



## RESOLUTION NO. 40980

1 A RESOLUTION relating to the *Rules of Procedure of the Council of the City of*  
2 *Tacoma*; amending Rule 1, relating to meetings, by amending Section C,  
3 “Special Meetings,” and Section D, “Quorum”; by adding a new Section E,  
4 entitled “Location of Meetings”; and by amending renumbered Section F,  
5 “Remote Participation in Meetings”; amending Rule 9, relating to public  
6 comment/public forum, by amending Section A, “Public Comment”; and by  
7 amending Rule 15, relating to standing committees, by amending Section F,  
8 “Public Comment,” for the purpose of aligning the City Council Rules of  
9 Procedure with the changes made to the state’s Open Public Meetings Act.

10 WHEREAS the Washington State Legislature enacted Engrossed Substitute  
11 House Bill 1329 (“ESHB 1329”), making changes to the Open Public Meetings  
12 Act (“OPMA”), and

13 WHEREAS the *Rules of Procedure of the Council of the City of Tacoma*  
14 must be amended to be in compliance with the changes made in state law, and

15 WHEREAS ESHB 1329 made changes in five specific areas, and

16 WHEREAS the following changes took effect on March 24, 2022:

17 (1) Special meetings, Section 10 (amending RCW 42.30.080) - Update  
18 where the notice of special meeting must be posted and when notice can be  
19 waived;

20 (2) Physical meeting location, Section 5 - Includes the street address for  
21 the physical meeting location; and

22 (3) Remote attendance, Section 5 - Provides that all City Council Members  
23 may attend remotely as allowed under state law during a declared emergency and  
24 updates when remote attendance is allowed in other circumstances, and

25 WHEREAS the additional following changes will take effect on June 9, 2022:

26



1 (4) Public Comment, Section 13 - Updates language to require public  
2 comment at any meeting where final action is taken. Public comment can be  
3 allowed before or at the meeting. Includes a provision allowing remote comments  
4 by a member of the public if the individual will have difficulty attending a meeting  
5 by reason of disability, limited mobility, or other reason making physical attendance  
6 difficult; and

7 (5) Transgressions, Section 13 - Adds language that authorizes the City  
8 Council to deal with interruptions, put time limits on public comment, how public  
9 comment is accepted, and prohibit public comment that renders orderly conduct of  
10 the meeting unfeasible, and  
11

12 WHEREAS the changes to the OPMA require that if the City Council  
13 accepts written comments, the comments must be compiled and distributed to the  
14 City Council prior to final action (vote) being taken, and  
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16 WHEREAS the proposed amendments to the *Rules of Procedure of the*  
17 *Council of the City of Tacoma* include a recommendation that written comments  
18 submitted by the public to the City Council be provided to the City Clerk's Office  
19 24 hours prior to the meeting so that the comments can be compiled, copied, and  
20 distributed to the City Council, and  
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22 WHEREAS this 24-hour recommendation will ensure compliance with this  
23 requirement, as well as allowing the written comments to be made available to the  
24 public prior to a vote, and

25 WHEREAS the proposed amendments will bring the *Rules of Procedure of*  
26 *the Council of the City of Tacoma* into compliance with changes to the OPMA, and



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WHEREAS, on May 17, 2022, the proposed amendments to the *Rules of Procedure of the Council of the City of Tacoma* were presented to the Government Performance and Finance Committee; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the *Rules of Procedure of the Council of the City of Tacoma* is hereby amended as follows: amending Rule 1, relating to meetings, by amending Section C, "Special Meetings," and Section D, "Quorum"; by adding a new Section E, entitled "Location of Meetings"; and by amending renumbered Section F, "Remote Participation in Meetings"; amending Rule 9, relating to public comment/public forum, by amending Section A, "Public Comment"; and by amending Rule 15, relating to standing committees, by amending Section F, "Public Comment," all as more specifically set forth in the attached Exhibit "A."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney



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**Rules of Procedure  
of the  
Council of the  
City of Tacoma**

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## RULE 1 - MEETINGS

A. **Regular Meeting.** The regular meeting of the City Council shall be held at 5:00 p.m. on Tuesday of each week, at least forty-six weeks each year, in the Council Chambers, Tacoma Municipal Building, except:

1. If Tuesday of any week is a legal holiday, the regular meeting of that week shall be held at 5:00 p.m. on the next business day.
2. If Tuesday of any week shall fall on Christmas Eve or New Year's Eve, the regular meeting of that week shall be held at 5:00 p.m. on the next business day.

The Council, by a majority vote, may by motion continue any regular or special meeting to a time specified in the motion.

B. The study sessions of the City Council shall be held at 12:00 noon on Tuesday of each week, in Room 16, Tacoma Municipal Building North, subject to Rules A.1 and 2.

C. Special Meetings. Special meetings, or any change in the time or location of a regular meeting, shall be called by the City Clerk on the written request of the Mayor or by a majority of the members of the Council by delivering personally or by mail, by fax, or by ~~electronic mail~~email, written notice to each member of the Council;~~and~~.

1. Written notice shall be deemed waived in the following circumstances per [SSB 1329 Chap. 115 Laws of 2022, Section 10]:

a) The Council Member has provided written waiver of notice to the City Clerk at or prior to the time the meeting convenes, by telegram, fax, or email; or

b) The Council Member is actually present at the time the meeting convenes.

2. Notice of a special meeting shall be:

a) Delivered by email to each local newspaper of general circulation and to each local radio or television station ~~which~~that has on file with the City Clerk a written request to be notified of such special meeting or of all special meetings;~~;~~ and

b) Posted on the City website; and

c) Posted on the Tacoma Municipal Building bulletin board, and at the meeting site if the meeting is held at a different physical location and is not held as a remote meeting.

Such notice must be delivered ~~personally or by mail, by fax, or by electronic mail~~posted at least 24 hours before the time of such meeting as specified in the notice.

3. The call and ~~notice~~notices required under subsections 1 and 2 of this section shall specify the time and place of the special meeting and the business to be transacted.

Final disposition shall not be taken on any other matter at such meetings by the Council. ~~Such written notice may be dispensed with as to any member who, at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice. Such waiver may be given by mail, by fax, or by electronic mail. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.~~

**4. Emergencies.** The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage. ~~(REF. RCW 42.30.080), or when the required notice cannot be posted or displayed with reasonable safety, including but not limited to declared emergencies in which travel to physically post notice is barred or advised against. (REF. RCW 42.30.080 [as amended by SSB 1329 Chap 115 Laws of 2022, Section 10])~~

**D. Quorum.** Five Council Members shall be a quorum for the transaction of business, but in the absence of a quorum, the members present may adjourn the meeting to a later date. A member participating ~~by telephoneremotely~~, in accordance with Rule 1.E, counts towards a quorum in a Council meeting, study session, or committee meeting.

**E. Telephonic Partieipation inLocation of Meetings.**

~~1. — All City Council Members may attend regular meetings, study sessions, special meetings, study sessions and committee meetings by telephone. Only one Council Member per meeting may attend telephonically. Council Members may telephonically attend each type of meeting (plus each committee served upon) once per calendar quarter; provided, that this limitation shall not apply when a Council Member is absent for medical reasons.~~ will be held in a physical location where the public can attend, except in specific situations where an emergency has been declared (see Section F.4).

~~2. —~~ 1. City Council meetings and study sessions will be held in the Council Chambers, Tacoma Municipal Building, 747 Market Street, First Floor, Tacoma, WA 98402.

2. Council standing committee meetings will be held in the Tacoma Municipal Building conference rooms, 747 Market Street, Tacoma, WA 98402.

**F. Remote Participation in Meetings.**

1. Council Members may attend all Council meetings remotely (by phone or other electronic means that allows for real-time verbal communication). Council prefers in-person attendance when possible.

2. Notice of ~~telephoneremote~~ attendance ~~must~~should be provided to the City Clerk's Office not less than ~~forty-eight~~twenty-four hours before the scheduled start time for the meeting. The City Clerk or designee shall immediately advise the presiding

officer of the ~~proposed telephonic~~remote participation. ~~If more than one Council Member wishes to attend a meeting telephonically, the first Council Member to notify the City Clerk's Office shall be the one permitted to attend telephonically.~~

3. At any meeting where a Council Member is attending ~~telephonically there shall be a telephone~~remotely, a device will be used that allows the voice of the Council Member ~~on the telephone line~~to be heard by everyone present in the meeting ~~room~~ and that allows the Council Member ~~shall to~~ identify ~~himself or herself~~themselves before speaking. ~~The Council Member on the telephone line~~attending remotely shall notify the others if ~~he or she is~~they are about to disconnect from ~~or leave the call.~~ meeting. A Council Member who is connected remotely to the ~~telephone line in the meeting place~~ shall be considered to be actually present at that meeting for the period of time ~~he or she is~~they are so connected, and that presence shall count toward a quorum of the Council or committee for all purposes.

4. If, after a declaration of emergency by the City of Tacoma, Washington State, or by the federal government, the City determines that a meeting of the City Council cannot be held in person with members of the public in attendance (or limited public attendance) with reasonable safety because of the emergency, then the City Council may:

- a) Hold a remote meeting of the City Council without a physical location; or
- b) Hold a meeting of the City Council at which the physical attendance by some or all members of the public is limited due to a declared emergency.

During a remote meeting or where physical attendance by some or all member of public is limited due to a declared emergency, members of the governing body may appear or attend by phone or by other electronic means that allows real-time verbal communication without being in the same physical location. For a remote meeting or a meeting at which the physical attendance by some or all members of the public is limited due to a declared emergency, the City must provide an option for the public to listen to the proceedings telephonically or by using a readily available alternative in real-time that does not require any additional cost for participation. Free readily available options include, but are not limited to, broadcast on TV Tacoma, or other electronic, internet, or other means of remote access that does not require any additional cost for access to the program. The City may also allow other electronic means of remote access.

The City Council will not take action at a remote meeting or a meeting at which the physical attendance by some or all members of the public is limited due to a declared emergency if the public agency has not provided an option for the public to listen to proceedings pursuant to this section, except for an executive session as authorized in this chapter.

Notice of a remote meeting without a physical location or a meeting at which the physical attendance by some or all members of the public is limited due to a declared



emergency must be provided in accordance with state law and must include instructions on how the public may listen live to proceedings and on how the public may access any other electronic means of remote access offered by the City.

A remote meeting or a meeting at which the physical attendance by some or all members of the public is limited due to a declared emergency that is held under the provisions of this section shall be considered open and public in compliance with the requirements of state law. Nothing in this section alters the ability of public agencies to take action in response to an emergency as provided for in RCW 42.30.070, or to have members of a governing body participate in a meeting remotely with no declared emergency. [as amended by SSB 1329, Chap 115 Laws of 2022, Section 5]

## **RULE 2 - PRESIDING OFFICER - DUTIES**

- A. Conduct of Meeting.** The presiding officer at all meetings of the Council shall be the Mayor, and, in the Mayor's absence, the Deputy Mayor, who shall conduct the business and deliberations of the Council under these rules. The Deputy Mayor shall be elected by a majority of the Council Members at the start of the first Council meeting following the new year. If both the Mayor and Deputy Mayor are absent and a quorum is present, the Council shall, by motion, appoint one of its members to serve as presiding officer of the Council until the return of the Mayor or Deputy Mayor.

The presiding officer shall:

1. Preserve order and decorum in the Council Chambers;
2. Observe and enforce all rules adopted by the Council for its government;
3. Decide all questions on order, in accordance with these rules, subject to appeal by any member to the Council; and
4. Recognize members of the Council in the order in which they request the floor. No member shall be recognized and given the floor to speak on the same matter more than once until after all other members of the Council have had an opportunity to be recognized and be heard.
5. Retain the authority, during Public Comment and Community Forum, to determine whether a speaker's remarks fail to comply with these Rules or exceed the scope of the designated forums, and the presiding officer shall have the authority to suspend such person's right to speak, subject to the Council's right to overrule such decision.

The presiding officer, as a member of the Council, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions, as other Council Members.

- B. Questioning.** Any member of the Council shall have the right to question any individual, including members of the staff, on matters germane to the issue properly before the Council for discussion.
- C. Related Agenda Items.** When matters on the Agenda are placed under more than one classification, as defined by “Order of Business,” and are closely related to the same subject matter, the presiding officer may, without the necessity of any vote, call for the related agenda items out of the prescribed “Order of Business.”

### **RULE 3 - REMARKS AND DEBATES**

- A. Speaking to Motion.** No member of the Council shall speak more than twice on the same motion except by consent of the majority of the Council Members present at the time the motion is before the Council. After the motion is put and before the next item is read, a member shall be able to speak briefly to the previous motion.
- B. Interruption.** No member of the Council shall interrupt or argue with any other member while such member has the floor.
- C. Courtesy.** Members of the Council, in the discussion, comments, or debate of any matter or issue, shall be courteous in their language and deportment and shall not engage in contemptuous or disorderly behavior, or discuss or comment on personalities, or indulge in derogatory remarks or insinuations in respect to any other member of the Council, or any member of the staff or the public, but shall at all times confine their remarks to those facts which are germane and relevant, as determined by the presiding officer, to the question or matter under discussion.
- D. Transgression.** The Council has power under state law to impose punishment on its members, short of removal of office, for violation of state law or Council rules.

If a member of the Council shall transgress these rules, the presiding officer shall call such member to order, in which case such member shall be silent except to explain or continue in order. If the presiding officer shall transgress these rules or fail to call such member to order, any other member of the Council may, under a point of order, call the presiding officer or such other member to order, in which case the presiding officer or such member, as the case may be, shall be silent except to explain or continue in order. Additional consequences may include a verbal admonition, written reprimand, censure, expulsion from the meeting at which the conduct is occurring, removal of the Council Member from the Council committee chair positions or committee memberships, or removal of intergovernmental duties. Expulsion for such behavior in the Council’s presence shall require the affirmative vote of a majority of the Council, specifying in the order of expulsion the cause thereof.

- E. Challenge to Ruling.** Any member of the Council shall have the right to challenge any action or ruling of the presiding officer, or member, as the case may be, in which case the decision of the majority of the members of the Council present, including the presiding officer, shall govern.

- F. **City Manager.** The City Manager shall have the right to enter into a discussion of any matter coming before the City Council.

## **RULE 4 - ORDER OF BUSINESS**

- A. **Order of Business.** The order of business shall be as follows:

1. Call to order.
2. Roll call.
3. Flag salute.
4. Moment of silence.
5. Items filed in the office of the City Clerk.

### ***Consent Agenda:***

6. Approval of the Consent Agenda, consisting generally of one or more of the following items:
  - a) Approval of minutes.
  - b) First reading of ordinances accepting gifts and donations.
  - c) Adoption of resolutions fixing dates for hearings and appeals, approving final plats, authorization of Community Development Block Grant program agreements with approved agencies, approving and accepting grants, and other such actions.
  - d) Ordinances and communications from the Hearing Examiner.
  - e) Interlocal Agreements, excepting those pertaining to cooperative purchasing.

### ***Proclamations, Recognitions, Presentations, and Announcements.***

### ***Public Comment.***

### ***Regular Agenda:***

7. Appointments.
8. Communications.
9. Resolutions.
10. Final reading of ordinances.
11. First reading of ordinances.

12. Appeals. See Rule 12.
13. Public hearings. See Rule 12.
14. Unfinished business.
15. Community Forum. See Rule 9.C.
16. Reports by the City Manager.
17. Comments and committee reports of the City Council.
18. Adjournment.

- B. Resolutions and Ordinances under Consent Agenda.** Any Council Member may have a resolution or ordinance removed from the Consent Agenda for separate consideration under Resolutions or Ordinances, as appropriate.
- C. Recess.** The Council may recess during any regular or special meeting by a majority vote of Council Members present.
- D. Executive Session.** The Council may hold an executive session, upon announcement by the presiding officer, for a stated time and purpose during any regular or special meeting.

## **RULE 5 – PRECEDENCE OF MOTIONS**

- A. Precedence of Motions.** When a question is under consideration, no motion shall be entertained except as follows, such motions having precedence in order as stated:
1. To adjourn. (Not debatable.)
  2. For a Call of the Council (to compel the attendance of unexcused absent members in order to obtain a quorum.) (Not debatable.)
  3. To Remove an Item from the Agenda.
  4. To Lay on the Table. (Not debatable.)
  5. For the Previous Question. (The “previous question” shall be as follows: “Shall the main question be put?”, and, until such motion has been put and decided, all amendments or debate shall be precluded. The “main question” shall be on the passage of an ordinance, resolution, or motion, but, when amendments are pending, the questions shall be taken first upon such amendments, in their order.) (Requires two-thirds vote.)
  6. To Limit Debate. (Requires two-thirds vote.)

7. To Postpone to a Certain Time. (Shall be decided without debate only in those instances where the effect of said motion is to postpone or continue a matter for less than 30 days from the time it first appeared on the Council Agenda.)
8. To Amend.
9. To Substitute.
10. To Postpone Indefinitely.
11. Main Motion.
12. To Take from the Table. (Not debatable.) A motion to “take from the table” having been put and lost, shall not, during the same Council meeting, be renewed either by the mover or by any other member of the Council. No matter shall be taken from the table after a period of two years from the date that it was laid on the table.
13. Motion to Reconsider. No motion to reconsider a vote shall be in order except at the following meeting, and by a member who voted with the prevailing side. A motion to reconsider, having been put and lost, shall not be renewed either by the mover or by any other member of the Council. Any member of the Council, including the presiding officer, shall have the right to change his/her vote, in order to be on the prevailing side, at any time before final action is taken on the next ensuing item of business taken up by the Council.

**B. Vote.** The procedural motions above enumerated shall be decided by a majority vote of Council Members present at the meetings, except as otherwise indicated. Ordinances and resolutions require the affirmative vote of at least five Council Members for passage; six for emergency. (Charter Section 2.12)

**C. Debate.** The motions above enumerated are debatable except where designated otherwise.

## **RULE 6 - SUSPENSION OF RULES**

No rule shall be suspended except by a majority vote of Council Members present at the meeting, and a motion to suspend a rule is not debatable. Vote on the motion may be by voice vote of the Council, or by roll call if requested by a member of the Council.

## **RULE 7 - ORDINANCES - RESOLUTIONS**

The name of a Council Member shall not appear as a sponsor on any ordinance or resolution considered by the Council except at the Council Member’s request. Sponsorship on any ordinance or resolution shall be limited to four Council Members, except as expanded by request of any Council Member in open session.

No ordinance or resolution shall be read until reviewed as to form and legality by the City Attorney.

Reading of ordinances and resolutions at all Council meetings shall be deemed sufficient by the reading of a brief synopsis of the title of the ordinance or the purpose of the resolution, and the reading in full of the same shall not be required unless the full reading of any particular ordinance or resolution be requested by any member of the Council, in which event said request shall be complied with if a majority of the Council Members present concur in the request.

## **RULE 8 - MISCELLANEOUS**

- A. Agenda.** The City Clerk, under the direction of the City Manager, shall prepare the Agenda for each session of the Council in regular order in accordance with these rules, which order shall not be departed from for any purpose, except as provided for in these rules. Such Agenda shall include all resolutions, ordinances, and matters requested by any Council Member, including the Mayor, or by the City Manager. No item shall be deleted from the Agenda, except by motion approved by the Council.
- B. Amendments to Motions, Resolutions, and Ordinances.** It is the policy of the Council to process legislation in a manner that is fair, equitable, transparent, effective, and respectful towards the public, constituent groups, and to the Council itself. Council Members are encouraged to consider the following best practices prior to submission of an amendment that will substantially change the policy scope or policy language, use of City resources, or costs to the City if the original legislation is amended.
1. Prepare the amendment in writing.
  2. Include a brief statement or analysis of the effect of the amendment.
  3. Distribute the amendment to all members of the Council as soon [as](#) possible prior to the meeting in which it will be offered.
  4. Distribute the amendment prior to the meeting to obtain input from the public, constituents groups, and/or Committee, Board, or Commission that may have provided comment on the original legislation.
  5. Distribute the amendment to the City Manager for purposes of obtaining input from City staff or outside experts, and the City Attorney for legal review.
  6. Distribute the amendment to the City Clerk's Office on the Thursday prior to the meeting it will be offered so it can be included in the published agenda to allow for comments by the public during Public Comment.
  7. Obtain co-sponsorship of the amendment from other Council Members.

The rule is not intended to limit the public's right to influence the legislative process or to devalue the public's right to comment on and change pending legislation.

C. **Robert's Rules of Order.** On all questions of practice or procedure not provided for by these rules, the practice and procedure set forth in *Robert's Rules of Order Newly Revised* shall prevail.

D. **Amendments to Rules.** Amendments to these rules shall be made by resolution and shall require two readings.

E. **Public Requests for Proclamations.** It is the policy of the Council to consider requests to proclaim certain events or causes when such proclamations pertain to a Tacoma event, person, organization, or cause with local implications. The Council will consider requests that are timely, have potential relevance to a majority of Tacoma's population, and either forward positive messages or call upon the support of the community.

The following guidelines and requirements apply to requests for consideration of proclamations:

1. The person(s) or organization making the request must submit a completed Application Requesting a City Proclamation and submit a copy of the proposed proclamation.
2. The request should be made at least two weeks in advance of the requested Council meeting.
3. The Mayor, City Manager and/or staff designee will determine if the proposed proclamation meets the intent of this policy. When there is uncertainty in making this determination, the Mayor will consult with the City Council Committee of the Whole for its guidance.
4. The Council retains the right to limit the number of proclamations at a Council Meeting.
5. The City retains the right to modify, edit, or otherwise amend the proposed proclamation to meet its requirements, needs, or policy determinations.
6. The City retains the right to decide if the proclamation will or will not be issued.
7. Once approved, the proclamation will be included on the appropriate Council agenda.
8. If not approved, the applicant will be notified of the decision and the reason(s) for the decision.

F. **Public Requests for Presentations.** It is the policy of the Council to consider requests for presentations of certain events or causes when such presentations pertain to a Tacoma event, person, organization, or cause with local implications. The Council will consider requests that are timely, have potential relevance to a majority of Tacoma's population, and either forward positive messages or call upon the support of the community.

The following guidelines and requirements apply to requests for consideration of presentations:

1. The person(s) or organization making the request to make the presentation must submit a completed Application to Make a City Council Presentation.
2. The request should be made at least two weeks in advance of the requested Council meeting.
3. The Mayor, City Manager and/or staff designee will determine if the proposed presentation meets the intent of this policy. When there is uncertainty in making this determination, the Mayor will consult with the City Council Committee of the Whole for its guidance.
4. The presentation shall not exceed five minutes in length and the Council will not entertain more than two presentations at one Council Meeting.
5. The City retains the right to decide if the presentation will or will not be permitted.
6. Once approved, the presentation will be included on the appropriate Council agenda.
7. If not approved, the applicant will be notified of the decision and the reason(s) for the decision.

## **RULE 9 - PUBLIC COMMENT/PUBLIC FORUM**

**A. Public Comment.** The City Council appreciates hearing from community members about items on its agenda, and desires to set aside time at ~~the start of each Council business meeting for Public Comment.~~ each Council business meeting where final action is taken. Comments on final action will be taken orally at a meeting, or in writing submitted to the City Clerk's Office at least 24 hours prior to the meeting to enable staff to compile and distribute written comments to the City Council. [SSB 1329. Chap. 115 Laws of 2022, Section 13]. Written comments received after this deadline will not be made part of the official record of the meeting.

1. All comments must be limited to items on the agenda. Speakers are asked to identify the specific agenda items they wish to address.
2. To ensure equal opportunity for the public to comment, a speaker's comments shall be limited to up to five minutes per person, per meeting. Where necessary, due to the number of persons who want to address the Council, the presiding officer shall retain authority to limit all persons' remarks to an equal period of less than five minutes. -To further ensure equal opportunity for the public to comment, each person may address the Council only one time during the Public Comment portion of the meeting.



3. Comments may be made at or before every meeting at which final action is taken, including on resolutions as well as, first and final readings of ordinances, and motions. Comments shall not be accepted or made regarding ordinances forwarded to the Council by the Hearing Examiner for which a public hearing has been held. Written comments submitted prior to Council action shall be considered in the same manner as oral comments shall not be incorporated into the formal record of the decision pursuant to state law.

4. Written public comments must be submitted to the City Clerk's Office at a minimum of 24 hours prior to the meeting to enable staff to compile and distribute to the Council. (SSB 1329, Chap. 115 Laws of 2022, Section 13).

Written comments submitted according to these Rules shall be considered in the same manner as oral comments.

5. Upon the request of any individual who will have difficulty attending a meeting of the City Council by reason of disability, limited mobility, or for any other reason that makes physical attendance at a meeting difficult, the Council shall, when feasible, provide an opportunity for that individual to provide oral comment at the meeting remotely if oral comment from other members of the public will be accepted at the meeting. [SSB 1329, Chap. 115 Laws of 2022, Section 13].

6. In the event that the Council, after taking public comment, suspends its rules to include final action on a new resolution or, ordinance, or motion on the agenda, public comment will be taken at the time the Council considers the new resolution or, ordinance, or motion. Where an ordinance legislation has been substantially changed at its final reading, a person may speak to the changes.

7. To request to speak during Public Comment, please press the members of the public must indicate they wish to speak as instructed by the Mayor or City Clerk. Those attending in person will sign in at the designated location in Council Chambers; those attending remotely may be asked to click the 'Raise Hand' button near the bottom of your Zoom window or or \*9 on your their phone. -The speaker's name or the last four digits of your their phone number will be called out when it is your their turn to speak. -All remarks will be addressed to the Council as a whole.

8. Nothing in these Rules diminishes the City Council's authority to deal with interruptions, puts limitations on the time available for public comment or on how public comment is accepted, or requires the Council to accept public comment that renders orderly conduct of the meeting unfeasible. [SSB 1329, Chapter 115 Laws of 2022, Section 13].

**B. Courtesy.** All speakers during Public Comment or Community Forum, in the discussion, comments, or debate of any matter or issue, shall be courteous in their language and deportment and shall not engage in or discuss or comment on personalities, or indulge in derogatory remarks or insinuations in respect to any member of the Council, or any member of the staff or the public, but shall at all times confine their remarks to those facts

which are germane and relevant, as determined by the presiding officer, to the question or matter under discussion.

- C. Community Forum - Second Tuesday.** On the second Tuesday of each month, time shall be reserved for community members' comments. The purpose of this forum is to assist the Council in making policy decisions; therefore, items of discussion shall be limited to matters over which the City Council has jurisdiction. A speaker's remarks shall be limited to up to 90 seconds per person, per Community Forum. Where necessary, due to the number of persons who want to address the Council, the presiding officer shall retain authority to limit all persons' remarks to an equal period of less than 90 seconds. To further ensure equal opportunity for the public to comment, each person may address the Council only one time during the Community Forum portion of any meeting. Comment shall not be made in support of or opposition to any matter on the Council Agenda for which the time for public comment has passed.
- D. No Use of Public Comment or Community Forum for Campaigns.** No person may use public comment or Community Forum 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. Further, any direct mention of a candidate's candidacy or a ballot proposition shall constitute grounds for immediate suspension of such person's right to speak at that Council meeting.
- E. No Use of Public Comment or Community Forum for Advertising.** No person addressing the Council may use Public Comment or Community Forum for the purpose of advertising. Advertising is defined as "promoting by making known, proclaiming publicly, drawing attention to, or making conspicuous any item, product, service, or thing, for profit or otherwise." This does not prevent or preclude any person addressing the Council from expressing his or her views or opinions on matters over which the Council has jurisdiction. Also, this does not prohibit individuals or organizations from promoting public events or causes through public requests for proclamations and presentations as provided in Rule 8, Sections D and E.
- F. Transgression.** The presiding officer shall retain authority to determine whether a speaker's remarks fail to comply with these Rules or exceed the scope of the designated forum, and the presiding officer shall have the right to suspend such person's right to speak, subject to the Council's right to overrule such decision.
- G. Virtual Forum.** On the fourth Tuesday of each month at 6:00 p.m., or in the event the regular meeting of the City Council adjourns after 6:00 p.m., promptly following such adjournment, there shall be held a "Virtual Forum" for community members' comments. The purpose of the Virtual Forum is to give community members an opportunity to share their thoughts and views to assist the Council in making policy decisions; therefore, items of discussion shall be limited to matters over which the City Council has jurisdiction. No action shall be taken by the City Council during the Virtual Forum.

Speaker's comments shall be limited to up to 90 seconds per person, per Virtual Forum. Where necessary, due to the number of persons who want to address the Council, the

presiding officer shall retain authority to limit all persons' remarks to an equal period of less than 90 seconds. To further ensure equal opportunity for the public to comment, each person may address the Council only one time during the Virtual Forum.

Guidelines set out in Rule 9 – Public Comment/Public Forum, Section B, Courtesy; Section D, No use of Public Comment or Community Forum for Campaigns; Section E, No Use of Public Comment or Community Forum for Advertising; and Section F, Transgression, will apply to Virtual Forum.

## **RULE 10 – COUNCIL CONFERENCE ROOM**

During any recess of a regular or special meeting of the Tacoma City Council, the Council Conference Room shall be reserved solely for the use of members of the City Council and selected staff personnel and employees of the City of Tacoma, and no other person or persons shall have access thereto, whether they be members of the press, radio, television, or members of the public at large.

## **RULE 11 – CITY CLERK – DUTIES**

- A. Record Votes.** As a part of said permanent proceedings, the Clerk shall record all votes taken. In those instances where a roll call vote is taken pursuant to a requirement or request, the Clerk shall call the name of each and every member of the Council present, including the Mayor, and shall duly record said member's vote as either an aye, nay, or abstention, whichever may be appropriate. Roll call votes of the Council shall be called alphabetically, except for the vote of the presiding officer, whose vote shall be called last, commencing with the first roll call vote of the Council, and in subsequent roll call votes member names shall be rotated, excluding the presiding officer, until the entire Council has been called, at which time the procedure will begin again.
- B. Maintain Record.** The Clerk shall cause to be recorded electronically all of the regular and special meetings of the Tacoma City Council and each and every part thereof, and shall maintain the same for a period of six years consistent with state law, RCW 40.14.
- C. Prepare Minutes.** At the conclusion of each special or regular meeting of the Tacoma City Council, the City Clerk shall prepare brief and concise minutes and submit the same to the City Council for its approval.
- D. Verbatim Transcript.** No individual member of the Tacoma City Council, nor any member of the administrative staff of the City of Tacoma, shall be authorized or empowered to require the Clerk to insert in said official minutes any verbatim transcript of all or any part of the proceedings. Verbatim transcripts of any part or portion of the proceedings shall be made a part of the minutes only when authorized by a majority vote of the entire Council made at the meeting wherein such request for a verbatim report is made.

## **RULE 12 – PUBLIC HEARINGS AND APPEALS**

- A. Time of Hearings.** The time for commencing a public hearing or appeal shall be noted in the Council meeting Agenda. The presiding officer may modify the order of business under Rule 4 in order to conduct the hearing or appeal at or about the designated time.
- B. Quasi-Judicial Body.** In hearing appeals, the Council sits as a quasi-judicial body. It shall conduct the hearing on an appeal in accordance with provisions of the Tacoma Municipal Code<sup>1</sup> and these rules, as applicable.
- C. Time Limits for Oral Argument.** At the time an appeal is heard by the City Council, each side shall be afforded a maximum of ten minutes for oral argument. In the event there are multiple appellants or respondents, each side shall divide its ten-minute time limit between or among the appellants or respondents, or, if agreement cannot be reached, as directed by the Mayor. Request for additional time must be submitted in writing to the City Clerk at least seven days prior to the appeal hearing and such request shall be considered as the first issue of the hearing. (TMC 1.70.030)

## **RULE 13 – CONFIDENTIALITY**

Council Members shall keep confidential all written materials and verbal information provided to them during Executive Sessions to ensure that the City’s position is not compromised, and to comply with RCW 42.23.070(4) and Tacoma Municipal Code 1.46.030(G), relating to disclosure of confidential information.

## **RULE 14 – COMMITTEE OF THE WHOLE**

All Council Members are members of the Committee of the Whole. The Council shall sit as a Committee of the Whole primarily for the purpose of considering current problems of the City and coordinating the work of the standing committees of the Council.

## **RULE 15 – STANDING COMMITTEES**

- A. Standing Committees.** There are established the following standing committees of the Council that shall consist of four voting members and one alternate each. The Mayor shall annually appoint and the Council shall confirm the membership of each committee. Each standing committee shall elect a chair and vice-chair.
  - 1. Community Vitality and Safety.
  - 2. Economic Development.
  - 3. Government Performance and Finance.

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<sup>1</sup> See TMC Chapter 1.23.

4. Infrastructure, Planning, and Sustainability.

- B. Function and Purpose.** The identification of the scope of work of the individual committees, meeting schedules, and meeting locations shall be accomplished by a process of discussion and consensus among the committee members. Committee action on any proposed resolution or ordinance is strictly advisory to the Council. The standing committees shall have no power or authority to commit the City or to take any binding action on behalf of the whole Council.
- C. Quorum and voting.** Three voting members shall constitute a quorum. The alternate member shall become a voting member in the absence of any regular voting member. If, during the meeting, all the regular voting members are present, the alternate shall not vote on any matter before the Committee. A member participating telephonically shall count towards a quorum.
- D. Reports.** A report from the standing committees shall be submitted by the committee chair or vice-chair orally or in writing. Recommendations to the Council on proposed resolutions or ordinances shall indicate one of the following:
- Recommended for Adoption
  - Forward Without Recommendation
  - Not Recommended

Minority reports may be shown on committee reports with the dissenting votes reflected.

- E. Removing of Matters from Committee.** Any Council Member, during a regular Council meeting, may make a motion to remove a matter from a committee. Said motion, if seconded, shall require a majority vote of the Council. Alternatively, any four Council Members may cause any matter to be removed from a committee by signing an “Ordinance or Resolution Removal” form. When the four signatures are obtained, the proposal shall be released from the committee and shall be placed on the next available Council agenda for appropriate action.
- F. Public Comment.** Standing committees shall allow public comment at committee meetings. [The guidelines set out in Rule 9 shall apply to public comment taken in standing committee meetings.](#)

The committee chair may invite persons to the committee table for the purpose of providing information necessary to committee business, and explain to those in attendance the reasons for inviting people to the committee table.

- G. Staff Assignments to Committee.** The City Manager shall designate staff for each standing committee, who shall prepare the agenda, provide proper notice, prepare minutes, and prepare a record of attendance for every meeting.

## **RULE 16 – FILLING COUNCIL VACANCIES AND APPROVED EXTENDED LEAVE OF ABSENCE**

**A. Purpose.** The purpose of this section is to provide guidance to the Council when a Council Member position becomes vacant before the expiration of the official's elected term of office, or when the Council has approved a Council Member's extended leave of absence and desires to appoint a replacement during the absence.

### **B. Appointment Process.**

1. A Council Member position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010, including resignation, recall, forfeiture, written intent to resign, or death of the Council Member.
2. For a Council Member position where the member is unavailable to serve due to illness, injury, incapacitation, or otherwise unable to serve in the position for ninety (90) days or greater and the Council approves the extended leave absence, then the Council Member position should (but is not required) be filled by the Council, and the Council will use the same appointment process as filling a vacant position.
3. Pursuant to RCW 42.12.070 and Tacoma City Charter Section 2.7, the Council Member who is vacating his or her position cannot participate in the appointment process; however, a Council Member who is on an approved extended leave absence, if able, can participate in the appointment process for his or her replacement.
4. The Council shall direct the City Manager to begin the Council Member appointment process and establish an interview and appointment schedule, so that the position is filled at the earliest opportunity.
5. The City Clerk's Office shall prepare and submit a public notice to the City's official newspaper, official website, and provide courtesy copies to all requesting local media outlets, which announces the open position consistent with the requirements necessary to hold public office including that the applicant
  - (a) be a qualified elector of the City of Tacoma,
  - (b) be a resident of the City of Tacoma for two (2) years immediately preceding the time of applying to fill the open seat, and
  - (c) if applying for a district position, shall be a resident of the district for one year immediately preceding the time of appointment to fill the open seat.

The public notice shall be published once each week for two (2) consecutive weeks. The notice shall contain other information, including, but not limited to, time to be served in the vacant position, salary information, deadline date and time for submitting applications, interview and appointment schedules (if known), and such other information that the Council deems appropriate.

6. The City Clerk's Office shall use the standard application form used by the City for residents to apply to a City Committee, Board or Commission. Applications will be available at the City of Tacoma Clerk's Office, Customer Service Center, and on the City's official website.
7. Applications received by the deadline date and time will be copied and circulated by the City Clerk's Office to the Mayor and Council. Applications received after the deadline date and time shall be rejected by the City Clerk's Office and returned to the applicant. Application packets may also contain additional information received such as a cover letter, resume, endorsements, letters of reference, and other pertinent materials.
8. The City Clerk's Office shall publish on the City's website and in the City's official newspaper the required public notice(s) for the full City Council meeting scheduled for interviewing applicants for consideration to the open position. This meeting may be a regularly scheduled or special City Council meeting.
9. If more than ten (10) valid applications are received for the open position, then the Council will reduce the number of applicants to be scheduled for an interview by allowing each Council Member, in an open public meeting, to select or forward one applicant from the applicant pool to be interviewed, with a potential total of nine candidates. No second to select or forward an applicant to be interviewed is needed. Council Members may convene into an Executive Session to discuss the qualifications of the applicants. The Council will then close nominations by motion, second, and then vote in the public meeting to schedule the candidates to be interviewed.
10. The City Clerk's Office shall notify applicants of the location, date, and time of Council interviews.
11. Each interview of the applicant shall be no more than 8 minutes in length as follows:
  - a) The applicant shall present his or her credentials to the Council. (3 minutes)
  - b) The Council shall ask the applicant questions. (5 minutes)
  - c) The applicants' order of appearance will be determined by a random lot drawing performed by the City Clerk. Only the applicant being interviewed will be allowed in the Council Chambers during the interview, the other applicants will be asked to remain outside the Council Chambers until their interview time.
12. Upon completion of the interviews, Council Members may convene into an Executive Session to discuss the qualifications of the applicants. All interviews, deliberations, nominations, and vote taken by the Council shall be in an open public meeting.
13. The Mayor may ask for nominations from the Council Members for the purpose of narrowing down the applicant pool to the finalists that will be considered. No second is needed for nominations. Nominations to the finalist list is closed by a motion,

second, and majority vote of the Council. Council Members may deliberate on such matters as criteria for selection, and of the qualifications of the finalists.

14. Following such deliberation, the Mayor shall ask the Council Members if they are prepared to vote.
15. The finalists shall be placed in alphabetical order according to their last names. The City Clerk shall proceed with a roll-call vote of each finalist until a nominee receives a majority vote of the Council Members.
16. The Mayor shall declare the nominee receiving the majority vote as the new Council Member, who shall be sworn into office by the City Clerk at the earliest opportunity or no later than the next regularly scheduled meeting.
17. At any time during the appointment process, the Council may by motion, second, and majority vote of the Council, postpone the appointment until a date certain or regular meeting if no nominee receives a majority of the vote.
18. Pursuant to state law, a vacancy shall be filled only until the next regular municipal election, to serve the remainder of the unexpired term.
19. Nothing in this policy shall prevent the Council from reconvening into an Executive Session to further discuss applicant qualifications.
20. Pursuant to Tacoma City Charter 2.7, if the City Council does not appoint a qualified person to fill a vacancy within sixty (60) days from the date the vacancy occurs, then the Mayor shall make the appointment, subject to confirmation of the remaining members of the Council. If the City does not confirm the appointment to fill a vacancy within ninety (90) days of the declared vacancy, then pursuant to RCW 42.12.170 the appointment power is delegated to the Pierce County Council. This Section 20 shall not apply to filling of an approved extended leave of absence, so in the case the open position is not appointed within sixty (60) days, the position may remain open until such time as the Council desires to fill it.

**Adopted**

Resolution No. 24877	03/14/1978
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**Amended**

Resolution No. 25171	07/25/1978
Resolution No. 25226	08/29/1978
Resolution No. 25300	09/26/1978
Resolution No. 26209	01/22/1980
Resolution No. 26387	05/06/1980
Resolution No. 26591	08/26/1980
Resolution No. 26998	06/02/1981



Resolution No. 27594	10/05/1982
Resolution No. 27847	05/03/1983
Resolution No. 28108	11/22/1983
Resolution No. 28315	04/24/1984
Resolution No. 28527	10/30/1984
Resolution No. 32400	11/23/1993
Resolution No. 32554	03/29/1994
Resolution No. 33129 (Substitute No. 2)	09/19/1995
Resolution No. 33345	04/09/1996
Resolution No. 33398 (Substitute)	06/11/1996
Resolution No. 35482	04/09/2002
Resolution No. 35568	07/16/2002
Resolution No. 35664	10/22/2002
Resolution No. 35951	09/30/2003
Resolution No. 36083	02/10/2004
Resolution No. 36273 (Substitute)	08/10/2004
Resolution No. 36686	11/01/2005
Resolution No. 36796	03/21/2006
Resolution No. 37346	12/18/2007
Resolution No. 37500	06/17/2008
Resolution No. 37509	06/24/2008
Resolution No. 38174	01/11/2011
Resolution No. 38672 (Amended)	05/07/2013
Resolution No. 39362	01/26/2016
Resolution No. 39882 (Amended Substitute)	12/12/2017
Resolution No. 40017	06/05/2018
Resolution No. 40228	02/12/2019
Resolution No. 40508	12/17/2019
Resolution No. 40652	09/15/2020
<a href="#"><u>Resolution No. _____</u></a>	<a href="#"><u> / /2022</u></a>