



Proposed Rule Walk-on Amendments

City of Tacoma | City Attorney's Office

City Council Meeting / GPFC

September 17, 2019

Item #



OVERVIEW



- Review July 17, 2019, Government Performance and Finance Committee background information on current “process” for amending City Council legislation.
- Review Proposed Council Rule For Walk-on Amendments.
- Next Steps.

BACKGROUND



- There are no state laws governing how an ordinance (or resolution) is to be amended in a first class city. Individual city charters may, however, dictate the procedure that must be used.
- Tacoma City Charter Section 2.14 – Requires the ordinance or section to be amended; must reenact in length, not just by title.
- Section 2.24 – Cannot amend an ordinance enacted by vote of the people within two years after enactment.

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BACKGROUND



- Rules of Procedure of the City Council do not provide a process or procedure for amending ordinances or resolutions.
- Current practice varies greatly, but a single Council Member may present an amendment with no advanced notice, and the proposed amendment does not have to appear on the Council Agenda.

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POLICY AND PROCESS ISSUES

- Public and constituent group(s) input
- Fair and equitable
- Solid analysis
- Transparent
- Effective and efficient
- Respect (surprises, choices, compromise, and credit)
- Compliance with Open Public Meetings Act

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POLICY AND PROCESS ISSUES

Process Issues

- How and when should Council receive the amendment?
- When should Council consider the amendment for a vote?
- Should the amendment be part of the published agenda?
- Should the amendment be printed and distributed at a separate meeting before being discussed at the regular meeting?
- Should the public, constituent groups, and interested parties be allowed to comment on the amendment?

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POLICY AND PROCESS ISSUES

Process Issues (cont'd)

- Should the amendment be referred to the City board, committee, or commission that originally referred/recommended or gave input on the legislation for comment prior to the entire Council considering it?
- Should the amendment be referred to outside organizations and groups for comment who may have provided input on the original legislation?
- Should staff or other “experts” give input?

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PROPOSED COUNCIL RULE

New Rule 8.B.

- Purpose – process that is fair, equitable and respectful towards the public, constituents, and Council Members.
- Applies to motions, resolutions, and ordinances.
- Amendments include substitutes.

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Council will only consider an amendment if the following requirements are met:

- The amendment shall be in writing.
- The amendment shall include a brief statement or analysis of the effect of the amendment.
- The amendment shall be provided to all Council Members, City Manager, City Clerk, and City Attorney a minimum of two hours prior to the meeting in which it will be offered.

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- Requirements may be waived by a two-thirds majority of Council Members present at the meeting.
- Council Members encouraged to consider best practices prior to submission of an amendment that will *substantially* change:
 1. Policy scope or policy language
 2. Use of City resources
 3. Costs to City

if the original legislation is amended.

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PROPOSED COUNCIL RULE



Best Practices include distribution to:

- Council Study Session at least one week prior to the meeting in which it will be offered.
- Public, constituents groups, and/or committee, board, or commission that may have provided comment on the original legislation.
- City Manager, for purposes of obtaining input from City staff or outside experts.

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PROPOSED COUNCIL RULE



Best Practices include distribution to (cont'd):

- City Clerk's Office on the Thursday prior to the regular meeting, so it can be published in the agenda.
- Council Members, for co-sponsorship.

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NEXT STEPS



- If acceptable, GPFC recommends the proposed Council Rule be considered by the full Council.
- Amendments to Council Rules must be made by resolution and require two readings of the Council.
- Questions?

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