



**SPOKANE CITY COUNCIL RULES OF PROCEDURE**

**(2024 revision, adopted by Resolution No. 2024-0023 [03/4/2024])**

## Table of Contents

RULE 1 - GENERAL PRINCIPLES .....	4
Rule 1.1    PURPOSE.....	4
Rule 1.2    DUTY OF MUTUAL RESPECT .....	4
Rule 1.3    DUTY OF ETHICAL CONDUCT .....	4
Rule 1.4    ROBERT’S RULES OF ORDER.....	5
Rule 1.5    AMENDMENT OF COUNCIL RULES.....	5
RULE 2 – MEETINGS.....	5
Rule 2.1    PLACE AND TIME OF MEETINGS .....	5
Rule 2.2    OPEN FORUM.....	6
Rule 2.3    ADJOURNMENT OF MEETINGS .....	7
Rule 2.4    SPECIAL MEETINGS.....	8
Rule 2.5    STUDY SESSIONS.....	8
Rule 2.6    QUORUM.....	9
Rule 2.7    SERVICE ANIMALS AT CITY COUNCIL MEETINGS .....	9
Rule 2.8    FUNCTIONS OF MEETING AGENDA .....	10
Rule 2.9    INTRODUCTION OF ITEMS .....	10
Rule 2.10   AGENDA PROCESS.....	11
Rule 2.11   NOTICE BY AGENDA.....	14
Rule 2.12   SPECIAL MEETING NOTICES .....	14
Rule 2.13   THE CHAIR.....	14
Rule 2.14   ORDER OF BUSINESS .....	15
Rule 2.15   PARTICIPATION BY MEMBERS OF THE PUBLIC IN COUNCIL MEETINGS.....	17
Rule 2.16   PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS .....	20
Rule 2.17   VOTING, EFFECT OF DEFERRAL .....	22
Rule 2.18   SUSPENSION OF THE RULES .....	23
Rule 2.19   RECONSIDERATION.....	23
Rule 2.20   PARTICIPATION BY TELEPHONIC OR VIRTUAL MEANS.....	23
RULE 3 – ADJUDICATIVE APPEALS AND HEARINGS.....	24
RULE 4 – ORDINANCES AND FORMAL RESOLUTIONS .....	26
Rule 4.1    UPLOADING ITEMS FOR COUNCIL CONSIDERATION.....	26
Rule 4.2    AMENDMENT AND SUBSTITUTION.....	27
Rule 4.3    SUBJECT MATTER .....	28
RULE 5 – PROCESSING ORDINANCES .....	28
Rule 5.1    PUBLICATION, SIGNATURE AND RECORDING.....	28
Rule 5.2    VETO .....	29

RULE 6 – COMMITTEES.....29

- Rule 6.1 STANDING COMMITTEES – ESTABLISHMENT AND MEMBERSHIP.....29
- Rule 6.2 COMMITTEE PROCESS .....30
- Rule 6.3 INTER-GOVERNMENTAL COMMITTEES AND BOARDS.....31
- Rule 6.4 AD HOC COMMITTEES AND WORKING GROUPS.....32
- Rule 6.5 BOARDS AND COMMISSIONS APPOINTMENT PROCESS .....32

RULE 7 – MISCELLANEOUS .....32

- Rule 7.1 COUNCIL POSITION VACANCY .....32
- Rule 7.2 COUNCIL MEMBER DISCIPLINE.....33
- Rule 7.3 COUNCIL STAFF .....33
- Rule 7.4 COUNCIL OFFICE BUDGET .....33
- Rule 7.5 COUNCIL MEMBER AND STAFF ORIENTATION.....34
- Rule 7.6 COUNCIL MEMBER RESPONSIBILITIES .....34
- Rule 7.7 CITY COUNCIL PLANNING .....35
- Rule 7.8 LEGAL INQUIRIES .....36



## **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 or interact with council members or council staff in any type of forum or communication, regardless of the form or format, must act respectfully toward all persons and not commit "Unlawful harassment" as defined by RCW 7.105.010(36). Mutual respect includes, but is not limited to, not intentionally disclosing private information about a council member or staff such as personal telephone numbers or home addresses without the permission of the council member or staff.

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

- A. Each council member must uphold the constitution, laws, and regulations of the United States of America, the State of Washington and the Charter and ordinances of the city including, without limitation, chapter 01.04A, SMC (Code of Ethics), recognizing that federal and state laws pre-empt local laws. 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 promptly inform the council of the conflict of interest and abstain from any council action in connection with that matter.
- B. Confidential information.
  - 1. No council member may disclose confidential information, including attorney client privileged communications, to any person not entitled or authorized to receive the information. Notwithstanding the foregoing, the city council may, upon the affirmative vote of five (5) 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. Disclosure of legal advice shall be pursuant to Rule 7.8 (Legal Inquiries).
  - 2. For purposes of these rules, "confidential information" has the same meaning as the term is defined in SMC 01.04A.020(I) and SMC 01.04A.030(I)(1).

- C. 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. Further, these rules do not prohibit the city council, acting as a body in an open public meeting, from adopting resolutions supporting or opposing state or local ballot propositions.

#### 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 OF COUNCIL RULES

These rules may be amended at any time by resolution of the city council. Suspension of the rules shall be pursuant Rule 2.18.

### **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 shall 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. The council president may call a recess after the briefing session until the 6:00 p.m. council session.
- C. If two or more consecutive regular meetings are canceled, the council president has the discretion to cancel the initial 3:30 p.m. Briefing Session due to lack of business. The 6:00 p.m. council session, as referenced under section E below, will be held to consider that day's agenda.



- D. At the conclusion of the briefing session, or at other time properly announced, the city council may adjourn into executive session consistent with the Open Public Meetings Act ("OPMA"). Adjournment into executive session shall be by motion, which shall be adopted by a majority of council members present. 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 president determines which person(s) shall attend each executive session, absent an adopted motion by the council determining which person(s) other than council members and attorneys shall be permitted to attend.
- 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 as provided in Rule 2.2 (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. After the conclusion of all legislative business, the council shall recess briefly and then convene for an open forum, unless a majority of council members vote otherwise. The open forum shall have twenty (20) spaces available. The individuals assigned to the twenty (20) spaces available will be chosen at random, with preference given to individuals who have not spoken at open forum during that calendar month. The council shall conclude open forum after twenty (20) speakers unless a majority of council members vote to allow additional speakers. The city clerk and other staff shall not be required to remain in attendance during the open forum. Nothing in this Rule 2.2 shall be deemed to require open forum or the legislative session to continue after 10:00 p.m., or to require open forum during a council "Town Hall" meeting contrary to Rule 2.14.F.
- B. Members of the public can sign up for open forum beginning no later than 5:00 p.m. on the Friday immediately preceding the legislative session and ending at 6:00 p.m. on the date of the meeting via the virtual testimony form linked in the meeting packet or in person outside council chambers beginning at 8:00 a.m. on the day of the legislative session. Speakers must sign themselves in using a name. Members of the public who are unable to sign up during the sign-up period or who attempt to sign up late will be added to the list of speakers at the discretion of the chair, or their designee. The order of the speakers will be determined at the discretion of the chair, taking into account any special accommodations for persons of limited English proficiency as provided in Rule 2.2.F below. Each speaker shall be limited to no more than two (2) minutes unless a majority of the council members in attendance vote on an alternate time limit.

- C. No action, other than a statement of council members' intent to address the matter in the future, 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 and all matters discussed in the open forum shall relate to the affairs of the city. "Affairs of the city" shall include (i) matters within the legislative, fiscal or regulatory purview of the city, (ii) any ordinance, resolution or other official act adopted by the city council, (iii) any rule adopted by the city, (iv) the delivery of city services and operation of city departments, (v) any act of members of the city council, the mayor or members of the administration, or (vi) any other matter deemed by the council president to fall within the affairs of the city, which determination may be overridden by majority vote of the council members present. Absent permission of the chair, no person shall be permitted to speak in open forum regarding items on that week's current agenda or the next week's advanced agenda, pending hearing items, or initiatives or referenda in a pending election. Legal or personal matters between private parties that do not impact the governance of the City of Spokane are not a permissible topic of open forum testimony.
- E. No person shall be permitted to display visual information during open forum, including but not limited to presentations, videos, or other media; however, members of the public may share this information with the council by emailing them at [citycouncil2@spokanecity.org](mailto:citycouncil2@spokanecity.org). Individuals speaking during open forum shall address their comments to the council president, and speakers as well as members of the audience shall comply with Rule 2.15 (Participation by Members of the Public in Council Meetings).
- F. Participation of individuals with limited English language proficiency in open forum shall be accommodated to the extent set forth in Rule 2.15.L.

### Rule 2.3 ADJOURNMENT OF MEETINGS

- A. At the conclusion of the legislative session, unless there is further business before the council, the chair shall request a motion to adjourn the meeting until the next regularly scheduled council meeting.
- B. Any meeting may be adjourned prior to the completion of the city council's agenda 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., absent an adopted motion to remain in session to a time certain, the council's regular meeting shall be adjourned by motion and action shall be continued to the next Legislative Session. If testimony on an item was not completed before the meeting was adjourned, it shall be continued to the next meeting without allowing for additional members of the public to sign up or for those who were able to testify at the first meeting to give testimony again unless significant changes have been made to the item, per the discretion of the council president or presiding council member.
- F. In the event noise, disturbance, indecorum, or other circumstances disrupt council proceedings so as to render the orderly conduct of such meeting unfeasible, or if the removal of the individual(s) causing the disruption will not restore order, the council president or presiding council member may request a motion to adjourn the meeting either to the next regularly scheduled council meeting or to an alternate place and time set by motion. Absent adoption of such a motion by a majority of council members present, the meeting shall continue, subject to the chair's discretion to remove disruptive individuals under Rule 2.13 (The Chair).

#### Rule 2.4 SPECIAL MEETINGS

Special meetings may be called by the city clerk on the written request of the mayor, council president, or, if by council members, by passage of a motion made during a regular meeting. All such special meetings shall be noticed in compliance with the OPMA and Rule 2.12 (Special Meeting Notices) of these rules.

#### Rule 2.5 STUDY SESSIONS

A regular study session of the city council is held every Thursday at 11:00 a.m. for receiving information on staff matters, staff briefings, and discussion among council members on issues of public concern. Study sessions are held in a workshop format, with no public hearing, no council action to dispose of any item unless the study session was noticed as a special meeting in compliance with the OPMA and Rule 2.12 (Special Meeting Notices) of these rules. A quorum of the council is not necessary in order to proceed with a study session. Additional study sessions may be scheduled at the discretion of the council president or by a vote of the majority of council members present at a public meeting of the council.



## 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 35.33.091, 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 2.8 FUNCTIONS OF MEETING 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 2.9 INTRODUCTION OF ITEMS

- A. Legislation shall only be placed on a regular legislative meeting agenda by the council president or any council member, through the process established in Rule 2.10 (Agenda Process), except as otherwise provided by Rule 2.18 (Suspension of Rules). No resolution or ordinance may appear for consideration on a legislative agenda for consideration by the full council unless it has first been presented in a committee or study session and is sponsored by at least two council members, one of which must be an executive committee member of the standing committee on which the item appeared. Items for which six (6) months have elapsed since the discussion of the item at a committee meeting should be returned to committee for an additional discussion before appearing for consideration on the legislative agenda. Items that need consideration on a compressed timeline due to an unforeseen urgency or emergency may be added to an advance legislative agenda prior to being presented at a committee or study session with either (i) prior written permission from all of the council sponsor(s) or (ii) the council president; provided, the matter must still be heard in committee absent suspension of the rules by the council.
- B. Regular meeting agendas are prepared by the city clerk in the manner and format prescribed by the city council and consistent with council administrative policies and procedures and these council rules.
- C. The term "legislation" in these rules means any ordinance, resolution, contract approval and special considerations. Legislation does not include any item other than ordinance, resolution, or special consideration, and may include, but is not limited to, council letters to outside agencies and special acknowledgements.
- D. Any proposed ordinance intended to be enforced through a current, revised or new public rule shall include a copy of the current, revised or new public rule for consideration by the city council, along with a proposed resolution adopting said current, revised or new public rule. For purposes of this Section 2.9.D., the term "public rule" shall have the meaning set forth in Section 4.4 of that Administrative



Policy and Procedure numbered Admin 0325-18-1 /LGL 2004-0021 and adopted December 3, 2018.

## Rule 2.10 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. Except as otherwise provided in Rule 2.9 (Introduction of Items), no agenda item, other than weekly reports of the mayor of pending claims and payments, payroll claims, Board/Commission/Committee appointments, initiative and referendum matters, and letters appearing under special considerations, may appear on a council legislative agenda without (i) first appearing on a standing committee agenda and (ii) meeting the requirements to emerge from the standing committee, as provided in paragraph F of Rule 6.2 (Committee Process).
- C. Agenda items submitted to a standing committee's preliminary agenda must be submitted to the standing committee associated with the division from which the agenda item originates, as illustrated in Attachment A. For purposes of this rule, special budget ordinances (SBO) are assigned either to the committee of the underlying department whose appropriation(s) are affected by the SBO, or the Finance & Administration Committee.
- D. Agenda items may be submitted to a standing committee unrelated to the subject matter of the item with the permission of the chair of the appropriate standing committee and the permission of the chair of the unrelated committee to which the item is being submitted.
- E. Proposed agenda items are added to a final committee agenda after securing confirmation from at least one executive committee member of the relevant standing committee that they will sponsor the item for committee.
- F. To move out of a standing committee and onto a legislative agenda, resolutions and ordinances must secure two (2) council sponsors, one of which must be an executive committee member of the standing committee on which the item appears.
- G. The timeline and process for formalizing standing committee meeting agendas is as follows:
  - 1. No later than 5:00 p.m. on the Thursday occurring eleven (11) calendar days before the desired committee meeting, suggested agenda items and briefing papers (for both consent and discussion items) shall be uploaded into OnBase.

- a. At that time, both the agenda sheet and 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. Supporting attachments, including ordinances, resolutions and contracts, are due at this time except with express permission by the committee chair.
2. By 9:00 a.m. on the Friday occurring ten (10) calendar days before the desired committee meeting, items submitted into OnBase must receive all OnBase approvals and arrive in the committee queue. Items that do not receive all OnBase approvals by the above deadline may be added to both the preliminary and final committee agenda at the discretion of the committee chair or their designee.
3. Items originating from the council office are not required to gain administration OnBase approvals to be added to a preliminary or final committee agenda.
4. By close of business on the Friday occurring ten (10) calendar days before the committee meeting, the preliminary agenda should be sent out to all council members for review.
5. No later than 10:00 a.m. on the Wednesday immediately preceding the committee meeting, council member requests for additional information on any agenda item are due.
6. At any time between the distribution of the preliminary agenda and close of business on the Friday immediately preceding the standing committee meeting the executive committee members, initiative managers, and administrative leads should meet at least once to create and/or finalize the agenda.
7. To be included on a committee's final agenda, an item must be sponsored by at least one (1) executive committee member of the standing committee on which the item is to appear. Other than ordinances and resolutions, if an item is submitted in compliance with the above committee deadlines and is sponsored by at least one executive committee member, it shall appear on the committee's final agenda.
8. Resolutions and ordinances being placed on the consent portion of a final committee agenda must have at least two (2) council members identified as sponsors when submitted, one of which must be an



executive committee member of the standing committee on which the item appears.

9. If administration staff need help identifying a sponsor, they should consult with the committee chair, vice chairs or their legislative assistants.
  10. After the final agenda is created, council staff circulates the final agenda by close of business on the Friday immediately preceding the committee meeting.
  11. Any deviation from the timeline for submitting agenda items (accepting agenda items past the deadlines for example) must be approved by the committee chair or their designee.
- H. Every agenda item shall be accompanied by a completed briefing paper in the format provided by the council office (Attachment B). For legislative matters adopting significant policy positions, the briefing paper shall indicate whether the item was reviewed by a council subcommittee and, if so, a summary of the subcommittee's analysis and, if not, why subcommittee review did not occur. The presiding officer of the committee or council president, as the case may be, may exclude an agenda item for consideration if the briefing paper lacks relevant and material information.
- I. The wording for the agenda item and the relevant information placed on the agenda sheet are to be provided by the person submitting the item. Plain language shall be used to accurately describe the item with the goal of making the item easily understood by the public. The council president or their designee shall decide any disputes over wording unless verbiage is determined by a majority vote of the council. The council director or designee, the city clerk and city attorney's office staff may edit agenda items for technical, grammatical or typographical errors.
- J. Each council member shall have the continuing duty to be familiar with all agenda items and all accompanying information.
- K. At the time of submission of a legislative discussion item to a committee agenda, the council sponsor(s) shall prepare a brief summary of the legislation for the council director of communications and community engagement, who shall publicize the proposed legislation and alert the public to an opportunity for written comment. Publication under this rule may include posting a page on the city council website with a plain language explanation of the legislation and a comment form for community members to provide comment on the proposed legislation, in addition to instructions on how to provide written comment. Notice under this section shall include a statement that any legislative item appearing on the council advance or current agenda is subject to deferral by council vote on the day said item appears on the agenda, and that members of the public should confirm



whether an item remains on that day's legislative agenda by consulting the council's webpage prior to the 6:00 p.m. legislative session. Publication under this section shall be supplemental to, and not in lieu of, any publication required by the OPMA or other notice required by law.

#### Rule 2.11 NOTICE BY AGENDA

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

#### Rule 2.12 SPECIAL MEETING NOTICES

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. Submission of legislative items for consideration at a special session need not conform to Rule 2.9 (Introduction of Items).

#### Rule 2.13 THE CHAIR

- A. The council president, or in their absence or incapacity, the council member selected by the council to serve as council president *pro tem* pursuant to SMC 03.01.120(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. If the council president *pro tem* is unavailable, the council member with seniority of tenure on the council shall preside.
- B. The chair shall determine all questions of parliamentary procedure, subject to appeal as provided in this Rule 2.13(B), but shall liberally grant leave to the city council's policy advisor and/or a 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 any council meeting in the appropriate



circumstances, including when noise, disturbance, indecorum, or other circumstances warrant a recess. In the event disturbance, indecorum, or other circumstances disrupt council meeting, the chair may request a motion to adjourn pursuant Rule 2.3 (Adjourned Meetings). The chair may direct any person or persons disrupting the meeting to be removed from the chambers or to otherwise eliminate a source of disruption. In administering this rule, the chair will be guided by the council's intent to support robust public, peaceful participation by the public.

## Rule 2.14 ORDER OF BUSINESS

### A. Briefing Session.

The regular order of business in a briefing session is as follows. The meeting chair may make adjustments to the order of business as needed. In the event of a double Briefing Session, where both the Current and Advanced Agendas are to be briefed due to a meeting cancellation the previous week, the Current Agenda will generally be briefed first in order to ensure that the agenda is approved and amendments occur with time for staff to prepare for the public testimony sign in period.

1. Roll call;
2. Council or staff reports of matters of interest;
3. Staff or council member briefings 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 by staff or council members for items on the current agenda; and
7. Discussion of and any adjustments to the current agenda.

### B. 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. (See also Rule 2.1.D, Meetings). The meeting minutes shall record the announced purpose of the executive session as well as the time that executive session began and ended.

### C. Legislative Session.

The regular order of business in a legislative session is as follows. The meeting chair may make adjustments to the order of business as needed, including combining

testimony on multiple items.

1. Pledge of Allegiance;
  2. Words of inspiration and special introductions;
  3. Roll call to establish the presence of a quorum;
  4. Reading of proclamations and salutations;
  5. Reports from community organizations;
  6. Announcement of adjustments to the agenda;
  7. Council appointments and approval of mayoral appointments;
  8. Consent Agenda;
    - a. Testimony from members of the public concerning the consent agenda;
    - b. Request(s) by an individual council member, if any, to consider any specific consent agenda items separately from the consent agenda;
    - c. Action on the consent agenda;
  9. Reading of each legislative item by the clerk;
    - a. Report by staff and questions to staff;
    - b. Testimony from members of the public concerning the agenda item;
    - c. Deliberation by council, and such further dialogue with staff and community members as council may desire, including any motions by council members concerning the agenda item; and
    - d. Vote.
  10. Open Forum
  11. Adjournment.
- D. 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.



- E. 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.
- F. Pursuant to SMC 02.01.010, the council may hold a legislative session of a council meeting outside of City Hall in a "Town Hall" format. Town Hall legislative sessions should be held at least once a year in each council district. The purpose of the Town Hall meetings is to offer a time for city council to hear from residents and neighborhood councils at a meeting held outside of City Hall and more convenient to residents of each council district. The order of business at the legislative session of a Town Hall meeting shall be as set forth in Rule 2.14.C above, provided:
  - 1. The "Town Hall" portion of the agenda shall be after council appointments and approval of mayoral appointments, and before reading of consent agenda items;
  - 2. The specific agenda and number of presenters at the Town Hall portion of the legislative agenda shall be determined by the council president, with preference given to the neighborhood councils of the district where the council meeting is held; and
  - 3. No open forum will be commenced or continued after 8:30 p.m.

#### Rule 2.15 PARTICIPATION BY MEMBERS OF THE PUBLIC IN COUNCIL MEETINGS

The council encourages public participation in the legislative process. Council meetings shall be conducted in a manner that provides the opportunity for all attendees to hear, see and participate in the proceedings to the extent provided in these Rules and applicable city, state, and federal law. Speech or conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of any council meeting is prohibited. In addition to these general principles governing public participation, the following specific rules apply:

- A. Members of the public may address the council regarding the following items during the council's legislative session: the consent agenda as a whole, all first reading ordinances together (with the exception of first reading ordinances associated with hearings, which shall be taken separately), final readings of regular and special budget ordinances, emergency ordinances, hearing items, special considerations, and other items before the city council requiring council action, except those that are adjudicatory or solely administrative in nature. This rule shall not limit the public's right to speak on issues that are not part of the current or advanced agendas during 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. Council members must be recognized by the chair for the purpose of obtaining the floor.
- C. Each person speaking in a public council meeting 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. Those who wish to provide commentary but do not wish to give verbal comments at the podium may provide written comments to the council via letter or electronic mail.
- F. No person shall be permitted to conduct demonstrations, display banners, hold signs, applaud or boo speakers, use profanity, vulgar language or obscene speech, yell or make comments that attack or verbally insult any individual, or engage in other such disorderly conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the proceedings.
- G. Standing is permitted so long as doing so maintains compliance with applicable fire codes and the Americans with Disability Act (ADA), does not interfere with reserved seating areas, and does not impede access to entrances and exits to the Council Chambers, aisles, or pathways inside the Council Chambers. Attendees shall be mindful not to obstruct the views of others in Council Chambers when standing.
- H. A speaker asserting a statement of fact may be asked by a council member to document and identify the sources of the factual datum being asserted.
- I. When addressing the council, members of the public shall direct all remarks to the council president, shall refrain from remarks directed personally to any council member or any other individual, and shall confine remarks to the matters that are specifically before the council at that time.
- J. City employees or city officials (including members of city boards and commissions) may participate in public comment, including open forum, providing they are in compliance with the City of Spokane Code of Ethics and they do the following:
  - 1. Announce at the beginning of their testimony that they are there in their personal capacity or their capacity as a member of a relevant board, commission, committee or community group;



2. Protect confidential information, including, but not limited to, confidential financial information and attorney-client communications;
  3. Do not use, or be perceived to use, city funds, including giving testimony during paid work time or while in uniform; or city property, including using a city-issued computer or cell phone, in giving testimony.
- K. 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 and avoiding unlawful harassment 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's policy advisor and/or a 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. All persons attending city council meetings or city council sponsored meetings shall refrain from harassing other attendees or risk being removed and/or prohibited from attending future meetings.
- L. The city council intends to fully comply with chapter 18.11 SMC, Language Access in Municipal Proceedings. Rules regarding participation of individuals in council proceedings, including legislative sessions and open forum, shall be deemed amended to conform to any Language Access Plan adopted by the council pursuant to SMC 18.11.030. Except as otherwise provided in an adopted Language Access Plan, individuals with limited English language proficiency are encouraged to contact the council office director at least five (5) days prior to a scheduled legislative session for assistance with the signing up to testify or to arrange translation or interpretation assistance.
- M. City council legislative sessions are regularly video and audio recorded and available online (<https://vimeo.com/spokanecitycouncil>). Members of the public may also photograph or film council proceedings so long as doing so maintains compliance with applicable fire codes and the Americans with Disability Act (ADA), does not interfere with reserved seating areas, and does not impede access to entrances and exits to the Council Chambers, aisles, or pathways inside the Council Chambers. Attendees shall be mindful not to obstruct the views of others in Council Chambers when photographing or recording. No flash photography or other lighting is permitted.
- N. RCW 42.17A.555 generally prohibits the use of city facilities for electioneering. Therefore, no person may use the council meeting or facilities for the purpose of assisting a campaign for election of any person to any office, or for the promotion of or opposition to any ballot proposition. In this context, the term "facilities" includes council chambers, the council gallery and the speaking



opportunities available through the public comment and open forum procedures set forth in these rules.

## Rule 2.16 PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS

- A. Members of the public can sign up to give testimony beginning no later than 5:00 p.m. on the Friday immediately preceding the legislative session and ending at 6:00 p.m. on the date of the meeting via the online testimony sign-up form linked in the meeting packet or in person outside council chambers beginning at 8:00 a.m. on the day of the legislative session. Speakers must sign in using a name. Members of the public who are unable to sign up during the sign-up period or who attempt to sign up late will not be added to the list of speakers. The order of the speakers shall be determined at the discretion of the chair.
- B. The city council shall take public testimony on all matters included on its legislative agenda as described at Rule 2.15(A), with those exceptions stated in Rule 2.16(B). Public testimony shall be limited to the final council action, except that public testimony shall be allowed at the first reading of ordinances. Public testimony shall be limited to three (3) minutes per speaker. The chair, absent a majority vote of the council, has the authority to lower the three (3) minutes per speaker time limit by announcing the new, lower time limit at the legislative session. The chair may allow additional time if the speaker is asked to respond to questions from the council. Public testimony and consideration of an item may be extended to a subsequent meeting by a majority vote of the council. Testimony on a legislative item deferred to a future date certain shall be taken on the future date, unless testimony on the date of deferral is allowed by the Council President.
- C. No public testimony shall be taken on oral amendments to consent or legislative agenda items, votes to override a mayoral veto, or solely procedural, parliamentary, or administrative matters of the council.
- D. Public testimony will be taken on consent and legislative items that are moved to council's regular briefing session or study session unless a majority of council votes otherwise during the meeting in which the items are moved.
- E. For legislative or hearing items that may affect an identifiable individual, association, or group, the following procedure may be implemented at the discretion of the council president:
  - 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 may 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 may 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.
  4. In the event that the side for which individuals wish to speak is not identified, those wishing to give testimony shall be granted three (3) minutes to present their position after all sides have made their initial presentations and before



each side's rebuttal period.

- F. 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.
- G. No person shall be permitted to display visual information during their testimony, including but not limited to presentations, videos, or other media; however, members of the public may share this information with the council by emailing them at [citycouncil2spokanecity.org](mailto:citycouncil2spokanecity.org).
- H. In addition to in-person or remote verbal testimony, testimony may also be submitted by mail to City Council Office, Spokane City Hall, 808 W. Spokane Falls Blvd., Spokane, WA, 99201, by email to all council members, or via the contact form on the council's website.<sup>1</sup>

#### Rule 2.17 VOTING, EFFECT OF DEFERRAL

- A. Except where a majority plus one vote is required, (e.g., Charter section 19, RCW 35.33.081, RCW 35.33.091), and unless otherwise provided herein, all motions must receive at least four (4) affirmative votes to pass.
- B. If a motion receives less than the required number of affirmative votes, it shall be declared that the motion failed and the status quo shall prevail.
- C. Upon a tie vote, the status quo prevails on the matter upon which the vote was cast.
- D. Any legislative item may be deferred indefinitely or to a future date certain. Any legislative item deferred indefinitely may only be returned to an advance council agenda by a motion by a council member who was on the prevailing side of the original vote to defer the item. A motion to return the item to the legislative agenda must be adopted by four affirmative votes. Proposed amendments to items after deferral shall be by separate motion. Any item not returned to the council agenda within six months after the initial deferral shall be considered not adopted and may only be returned to the council agenda after introduction pursuant to Rule 2.10 (Agenda Process).
- E. 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 roll call vote. Unless otherwise required due to the technical limitations of the specific meeting method or forum, the alternative to voice vote shall be the electronic voting tally system currently in use in the council chambers.

---

<sup>1</sup> <https://my.spokanecity.org/citycouncil/members/>



- F. 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 to explain the reasons for their vote and such a request shall be regarded as a point of personal privilege.
- G. A council member may abstain from voting on any matter before the council if they have a direct personal or financial interest in the matter before the council which is not held in common with other members of the council. In order to abstain from voting, a council member must describe to the council president the basis for the abstention in an open public meeting prior to the vote.

#### Rule 2.18 SUSPENSION OF THE RULES

These rules may be temporarily suspended for a particular matter or meeting by the affirmative vote of five council members. Motions to suspend the rules must specify the general purpose of the suspension (e.g., "Motion to suspend the rules for the purpose of adding three items to the agenda"). Except with respect to open forum and public participation in council proceedings, a motion to suspend the rules does not relieve a council member from making a separate motion on the question that prompted suspension of the rules. By way of illustration, a motion to suspend the rules to "add three agenda items" still requires a separate and subsequent motion to add the three items to the agenda.

#### Rule 2.19 RECONSIDERATION

All legislative decisions of the city council, including consent items, ordinances, resolutions, and hearing items are final, except that a council member on the prevailing side of a vote or who was absent for the vote may resubmit that item for reconsideration within 15 days of council consideration or prior to the mayor's action on an ordinance, whichever occurs first. Nothing in this rule shall be deemed to prevent any council member from otherwise submitting an ordinance or resolution to repeal or modify a prior city council action so long as such repeal or modification is added to the committee and council agenda as provided in these rules.

#### Rule 2.20 PARTICIPATION BY TELEPHONIC OR VIRTUAL MEANS

- A. A council member may participate telephonically and/or virtually 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, including the public, 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 remotely 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 3 – 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 4 – ORDINANCES AND FORMAL RESOLUTIONS**

##### **Rule 4.1 UPLOADING ITEMS FOR COUNCIL CONSIDERATION**

- A. All council agenda items, including ordinances and resolutions shall be uploaded into OnBase as provided in Rule 2.10 (Agenda Process).
- B. After presentation at committee, so long as council sponsorship requirements are met as provided in Rule 2.10 (Agenda Process), the council office director, or their designee, will approve items to move forward to the clerk for consideration at a future council legislative session. All items, whether discussion or consent, will remain in the council queue and will not advance toward a legislative agenda until having gone through committee unless granted permission to be considered on a compressed timeline as established in Rule 2.9 (Introduction of Items).
- C. To accommodate narrow construction windows, engineering construction contract briefing papers may be submitted to committee prior to bid opening as long as the item includes the engineer's cost estimate and estimated construction timeline. When final construction contract information is received, these items may be re-submitted to the council office director, or their designee, for submission to the clerk for consideration at a future council legislative session.
- D. An ordinance or resolution must have been filed with the clerk prior to the meeting of which it is an agenda item. No ordinance or 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.

- E. If an ordinance or resolution, or an amendment to an ordinance or resolution, has not been on file with the Clerk for at least three (3) business days, a council member may request that the ordinance, resolution or amendment be read in full prior to consideration by the council. Absent a request by a council member for a full reading, any ordinance or resolution (including any amendments) that has been submitted to the agenda as provided under these rules may be considered after reading of the title or a summary.
- F. Each ordinance or resolution shall have a succinct, plain-language title and summary which briefly describes its purpose and effect. The agenda sheet for every item shall, when filing the same with the city clerk, specify the committee of origin for the ordinance or resolution and the names of the council members who are sponsoring the ordinance or resolution. Subject to Rule 2.18 (Suspension of rules), every ordinance or resolution must be first presented in a committee before it may appear on the council's agenda for first reading (for ordinances) or for council consideration (for resolutions).
- G. Each ordinance or resolution which would have an impact on the fiscal condition of the city must note that fact on the agenda sheet and be accompanied by a brief description of the fiscal impact of the ordinance or resolution on the current year's budget.
- H. At the time of submission of a legislative discussion item to the council agenda, the record relating to the item must reflect compliance with Rule 2.10.K (Public Comment).

#### Rule 4.2 AMENDMENT AND SUBSTITUTION

- A. "Amendment" of legislation pertains only to legislation on the agenda and occurs at the time proposed legislation is under debate by the council, and may be offered by motion by any council member. "Substitution" of legislation occurs prior to debate of proposed legislation and may only be made by sponsors of the ordinance or resolution. Amendments and substitutions are permitted only as provided in this Rule 4.2.
- B. Every proposed amendment shall be in writing and circulated to the city clerk and city council members and staff prior to 10:00 a.m. on the Friday immediately preceding council consideration; provided, amendments making clerical or technical corrections may be articulated orally during debate. Any amendment submitted after the 10:00 a.m. Friday deadline, if adopted by council on the Monday immediately following the deadline, shall result in that legislative item being deferred to the next regular council legislative agenda.
- C. Proposed amendments shall be included in the current agenda packet for the

benefit of public review and council consideration and shall be identified by the council member proposing them (e.g., "The Council Member [LAST NAME] Amendment to ORD CXXXXX").

- D. A substitution of all or a portion of the wording of an ordinance or resolution which is to be listed on an advance council agenda may be submitted by the majority of sponsors of the ordinance or resolution without council approval, so long as the substitution is in writing and circulated to all council members and the city clerk by no later than 10:00 a.m. on the Friday immediately preceding the meeting at which the ordinance or resolution is to appear on an advance agenda.
- E. Any motion to amend an ordinance or resolution shall require four (4) affirmative votes to pass. Any motion to suspend the requirements in this Rule 4.2 shall require five (5) affirmative votes to pass.
- F. Amendments and substitute versions not filed with the city clerk at least three days before the meeting, whenever reasonably possible, shall be posted for public viewing on the city council Facebook page or other similar channels so that interested members of the public may review during council's consideration of the matter.
- G. 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 4.3 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 5 – PROCESSING ORDINANCES**

#### Rule 5.1 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 city clerk for signature, recording and publication as necessary.

#### Rule 5.2 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 reconsideration 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 city council overrides the veto, the ordinance shall be considered enacted on the date that the override occurs and shall take effect 30 days after enactment. Such ordinance will be signed by the council president, council president pro tem, or two council members and filed with the city clerk for publication and recording. Any ordinance vetoed by the mayor, and for which no veto override has been passed by the council, may be resubmitted for council approval as provided in Rule 2.19 (Reconsideration).

### **RULE 6 – COMMITTEES**

#### Rule 6.1 STANDING COMMITTEES – ESTABLISHMENT AND MEMBERSHIP

- A. There shall be four (4) standing committees, as follows:
  1. Public Safety and Community Health;
  2. Urban Experience;
  3. Public Infrastructure, Environment and Sustainability;

#### 4. Finance and Administration.

- B. All council members shall be members of each standing committee. Standing committee meetings shall be noticed as meetings of the council where no legislative action shall occur.
- C. The council president shall chair each study session, Briefing Session and Legislative Session of the city council. All committee chairs and vice-chairs shall be determined by majority vote of the council and shall preside over the meetings of their respective committees.
- D. Each standing committee shall have an executive committee comprised of three council members: the committee chair and the two (2) vice chairs. The council shall confirm executive members of each standing committee by resolution adopted no later than the second meeting in January of each year or as soon thereafter as possible.

#### Rule 6.2 COMMITTEE PROCESS

- A. The purposes of standing committee meetings are first to provide council members an opportunity to discuss potential legislation publicly and second to provide the city administration and city staff an opportunity to update council members 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. Legislative agenda items should be in final or close to final draft form at the committee presentation. Council members should also utilize standing committees to update each other on their board, committee, and commission assignments,
- B. All standing committees shall be video recorded and open to the public using the appropriate method (i.e., webcasting or streaming when physical presence is not possible due to law or regulation) 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. 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. Administrative support for each committee will be provided by council office staff.
- C. Each committee shall meet monthly at 1:15 p.m. in the council chambers, except where cancelled or rescheduled to a different time or date at the discretion of the chair, in the following order:



1. Public Safety and Community Health: First Monday of each month
  2. Urban Experience: Second Monday of each month
  3. Public Infrastructure, Environment, and Sustainability: Third Monday of each month
  4. Finance and Administration: 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 meeting will be rescheduled to the next available Monday at 10:00 a.m.
- D. Committee meeting agenda are formalized pursuant to Rule 2.10 (Agenda Process). The regular order of business for committee meetings is determined by the committee chair.
- E. Each item presented in committee must be accompanied by a briefing paper, using the Briefing Paper Template attached to these rules (attachment B), 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 the appropriate committee which corresponds to the subject matter of the ordinance or resolution before it may move forward for inclusion on the council's legislative agenda. With written permission from both the council president and one of the executive committee members of the standing committee under which the item would normally fall, this requirement may be met by conducting a presentation of the item in a regular council study session which has been noticed as a public meeting.
- G. 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 6.3 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. The council president shall appoint proxies to attend



meetings when the assigned council member is unable to attend a meeting.

#### Rule 6.4 AD HOC COMMITTEES AND WORKING GROUPS

Council ad hoc committees, also known as working groups, 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. Working groups shall not include more than three council members unless the meetings of such a working group publishes notices of its meetings consistent with the OPMA.

#### Rule 6.5 BOARDS AND COMMISSIONS APPOINTMENT PROCESS

The city council shall interview mayoral nominees for appointment to boards and commissions prior to considering their appointment and shall take action on each such nomination in an open public meeting. Re-appointments do not require an interview unless requested by a council member.

### **RULE 7 – MISCELLANEOUS**

#### Rule 7.1 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 council member shall review the applications, interview on an individual basis whichever applicant(s) they desire to interview and send the council president a prioritized list of who they believe should be interviewed by the entire city council.
- C. The council president shall compile the council members' prioritization of candidates to be interviewed and schedule the top-ranked candidates to be interviewed by the entire city council. Additional candidates may be selected for interviews by a majority vote of the council. Once the slate of candidates to be interviewed by the entire council is announced, no council member may communicate with any candidate outside of the formal interview by the entire 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 by resolution 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 7.2 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. Nothing in this rule shall be deemed to prevent the council from adopting a non-binding resolution formally admonishing, rebuking or denouncing any other elected official, to the extent otherwise permitted by law.

#### Rule 7.3 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, pursuant to Charter Section 9 and SMC 02.005.030, the city council delegates to the council president the power to hire, supervise and discharge central office staff, subject to the provisions of SMC 02.005.

#### Rule 7.4 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 over \$10,000 that differ from the adopted council budget must be approved by the affirmative vote of four (4) council members at an open public meeting.
- C. On at least a quarterly basis, the council's budget manager 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. The budget manager will also work with the Administration to pursue dashboard capability for public and council review of all city budget line items.

#### Rule 7.5 COUNCIL MEMBER AND STAFF ORIENTATION

- A. New 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 the council office director in consultation with the central staff and shall consist of at least the following:
  - 1. City 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, including the sign-up process for public testimony;
  - 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;
  - 6. Overview of policies and procedures relating to the publication of council materials and use of social media; and
  - 7. Completion of open government training as set forth in Administrative Policy No. 0520-17-06 and RCW 42.30.205.

#### Rule 7.6 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 working groups 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 council rules preclude the administration from providing onboarding and orientation as to the activities and procedures followed by administration staff.

#### Rule 7.7 CITY COUNCIL PLANNING

- A. Council shall consider annual council member appointment to boards, commissions, and committees by resolution no later than the second council meeting of each calendar year.
- B. Council shall consider the Plan Commission's annual work program by resolution no later than February 28 of each calendar year.
- C. Council shall consider annual changes to the council rules by resolution no later than February 28 of each calendar year. Additional adjustments to the rules may be made by resolution.
- D. The council president or their designee shall schedule a council Retreat annually prior to February 28 of each calendar year. Additional retreats may be scheduled

throughout the year at the council president's discretion.

#### Rule 7.8 LEGAL INQUIRIES

All inquiries by council members and council staff to the city legal department regarding City Charter provisions, any proposed or existing ordinance, any proposed or existing resolution, or any rule or procedure shall be directed to the appropriate attorney and the city attorney with a copy sent to the city council policy advisor, who shall forward the legal department's response to the inquiry to the full council when (a) any related legislation appears on a committee or council agenda, (b) upon the request of any council member, or (c) if the policy advisor deems the communication relevant matters of interest to council members. All other inquiries may be directed to the city attorney alone, and the response from the legal department to the individual council member's inquiries shall not be forwarded to the city council policy advisor. All inquiries to and responses from the legal department, regardless how originated, shall remain confidential privileged communication unless the privilege is waived by the full council pursuant to Rule 1.3.B. During legislative debate or other public meetings, council members shall refrain from disclosing the content of legal advice provided by the city legal department or outside counsel, except to disclose (a) the fact that the city legal department was consulted on a matter, and (b) that based on said legal advice, the council member is adopting a particular position regarding the matter discussed with the city legal department. For example, the following statements would comply with this rule:

"I consulted with city legal on this legislation, and I think the proposal needs more work before we adopt it."

"This resolution was forwarded to city legal. Based on their review of this resolution, I am not supporting it."

"City legal reviewed this contract. Therefore, from a legal standpoint I see no reason not to approve it."

Adopted by Resolution 2024-0023 (3/4/2024)

#### *Attachments:*

- A. Division Standing Committee Assignments (Rule 2.10.C)
- B. Briefing Paper template (Rule 2.10.H)
  - Attachment B.1: Standard Briefing Paper
  - Attachment B.2: Special Budget Ordinance (SBO) Briefing Paper



### Attachment A: Division Standing Committee Assignments

<p>City Divisions Associated with Public Safety &amp; Community Health Committee: Spokane Police Department; Spokane Fire Department; Emergency Management; Municipal Court</p>	<p>City Divisions Associated with Urban Experience Committee: Neighborhood Housing &amp; Human Services; Community &amp; Economic Development; Parks; Library</p>	<p>City Divisions Associated with Public Infrastructure, Environment, &amp; Sustainability Committee: Public Works</p>	<p>City Divisions Associated with Finance &amp; Administration Committee: Finance; Human Resources; IT; City Attorney; Communications; Civil Rights, Equity &amp; Inclusion</p>
---	---	--	---

## Council Briefing Paper

### \*Select Committee Name\*

<b>Committee Date</b>	
<b>Submitting Department</b>	
<b>Contact Name</b>	
<b>Contact Email &amp; Phone</b>	
<b>Council Sponsor(s)</b>	
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	
<b>Proposed Council Action</b>	<input type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	
<b>Fiscal Impact</b> <b>Approved in current year budget?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: <a href="#">Click or tap here to enter text.</a> Current year cost: Subsequent year(s) cost:	
<b>Narrative:</b> Please provide financial due diligence review, as applicable, such as number and type of positions, grant match requirements, summary type details (personnel, maintenance and supplies, capital, revenue), impact on rates, fees, or future shared revenue	
<b>Funding Source</b> <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A Specify funding source: Select Funding Source* Is this funding source sustainable for future years, months, etc? <a href="#">Click or tap here to enter text.</a>	
<b>Expense Occurrence</b> <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b> (If N/A, please give a brief description as to why) <ul style="list-style-type: none"> <li>• What impacts would the proposal have on historically excluded communities?</li> <li>• How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?</li> </ul>	



**COUNCIL RULES – ATTACHMENT B 1 (STANDARD BRIEFING PAPER)**

- How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?
- Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

**Council Subcommittee Review**

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.

**Council Briefing Paper**  
**\*Select Committee Name\***

<b>Committee Date</b>	
<b>Submitting Department</b>	
<b>Contact Name</b>	
<b>Contact Email &amp; Phone</b>	
<b>Council Sponsor(s)</b>	
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Special Budget Ordinance -
<b>Grant Item</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Proposed Council Action</b>	<input type="checkbox"/> Approval to proceed to Legislative Agenda
<b>Summary</b>  <b>What is the specific purpose or need for the budget adjustment?</b>  <b>What changes or developments have triggered this request?</b>	
<b>Fiscal Impact</b> <b>Approved in current year budget?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: <a href="#">Click or tap here to enter text.</a> Current year cost: Subsequent year(s) cost:  <b>Funding Source</b> <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A Specify funding source: <b>Select Funding Source*</b> Is this funding source sustainable for future years, months, etc? <a href="#">Click or tap here to enter text.</a>  <b>Expense Occurrence</b> <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts (If N/A, please give a brief description as to why)</b> <ul style="list-style-type: none"> <li>• What are the net impacts this adjustment will have on the specifically affected line items?</li> <li>• What operational changes will occur because of this adjustment?</li> </ul>	



## CITY COUNCIL RULES – Attachment B 2

- What are the potential risks or consequences of not approving the budget adjustment?
- Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

**What current racial and other inequities might this special budget ordinance address?**