to respond to questions from the Council.

- B. No public testimony shall be taken on items on the Council's consent agenda, amendments to legislative agenda items, or procedural, parliamentary, or administrative matters of the Council, including amendments to these Rules.
- C. For legislative or hearing items that may affect an identifiable individual, association, or group, the following procedure may be implemented:
  - 1. Following an assessment by the Chair of factors such as complexity of the issue(s), the apparent number of people indicating a desire to testify, representation by designated spokespersons, etc., the Chair shall, in the absence of objection by the majority of the Council present, impose the following procedural time limitations for taking public testimony regarding legislative matters:
    - a. There shall be up to fifteen (15) minutes for staff, board, or commission presentation of background information, if any.
    - b. The designated representative of the proponents of the issue shall speak first and may include within their presentation the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. Up to thirty (30) minutes shall be granted for the proponent's presentation. If there be more than one designated representative, they shall allocate the allotted time between or among themselves.
    - c. Following the presentation of the proponents of the issue, three (3) minutes shall be granted for any other person not associated with the designated representative of the proponents who wishes to speak on behalf of the proponent's position.
    - d. The designated representative, if any, of the opponents of the issue shall speak following the presentation of the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. The designated representative(s) of the opponents shall have the same amount of time which was allotted to the proponents.
    - e. Following the presentation by the opponents of the issue, three (3) minutes shall be granted for any other person not associated with the designated representative of the opponents who wishes to speak on behalf of the opponents' position.
    - f. Up to ten (10) minutes of rebuttal time shall be granted to the designated



representative for each side, the proponents speaking first, the opponents speaking second.

2. In the event the party or parties representing one side of an issue has a designated representative and the other side does not, the Chair shall publicly ask the unrepresented side if they wish to designate one or more persons to utilize the time allotted for the designated representative. If no such designation is made, each person wishing to speak on behalf of the unrepresented side shall be granted three (3) minutes to present their position, and no additional compensating time shall be allowed due to the fact that the side has no designated representative.
  3. In the event there appears to be more than two groups wishing to advocate their distinct positions on a specific issue, the Chair may grant the same procedural and time allowances to each group or groups, as stated previously.
- D. The time taken for staff or Council member questions and responses thereto shall be in addition to the time allotted for any individual or designated representative's testimony.

## **Rule 5.5      VOTING**

- A. Except where a majority plus one vote is required, (e.g., Charter section 19, RCW 35.33.081), and unless otherwise provided herein, all motions, except a motion to adjourn (which passes by a majority of votes cast), to carry must receive at least four (4) affirmative votes.
- B. If a motion receives a majority of favorable votes, but less than four, and if further voting cannot produce four votes for any motion, either:
  1. The matter will be continued, or
  2. if it appears that because of disqualification or other reason the Council will not obtain four votes for any motion to dispose of the matter, it shall be declared that no action was taken and the status quo shall prevail.
- C. Upon a tie vote, the status quo prevails and the matter upon which the vote was cast.
- D. The votes on any ordinance or formal resolution shall be individually taken and recorded. As to any other matter (such as motions), voting shall be by voice vote unless a member requests, prior to action on the next item of business, a different method. Unless the Council shall order otherwise, the alternative to voice vote shall be the electronic voting tally system currently in use.
- E. In all cases of voting by other than voice vote, the City Clerk shall record the names



of those voting on each side of the question and of those abstaining. In cases of voice vote, it shall be sufficient for the Chair to announce, and the record to reflect, whether the motion carried or failed. Regardless of method of voting, each Council member shall have the right, before the next matter is considered, to explain the reasons for their vote and such a request shall be regarded as a point of personal privilege.

- F. A Council member may abstain from voting on any matter before the Council if they have a direct personal or financial interest not common to other members of the Council. In order to abstain from voting, a Council member must sufficiently describe to all other members of the Council during the Council meeting, the existence and nature of the interest which supports their abstention.

## **Rule 5.6      SUSPENSION OF THE RULES**

These Rules may be temporarily suspended for a particular matter by the affirmative vote of a majority plus one of the Council members present at the meeting.

## **Rule 5.7      RECONSIDERATION**

A Council member who voted on the prevailing side regarding an item voted on during an administrative session may move reconsideration of that item at that day's legislative session or at the next briefing session. All legislative decisions of the City Council regarding ordinances, resolutions, and hearing items are final. When permissible, a Council member may re-submit a subsequent ordinance or resolution to repeal or modify a prior City Council action.

## **Rule 5.8      PARTICIPATION BY TELEPHONIC COMMUNICATION**

- A. A Council member may participate telephonically in all or part of a Council meeting if:
  - 1. Prior approval is given by the Council President for good cause, whose approval shall not be unreasonably withheld;
  - 2. All persons participating in the meeting are able to hear each other at the same time, such as by the use of a speaker phone; and
  - 3. The Council member participating telephonically shall have reviewed all of the applicable material and participated in the relevant portion of the Council meeting related to the topic to which the Council member is voting on.
- B. Any technical prohibitions or difficulties that prevent all parties present at the Council meeting from adequately communicating with one another will negate any authorization previously given by the Council President.



## **RULE 6 – ADJUDICATIVE APPEALS AND HEARINGS**

- A. Adjudicative hearings are quasi-judicial hearings involving named parties. Testimony during adjudicative hearings is limited to the parties involved in the hearing. Public testimony is not accepted in adjudicative hearings. Where procedures for appeals and hearings have been established by ordinance, the Council shall follow those procedures. If a conflict arises between the ordinance and Council rules, the ordinance shall prevail. Where there are no established procedures for an adjudicative appeal or hearing, the Council shall implement the following procedure.
- B. No person shall be allowed to discuss any matter pending hearing with any member or members of the Council except in the Council Chambers in the regular course of a Council meeting. Each Council member shall vigorously strive to avoid any outside communication from anyone in any form concerning a matter pending hearing or decision. If an outside contact cannot be avoided, the Council member shall immediately make a note of the contact and shall at the beginning of the Council's hearing on the matter announce the fact of the contact, the identity of the person, and the substance of the communication. If the communication be in written form, the Council member shall as soon as possible file it with the City Clerk.
- C. When the Council's discussion and vote on a hearing item is at a meeting other than the hearing, it shall be the obligation of every Council member participating in the action to be familiar with the facts in order to reach an informed, independent judgment. When a member discussing or voting on the matter was not present at the hearing, that member will have familiarized themselves with the hearing item based upon any audio or video recording of the hearing and all documents contained in the record. A Council member shall not be briefed by anyone except in an open meeting.
- D. Council members shall disqualify themselves from participating in a hearing whenever bias, interest, or other influences will prevent or appear to prevent them 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.
- E. Should a Council member be aware of circumstances which might appear to disqualify them, they can either disqualify themselves or explain the circumstances before the hearing and let the rest of the Council, by majority vote, decide whether they can participate. Should the Council be aware of circumstances which might appear to disqualify a member, the Council may, by majority vote, disqualify the



member. The Council's discussion concerning disqualification of a member may occur in executive session. A disqualified member shall be absent from the dais during the hearing and during discussion and voting.

F. In all adjudicatory appeals and hearings, Council members are acting in their quasi-judicial capacity and shall comply with all applicable provisions of state law including the appearance of fairness doctrine (Chapter 42.36 RCW) and the code of ethics for municipal officers in contract interests (Chapter 42.23 RCW).

G. Adjudicatory Appeal Hearing Procedures.

At the hearing on the appeal, the following rules apply:

1. Oral argument on appeal is limited to parties of record.
2. Oral argument on appeal is limited to thirty minutes per side. If there is more than one appellant or more than one person wishing to present oral argument on appeal, the total time allowed to all such persons is thirty minutes. Any time reserved for rebuttal or surrebuttal is deducted from the time allowed for opening argument. Time taken to respond to questions from the City Council is not deducted from the time allowed for argument.
3. Argument is presented first by the appellant in support of the appeal followed by the respondent in opposition to the appeal.
4. No new evidence may be presented during oral argument. Matters found by the hearing officer or body to be facts in the record are presumed to be true and accurate. Oral argument is limited to stating why the record does or does not support the decision.
5. The City Council may not consider any new facts or evidence on appeal. The City Council's review of appeals is limited to the record prepared by the hearing officer or body, including the verbatim transcript of the hearing, the written appeal, memoranda submitted, and, if permitted, oral arguments presented in accordance with the requirements of this section. Closed record appeals before the City Council must be concluded within 90 days of the date the appeal is filed unless all parties agree to a longer period.
6. Supplemental documents.
  - a. The parties to the appeal may file memoranda regarding the appeal. Such memoranda must be filed by the agenda deadline for the meeting preceding the meeting set for consideration of the appeal.
  - b. Any replies to the memoranda must be filed by the agenda deadline for the



meeting set for consideration of the appeal.

- c. The City Clerk distributes such memoranda and responsive documents to all parties to the appeal, the City Council, the City Attorney, the Planning Director, and the Hearing Examiner.
  - d. Neither memoranda nor responses may contain any new facts or evidence or discuss matters outside the record. They are limited to stating why the record does or does not support the decision.
- H. The City Council may supplement these rules in a case-by-case situation in order to provide due process to all participants in a hearing.

## **RULE 7 – ORDINANCES AND FORMAL RESOLUTIONS**

### **Rule 7.1 FILING**

- A. Unless impractical in a given case, ordinances and formal resolutions shall be filed with the Clerk by the advance agenda (Wednesday at 12:00 p.m.) deadline. Copies of ordinances and formal resolutions submitted by the advance agenda deadline shall be included in the Council's packet which will be made available by the second Friday preceding the meeting for which the ordinance is on the agenda. In any event, an ordinance or formal resolution must have been filed with the Clerk prior to the meeting of which it is an agenda item. No ordinance or formal resolution, except emergency measures, shall be passed until it has been on file with the Clerk for at least three (3) business days, including the day of the Council meeting.
- B. If an ordinance or formal resolution has not been on file with the Clerk for at least three (3) business days, its reading shall be a reading in full. If an ordinance or formal resolution has been so pre-filed, it shall be sufficient reading to read its title or a summary.
- C. Each ordinance or formal resolution shall be identified by succinct summary which describes its purpose and by the name of the Council Member sponsor. Every sponsor shall, when filing the same with the City Clerk, specify the committee of origin for the ordinance or formal resolution. Subject to Rule 5.6 (Suspension of Rules), every ordinance or formal resolution must be first presented in or scheduled for presentation in a committee before it may be appears on the Council's agenda for first reading (for ordinances) or for Council consideration (for formal resolutions).
- D. For each ordinance or formal resolution which would have an impact on the fiscal condition of the City, the sponsor must check the box to note the fact of the fiscal impact and briefly describe the fiscal impact of the ordinance or resolution on the current year's budget when preparing the agenda sheet.



## **Rule 7.2      AMENDMENT**

- A. Amendment of the wording of an ordinance or formal resolution on file does not require repetition of all filing and reading procedures. The Council may elect to defer final action until the amendatory language has been embodied in the document and the document resubmitted, or to pass or adopt the measure as amended in which case the City Council Policy Advisor and/or City Attorney shall be responsible for redrafting or changing the document for record purposes.
- B. A revised version of an ordinance or formal resolution may be substituted for the one in the packet between readings or between meetings when the differences between the two versions are minor. When a substituted ordinance or formal resolution makes a significant substantive change from the earlier version, it is to be processed as an original item. That is, a substituted ordinance will be given first reading and carried over and a substituted resolution will be deferred or the Council may take action to amend and substitute the revised version for the version previously filed.
- C. The deletion of an emergency clause converts the ordinance to a regular ordinance which requires a second reading at a subsequent meeting. The addition of an emergency clause requires the ordinance to be deferred to allow public hearing.

## **Rule 7.3      SUBJECT MATTER**

The Council shall not consider or pass any ordinance or resolution the subject matter of which is not directly related to local affairs or municipal business or if action by the City Council does not result in the adoption of a new or amendment to an existing ordinance or resolution or affect any City policy or practice.

## **RULE 8 – PROCESSING ORDINANCES**

### **Rule 8.1      PUBLICATION, SIGNATURE AND RECORDING**

- A. An ordinance passed by the City Council shall, within five (5) days thereafter, be presented to the Mayor.
- B. An ordinance:
  - 1. Making the annual tax levy,
  - 2. Adopting the original annual budget,
  - 3. Making appropriations,
  - 4. Implementing a local improvement district or confirming the assessments



therefor,

5. Which is an emergency or special budget ordinance,
6. Which is an emergency ordinance, or
7. Which has been approved by the electors by referendum or initiative

shall become effective immediately upon passage.

- C. Ordinances signed by the Mayor, and the approved parts of ordinances that have been partially vetoed, will thereupon be filed with the Clerk for recording and publication if not already published.
- D. Ordinances not signed by the Mayor after ten (10) days will be filed with the Clerk for signature, recording and publication as necessary.

## **Rule 8.2 VETO**

If, within ten (10) days of presentment, the Mayor vetoes an ordinance or part of an ordinance, the ordinance or part thereof, along with the veto message (if any), is returned to the City Council, which shall provide a copy to the City Clerk. The City Clerk shall schedule the matter for consideration for the next available Council meeting, if requested by a City Council member. If, within thirty (30) days of the Mayor's veto or partial veto, the ordinance receives at least five (5) votes for passage, it shall thereupon take effect. Such ordinance will then be signed by the Council President or two Council members and filed with the City Clerk for publication and recording.

## **RULE 9 – COMMITTEES**

### **Rule 9.1 STANDING COMMITTEES – ESTABLISHMENT AND MEMBERSHIP**

- A. There shall be four (4) standing committees, as follows:
  1. Public Safety and Community Health;
  2. Finance and Administration;
  3. Urban Development;
  4. Public Infrastructure, Environment and Sustainability.
- B. Committee membership shall be comprised of a minimum of one (1) council member from each council district, and additional members as desired. Standing committees composed of more than three (3) Council members shall be noticed as meetings of the Council where no legislative action shall occur.



- C. The Council President shall chair each study session, Administrative Session and Legislative Session of the City Council. All committee chairs and vice-chairs shall be determined by majority vote of the Council.
- D. The Council shall confirm the standing committee membership and leadership by resolution adopted no later than the second meeting in January of each year or as soon thereafter as possible.

## **Rule 9.2 COMMITTEE PROCESS**

- A. The purposes of standing committee meetings are to provide the city administration and city staff an opportunity to update members of the committee regarding department programs, plans, and other administrative activities and future City Council administrative items, to brief the Council on future legislative agenda items, and to discuss strategic initiatives with the City administration and measuring progress of these initiatives. Any legislative items should be in final draft form at the committee presentation.
- B. All standing committees shall be open to the public except during such time as the committee is in executive session consistent with the OPMA. No public testimony is taken during standing committee meetings. Participation in a standing committee meeting shall be limited to standing committee members, appropriate staff and other individuals recognized by the committee. Participation by Council Members, including deliberation and voting, shall be limited to the appointed Council members. Upon motion of the City Council, a standing committee meeting may be conducted as a meeting of the full City Council, in which case, a special meeting notice shall be issued and the meeting shall be conducted in a study session format.
- C. Each committee shall meet monthly at 1:15 p.m. in the Council Briefing Center, except where cancelled at the discretion of the chair, in the following order:
  - 1. Public Safety and Community Health: First Monday of each month
  - 2. Urban Development: Second Monday of each month
  - 3. Finance and Administration: Third Monday of each month
  - 4. Public Infrastructure, Environment, and Sustainability: Fourth Monday of each month
  - 5. If there is a fifth Monday in a month, that date is reserved for an additional study session if needed and as convened by the Council President.



6. If a committee meeting falls on a scheduled City Holiday, the chair may cancel the meeting or reschedule it for a Monday morning in the same month.

D. Committee meeting agendas are formalized under the following process:

1. Three Wednesdays prior to the committee meeting, the chair's legislative aide or administrative staff will circulate a request for agenda items.
2. No later than 5 p.m. on the Wednesday occurring 12 days before the committee meeting, suggested agenda items and briefing papers (for both consent and discussion items) are due to be submitted to the legislative aides or administrative staff who circulated the request for agenda items.
  - a. At that time, the briefing paper template should be filled out and must indicate whether the preparer prefers the item to be a consent item or a discussion agenda item.
  - b. Agenda items that require no discussion at committee meetings (consent items) can be placed on any committee's agenda.
  - c. As many supporting documents as are available should be attached to the briefing paper.
3. By the Friday occurring 10 days before the committee meeting, the preliminary agenda, with briefing papers, is to be sent out to all Council Members for review.
4. No later than 5 p.m. on the Monday occurring 1 week before the committee meeting, Council Member requests for additional information on any agenda item are due.
5. At any time after briefing papers are submitted, the committee Chair, Vice Chair and administrative leads meet at least once to create and/or finalize the agenda.
6. The Wednesday at 5 p.m. prior to the committee meeting is the deadline for all supporting documents for briefing papers and addenda, if any.
7. After the final agenda is approved by the Chair, the legislative aide or administrative staff circulates the final agenda by 5pm on the Thursday prior to the committee meeting.
8. Any deviation from the schedule above (accepting briefing papers past the deadlines for example), must be approved by the Committee Chair.



The regular order of business for committee meetings is as specified in the Agenda Template document attached as an exhibit to these Rules.

- E. Each item presented in committee must be accompanied by a briefing paper, using the Briefing Paper Template attached as an exhibit to these Rules, and any additional briefing or research documents necessary, unless waived in the particular case by the committee chair.
- F. Each ordinance or resolution must be presented by the Council sponsor or their designee in a committee before it receives first reading. With the consent of the Council President, an item may be presented in a regular Council study session which has been noticed as a public meeting in lieu of presentation before a committee.
- G. By declaration of the Chair (subject to a seconded appeal) or by motion of the Council, any matter before the Council may be referred to a committee, except that no committee shall investigate the facts of, nor shall any member or members of the Council take independent action on, any pending or contemplated adjudicated matters.

### **Rule 9.3      INTER-GOVERNMENTAL COMMITTEES AND BOARDS**

Unless governed by other regulations, statutes, or ordinances, the nomination of the full slate of Council members to inter-governmental committees or boards shall be made by the Council President, subject to confirmation by a majority of the City Council. All appointments shall be made consistent with the governmental documents creating the inter-governmental committee.

### **Rule 9.4      AD HOC COMMITTEES**

Ad hoc committees with specified functions may be established for a designated term or for a specific task or to advise the Council on specific subject matter, by resolution. Unless specified in the resolution which created the ad hoc committee, matters of committee business such as the appointment process and qualifications for membership, the number of members, and the deadline for any resulting reports of the ad hoc committee shall be determined by the committee itself.

### **Rule 9.5      BOARDS AND COMMISSIONS APPOINTMENT PROCESS**

The Council shall interview Mayoral nominees for appointment to boards and commissions and shall take action on each such nomination in an open public meeting.

## **RULE 10 – MISCELLANEOUS**

### **Rule 10.1      COUNCIL POSITION VACANCY**



- A. Upon receipt of a written notice of a vacancy or an impending vacancy of a City Council position other than that of Council President, the Council President or designee shall announce the vacancy within seven (7) days of the receipt of the vacancy notice occurring and call for interested parties to submit their applications for consideration by a deadline stated by the Council President set with concurrence of the Council.
- B. Upon the close of the deadline, each member of the Council shall review the applications, interview on an individual basis whichever applicant they desire to interview, and notify the Council President of the names of the individuals who they believe should be interviewed by the entire City Council.
- C. The Council President shall compile the Council members' list of candidates to be interviewed and schedule the compiled list of candidates to be interviewed by the entire City Council.
- D. The Council shall conduct interviews of each individual candidate selected for interviews in an open public meeting. No public comment is permitted in such public meetings.
- E. Upon completion of the interviews, the Council, pursuant to RCW 42.30.110(1)(h), may go into executive session to evaluate the qualifications of each candidate.
- F. The Council shall take final action appointing a candidate to fill the vacancy during an open public meeting.
- G. Provisions regarding the selection of a candidate for a City Council vacancy not set forth by these rules shall be determined by the City Council by motion during an open public meeting.
- H. If the Council President position becomes vacant, the City Council may elect to appoint one of the existing Council members to fill the position of Council President without following the selection procedure set forth above. If, upon a motion of the City Council, the City Council decides to consider someone other than an existing Council member to fill the vacant position of Council President, the City Council shall follow the selection procedure set forth above.

## **Rule 10.2 COUNCIL MEMBER DISCIPLINE**

Council members may be subject to disciplinary action only by motion adopted by the affirmative vote of five (5) members of the Council, taken in an open public meeting. Disciplinary action may be based on violation of these Rules, the City Ethics Code (SMC 01.04A), or any standards of behavior expected of elected officials, including apparent conflicts of interest, and may include, without limitation, censure, removal from membership on a standing committee, or removal from membership on an intergovernmental board or commission.



### **Rule 10.3 COUNCIL STAFF**

- A. Each Council Member has the sole authority to hire, direct, and discharge one legislative assistant.
- B. While all Council Members have the authority to direct a member of shared council office staff, shared council office staff members are appointed by a majority vote of the City Council and may only be discharged by a majority plus one vote of the City Council.
- C. On a quarterly basis, shared council office staff shall present in a study session to all Council Members, a progress report on their ongoing duties and projects.

### **Rule 10.4 COUNCIL OFFICE BUDGET**

- A. Any Council Member may propose to allocate funding from the approved Council office budget beyond that which is reserved for the salaries of Council Members, personal staff, and approved shared council office staff.
- B. All Council office budget allocation proposals must be approved by the affirmative vote of four (4) Council Members at an open public meeting.
- C. On a quarterly basis, a directed member of the shared Council office staff shall make available to all Council Members a report on the status of and balances of all individual line items in the Council office budget.

### **Rule 10.5 COUNCIL MEMBER AND STAFF ORIENTATION**

- A. Newly-elected Council members and newly-appointed staff shall receive on-boarding and orientation meetings and information within thirty (30) days of their swearing-in or appointment.
- B. Orientation materials shall be generated by shared Council staff and shall consist of at least the following:
  - 1. Charter and Spokane Municipal Code overview;
  - 2. Overview of the city's budget process and statutory budget requirements;
  - 3. Overview of the Council rules of procedure and meeting process;
  - 4. Summary of often-cited parliamentary process (i.e., motions, decorum, etc);
  - 5. Overview of all standing and outside boards and commissions to which Council members are appointed, including their functions, history, and



composition.

## **Rule 10.6 COUNCIL MEMBER RESPONSIBILITIES**

- A. A time commitment of approximately 30-50 hours per week is normally required to adequately fulfill the role of City Council Member.
- B. Unless excused by the Council President or Committee chair, as applicable, Council Members must attend the following recurring engagements:
  - 1. City Council administrative and legislative sessions each Monday;
  - 2. Standing Committee Meetings on Mondays as scheduled;
  - 3. Weekly study sessions, as scheduled by the Council President;
  - 4. Ad hoc workgroups as assigned;
  - 5. Outside boards and commissions as assigned (typically between 6-9);
  - 6. Neighborhood Council meetings from their respective Council District on a regular basis but not necessarily every scheduled meeting (typically at least two a week district wide during each of the first three weeks of a month);
  - 7. Constituent meetings as necessary;
  - 8. Staff meetings as necessary;
  - 9. Other Council Member meetings as necessary; and
  - 10. Community events as time permits.
- C. Notwithstanding the provisions of this Rule, nothing in these Rules preclude the administration from providing onboarding and orientation as to the activities and procedures followed by administration staff.

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Adopted by Resolution 2019-0109 (December 2, 2019)  
Amended by Resolution 2020-0006 (January 6, 2020)

### *Exhibits:*

Agenda Sheet template

Briefing Paper template

Committee Agenda template



**Agenda Sheet for City Council Meeting of:**

<b><u>Date Rec'd</u></b>	
<b><u>Clerk's File #</u></b>	
<b><u>Renews #</u></b>	
<b><u>Cross Ref #</u></b>	
<b><u>Project #</u></b>	
<b><u>Bid #</u></b>	
<b><u>Requisition #</u></b>	

**Submitting Dept****Contact Name/Phone****Contact E-Mail****Agenda Item Type****Agenda Item Name****Agenda Wording****Summary (Background)****Fiscal Impact**

Grant related? NO

Public Works? NO

**Budget Account**

Expense \$ #

Select \$ #

Select \$ #

Select \$ #

**Approvals****Dept Head****Division Director****Finance****Legal****For the Mayor****Council Notifications****Study Session****Other****Distribution List****Additional Approvals****Purchasing**



## Briefing Paper Committee

<b>Division &amp; Department:</b>	
<b>Subject:</b>	
<b>Date:</b>	
<b>Author (email &amp; phone):</b>	
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	
<b>Committee(s) Impacted:</b>	
<b>Type of Agenda item:</b>	Consent      Discussion      Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	
<b>Strategic Initiative:</b>	
<b>Deadline:</b>	
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	
<u>Background/History:</u>	
<u>Executive Summary:</u>	
<u>Budget Impact:</u> Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No (for 2020) Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
<u>Operations Impact:</u> Consistent with current operations/policy? <input type="checkbox"/> Yes <input type="checkbox"/> No Requires change in current operations/policy? <input type="checkbox"/> Yes <input type="checkbox"/> No Specify changes required: Known challenges/barriers:	



**COMMITTEE MEETING  
AGENDA FOR  
1:15 p.m. – City Council Briefing Center**

The Spokane City Council's Finance & Technology Committee meeting will be held at **1:15 p.m. on** in City Council Briefing Center –Lower Level City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington.

The meeting will be conducted in a standing committee format. Because a quorum of the City Council may be present, the standing committee meeting will be conducted as a committee of the whole council.

The meeting will be open to the public, with the possibility of moving or reconvening into executive session only with the members of the City Council and the appropriate staff. No legislative action will be taken. No public testimony will be taken and discussion will be limited to appropriate officials and staff.

**AGENDA**

**I. Call to Order**

**II. Approval of Minutes from Meeting**

**III. Consent Items**

- (Topic) (Name of Presenter)

**IV. Council Requests**

- (List Topic) (required time – e.g. 5 min) (Name of Presenter)

**V. Staff Requests**

1. (List Topic) (required time – e.g. 10 min) (Name of Presenter)
2. (List Topic) (required time – e.g. 10 min) (Name of Presenter)

**VI. Executive Session:**

**VII. Adjournment:**

**Next Committee meeting will be on Monday, .**

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** *The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6363, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [msteinolfson@spokanecity.org](mailto:msteinolfson@spokanecity.org). Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.*