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



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## **RULE 1 – MEETINGS**

### **A. Regular Meetings.**

The regular business meeting of the City Council shall be held at 5:00 p.m. on Tuesday of each week, at least forty-six weeks<sup>1</sup> each year, in the Council Chambers, Tacoma Municipal Building, except:

1. If Tuesday of any week is a legal holiday, the regular business 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 business 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. Study Sessions.**

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

### **C. Special Meetings.**

Special meetings, or any change in the time or location of a regular business meeting, study session, or committee 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 written notice personally, by mail, by fax, or by email to each member of the Council.

1. Written notice shall be deemed waived in the following circumstances:
  - 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 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

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<sup>1</sup> City Charter Section 2.8.

- 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 or posted at least 24 hours before the time of such meeting as specified in the notice.

3. The call and 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.
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, 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.

#### **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.<sup>2</sup> A member participating remotely, in accordance with Rule 1.F, counts towards a quorum in a Council business meeting, study session, or committee meeting.

#### **E. Location of Meetings.**

All City Council meetings, including regular business meetings, study sessions, special meetings, and committee meetings 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).

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, including regular business meetings, study sessions, special meetings, and committee meetings remotely (by phone or other electronic means that allows for real-time verbal communication). Council prefers and values in-person attendance; Council Members are expected to attend at least one regular business meeting per month in-person. It is preferred that

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<sup>2</sup> City Charter Section 2.9.

the meeting be chaired by a Council Member who is attending in-person (if the Chair attends remotely, the meeting would be run by the Vice Chair or another Council Member).

2. Notice of remote attendance should be provided to the City Clerk's Office not less than twenty-four hours before the scheduled start time for the meeting. The City Clerk or designee shall immediately advise the presiding officer of the remote participation.
3. At any meeting where a Council Member is attending remotely, a device will be used that allows the voice of the Council Member to be heard by everyone present in the meeting and that allows the Council Member to identify themselves before speaking. The Council Member attending remotely shall notify the others if they are about to disconnect from or leave the meeting. A Council Member who is connected remotely to the meeting shall be considered to be actually present at that meeting for the period of time 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 members of the 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.

## **RULE 2 - DUTIES**

### **A. Presiding Officer Duties.**

#### **1. 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. If both the Mayor and Deputy Mayor are attending remotely, it is preferred that the Council select a Council Member to serve as presiding officer that is attending the meeting in-person.

The presiding officer shall:

- a. Preserve order and decorum in the meeting location (both physical and remote);
- b. Observe and enforce all rules adopted by the Council for its government;
- c. Decide all questions on order, in accordance with these rules, subject to appeal by any member to the Council; and
- d. 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.
- e. 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.

**2. 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.

**3. 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."

**B. Mayor and Council Member Duties and Expectations.**

**1. Purpose.**

The purpose of this section is to outline the duties and expectations of the Mayor and Council Members.

**2. Mandatory Duties.**

a. Council Members shall attend:

- (1) City Council meetings, including regular business meetings, study sessions, Committee of the Whole, and special meetings.
- (2) City Council Standing Committee meetings, as assigned.
- (3) Various national, state, regional, and local committees, boards, and commissions, as assigned.

b. Council Members shall:

- (1) Adopt the budget for the City.
- (2) Comply with provisions of Section 6.14 of the City Charter.<sup>3</sup>

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<sup>3</sup> TMC 1.24.230

- (3) Adopt the City Compensation Plan.
- (4) Make and confirm appointments to positions where specified in the City Charter.

### **3. Expectations.**

Council Members are expected to perform the following functions:

- a. Devote sufficient time to consider the merits of each idea and then approve, modify, or reject it. In doing so, Council Members will analyze community needs, program alternatives and available resources and decide what form the decision should take: ordinance, resolution, rule, regulation, motion, or order.
- b. Provide periodic reports to the City Council on the activities of the various committees, boards, and commissions assigned to the Council Member and make recommendations to the other Council Members on issues impacting the City.

## **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 for regular business meetings of the City Council 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.
6. Agenda modifications. (Changes to the published agenda are announced at this time.)

***Consent Agenda:***

7. 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 that are:
  - (1) fixing dates for hearings and appeals,
  - (2) approving final plats,
  - (3) authorizing Community Development Block Grant program agreements with approved agencies,
  - (4) approving and accepting grants, only when Council approval is required by the grantor, or when the grant includes a match for an expenditure of funds that otherwise requires Council approval,
  - (5) approving requests relating to quieting title or clearing title issues on real property, and
  - (6) other similar actions.
- d. Communications from the City Council.
- e. Ordinances and communications from the Hearing Examiner.
- f. Interlocal Agreements, excepting those pertaining to cooperative purchasing.
- g. Approval of payments per RCW 42.24.180 (for expenses, materials, purchases, and payroll).
- h. Approval of new purchase resolutions, or amendments to prior-approved purchase resolutions, with an amount not exceeding \$2,000,000. Amounts exceeding \$2,000,000 shall be placed under the Regular Agenda.

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

***Public Comment.***

***Regular Agenda:***

- 8. Appointments.
- 9. Communications.
- 10. Resolutions.
- 11. Final reading of ordinances.
- 12. First reading of ordinances.
- 13. Appeals. See Rule 12.

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

## **RULE 5 – PARLIAMENTARY PROCEDURES AND MOTIONS**

**A. 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.

**B. Parliamentarian.**

The City Attorney shall act as the City’s parliamentarian, and shall advise the Presiding Officer on all questions of interpretations of these rules which may arise.

**C. Motions.**

1. If a motion does not receive a second, it dies. Matters that do not require a motion (and for which no second is needed) include nominations, withdrawal of motion by the person making the motion, request for a roll call vote, and point of order or privilege.
2. A motion that receives a tie vote fails.

3. Motions shall be stated in the affirmative. For example, “I move to approve” as opposed to “I move to reject.” Council Members shall be clear and concise and not include arguments for the motion within the motion.
4. After a motion has been made and seconded, the Council Members may discuss their opinions on the issue prior to the vote.

**D. 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 close or 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. (Amendments are voted on first, and if the amendment receives an affirmative vote, then then the main motion as amended is considered.)
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.

#### **E. 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<sup>4</sup>; six for emergency.<sup>5</sup>

If any Council Member wishes to abstain or recuse themselves from any vote, they shall so advise the City Council, shall not participate in the deliberations and considerations of the motion, and shall have no further participation in the matter. The Council Member should make this determination before any discussion or participation on the subject matter or as soon thereafter as the Council Member identifies a need to abstain. The Council Member may confer with the City Attorney to determine whether they are required to abstain or recuse themselves.

#### **F. 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 AND 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.

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<sup>4</sup> City Charter Section 2.10

<sup>5</sup> City Charter Section 2.12

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. Amendments to Rules.**

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

**D. Public Requests for Proclamations or Recognitions.**

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.

**E. 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 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. 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 two 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 two 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, first and final readings of ordinances, and motions. Comments made regarding ordinances forwarded to the Council by the Hearing Examiner for which a public hearing has been held 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.

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.
6. In the event that the Council, after taking public comment, suspends its rules to include final action on a new resolution, ordinance, or motion on the agenda, public comment will be taken at the time the Council considers the new resolution, ordinance, or motion. Where legislation has been substantially changed at its final reading, a person may speak to the changes.
7. To request to speak during Public Comment, 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 or \*9 on their phone. The speaker's name or the last four digits of their phone number will be called out when it is their turn to speak.
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.

## **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. All remarks will be addressed to the Council as a whole.

**C. Community Forum - Second and Fourth Tuesday.**

On the second and fourth Tuesday of each month, time shall be reserved during the regular business meeting 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.

Community Forum will be limited to sixty minutes, and 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. If there are not enough speakers to last for sixty minutes (one hour), the chair will close Community Forum after the last speaker. 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 their 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.

## **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 business meeting, study session, or committee 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>6</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.<sup>7</sup>

## **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.

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<sup>6</sup> Tacoma Municipal Code Chapter 1.23.

<sup>7</sup> Tacoma Municipal Code Section 1.70.030.

3. Government Performance and Finance.
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 remotely 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 also invite persons to speak 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 their 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 their 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 and specifically lists those requirements including that the applicant<sup>8, 9</sup>:

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<sup>8</sup> City Charter Section 2.2

<sup>9</sup> RCW 29A.24.075



- 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:
  - a. The Council will reduce the number of applicants to be scheduled for a presentation by allowing each Council Member, in an open public meeting, to select or forward a number of applicants equal to 20 percent of the total applicant pool, rounded up, from the applicant pool to present. No second to select or forward an applicant to present 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 present, and set the length of each presentation.
  - b. The City Clerk's Office shall notify applicants of the location, date, and time of Council presentations.
  - c. Each presentation of the applicant shall be no more than 8 minutes in length, depending on the number of applicants presenting, as follows:

- (1) The applicant shall present their credentials to the Council. (three to eight minutes)
  - (2) The applicants' order of appearance will be alphabetical. Only the applicant presenting will be brought into the Council Chambers during their presentation; the other applicants will be asked to remain outside the Council Chambers until their presentation time.
- d. Upon completion of the presentations, Council Members may convene into an Executive Session to discuss the qualifications of the applicants. All presentations, deliberations, nominations, and vote taken by the Council shall be in an open public meeting.
10. Following the first round of presentations, or if there were not more than ten (10) applicants, 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. Each Council Member, in an open public meeting, will be allowed to nominate a number of finalists equal to 20 percent of the applicants who presented, rounded up. No second is needed for nominations. Nominations to the finalist list is closed by a motion, second, and majority vote of the Council and then vote in the public meeting to schedule the candidates to be interviewed. Council Members may convene into an Executive Session to discuss the qualifications of the applicants. Council Members may deliberate on such matters as criteria for selection, number of finalists to forward, and of the qualifications of the finalists.
11. The City Clerk's Office shall notify applicants of the location, date, and time of Council interviews.
12. Each interview of the applicant shall be no more than 20 minutes in length and shall not include time Council is asking questions, as follows:
  - a. The applicant shall make opening remarks (2 minutes)
  - b. The applicant shall respond to Council Member questions. (17 minutes)
  - c. The applicant shall make closing remarks. (1 minute)
  - d. The applicants' order of appearance will be alphabetical. Only the applicant being interviewed will be brought into the Council Chambers during their interview; the other applicants will be asked to remain outside the Council Chambers until their interview time.
13. Following interviews, Council Members will have until the next meeting to consider applicants for appointment.
14. At the next meeting, the finalists shall be placed in order of appearance determined by random lot drawing performed by the City Clerk. The City Clerk shall proceed with a

roll-call vote of each finalist until a nominee receives a majority vote of the Council Members.

- a. If no finalist receives a majority vote of the Council Members, then the finalist receiving the least votes will be removed from consideration, and the City Clerk shall proceed with another roll-call vote of each finalist until a nominee receives a majority vote of the Council Members.
15. 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.
16. 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 business meeting if no nominee receives a majority of the vote.
17. Pursuant to state law, a vacancy shall be filled only until the next regular municipal election, to serve the remainder of the unexpired term.
18. Nothing in this policy shall prevent the Council from reconvening into an Executive Session to further discuss applicant qualifications.
19. 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
Resolution No. 40980	06/07/2022
Resolution No. 41093	12/20/2022