
**CITY OF ISSAQUAH
DEVELOPMENT COMMISSION
RULES & REGULATIONS**

Pursuant to the Issaquah Municipal Code (“IMC”) 18.03.100(C), we, the members of the Development Commission, do hereby adopt, publish, and declare the following rules and regulations which shall govern the conduct of business.

ARTICLE I. NAME

The City of Issaquah Development Commission hereinafter is referred to as the “COMMISSION.”

ARTICLE II. MEMBERSHIP

The qualifications and terms of COMMISSION membership are established in IMC 18.03.090.

ARTICLE III. OFFICERS AND DUTIES

SECTION 1. OFFICERS

- A. In accordance with IMC 18.03.100(A), the officers of the COMMISSION shall consist of a Chair and Vice-Chair.
- B. Officers shall be elected each year for a one-year term at the first regular meeting in May. The term year shall be from May 1 through April 30 of the following year.

SECTION 2. CHAIR

The Chair is a voting member of the COMMISSION and shall preside over the meetings of the COMMISSION and exercise all the powers granted to the position as follows:

1. Set the agenda in coordination with the designated staff liaison.
2. Open the meeting on time and call the meeting to order.
3. Announce in proper sequence the business on the agenda.
4. Recognize members who are entitled to the floor.
5. Facilitate public comment.
6. State and put to a vote all legitimate questions that arise during the meeting.
7. Protect the COMMISSION from frivolous or delaying motions.
8. Enforce the rules regarding debate and keep order.
9. Expedite business in a way compatible with the rights of the members.
10. Decide all questions of order. If a motion is out of order, the Chair should rule it out of order.
11. Respond to inquiries of members.
12. Declare the meeting adjourned.
13. Any other duties as prescribed by parliamentary authority.

SECTION 3. VICE-CHAIR

In the absence of the Chair, the Vice-Chair shall perform the duties incumbent upon the Chair. In the absence of the Chair and Vice-Chair, the COMMISSION members present shall elect a

temporary Chair who shall have full powers of the position for that meeting only; however, an alternate member may not serve as temporary Chair.

SECTION 4. SECRETARY

A recording secretary shall be provided by the Community Planning and Development Department to provide a written record of the proceedings. The draft minutes will be forwarded to the designated staff liaison for distribution and final approval by the COMMISSION.

ARTICLE IV. MEETINGS

SECTION 1. REGULAR MEETINGS

- A. Regular meetings of the COMMISSION shall be held the first and third Wednesday of each month at 7:00 p.m. in the Council Chambers, 135 E. Sunset Way. Any meeting scheduled outside of the COMMISSION'S regular date, time or location is considered a special meeting of the COMMISSION.
- B. If warranted, meetings may be cancelled or rescheduled by the Chair. If, in any given month, there is no business which requires COMMISSION action, the staff liaison will cancel the regular meeting.
- C. Every effort will be made to conduct each meeting as efficiently as possible in order to adjourn the meeting no later than 10:00 p.m.
- D. If a regular meeting falls on a legal holiday, the Chair will set an alternate date in consultation with the staff liaison.

SECTION 2. SPECIAL MEETINGS

Special meetings of the COMMISSION may be called by the Chair in consultation with the staff liaison or by a majority vote of the COMMISSION members. Notice of all special meetings shall comply with the requirements of RCW 42.30.080. Every effort shall be made to set up work sessions or special meetings with other Issaquah boards and commissions in order to create effective communication between these bodies.

SECTION 3. QUORUM

- A. In accordance with IMC 18.03.100(A), four or more regular members of the COMMISSION (or alternate members filling in for an absent regular members) shall constitute a quorum for the transaction of business. Any action taken by a majority of those present, when those present constitute a quorum, at any regular or special meeting of the COMMISSION, shall be deemed the official action of the COMMISSION.
- B. COMMISSION members are to be mindful of inadvertent quorums outside of meetings. State law defines "action" very broadly. Therefore, whether in person, by phone, or email, COMMISSION members shall not discuss COMMISSION business with other members if a quorum of members are present or in a series of communications which could create a "serial meeting."

SECTION 4. USE OF ALTERNATES AND REGULAR MEMBERS RECLAIMING VOTING SEATS

- A. To provide the fullest membership possible, alternate members will serve in the absence of regular members, so long as the maximum number of voting members (seven) is not exceeded. When serving in the absence of a regular member, alternate members will be counted towards a quorum, participate in debate and voting, and have any other rights of a regular member.
- B. If it is known in advance that a regular member will be absent for a meeting, staff will notify an alternate member in advance of the meeting and request that they serve in place of the regular member and be prepared to participate fully in the meeting. If an absence is not anticipated, an alternate may be asked to fill-in for a regular member at the beginning of the meeting.
- C. During each term of the COMMISSION (May 1st through April 30th), when an alternate is needed, the selection of the alternate will begin with the alternate who has served longest on the COMMISSION. Staff will track which alternates have served as regular members and make all efforts to rotate which alternate is filling in. If a hearing extends over multiple meetings, the same alternate will be asked to fill in for a regular member's absence for the duration of the hearing.
- D. Once the meeting has been called to order, the Chair will announce which alternate member(s) will serve in the absence of regular member(s), and their status will be noted in the minutes, unless the alternate is serving as a result of a recusal or disqualification of a regular member. If a regular member is recused or disqualified, an alternate member will then be selected to fill in for the recused or disqualified member in accordance with Section 4.C above.
- E. During a meeting, a late-arriving regular member may resume their seat upon arrival or may wait to join the dais and resume their voting seat after an agenda item as follows: If the review of a quasi-judicial permit is underway, substantive information or comment has been presented, and deliberations and voting are likely to take place during that meeting, a regular member may not take their voting seat. However, if the deliberations and voting are not likely to take place at that meeting, the member may assume their voting seat, as long as they comply with Section 4(F) prior to the next meeting and the quasi-judicial permit's deliberations and voting.
- F. During review of a multi-day quasi-judicial hearing, a regular member who has missed the previous COMMISSION meeting at which a quasi-judicial hearing has occurred, may serve at a subsequent meeting, if the regular member has reviewed the previous meeting's packet and watched the first or previous meeting's video.
- G. A recused or otherwise disqualified regular member may not reclaim their seat until after the conclusion of the pending agenda item for which they were recused or disqualified.

SECTION 5. ATTENDANCE

- A. Attendance of regular and special meetings is expected of all regular and alternate COMMISSION members.

- B. Any member anticipating absence from a meeting should notify the designated staff liaison in advance of the meeting. COMMISSION members shall provide notification well in advance—at a minimum, five days—of known attendance conflicts. An exception will be made for emergency situations, such as illness or death in the family, or unexpected situations that prevent attendance. COMMISSION members who fail to provide notification will be listed in the minutes as unexcused.
- C. In accordance with IMC 18.03.090(F), members with more than three consecutive unexcused regular meeting absences may be removed from the COMMISSION. Members finding themselves unable to attend regular meetings of the COMMISSION are expected to tender resignation.

SECTION 6. COMMITTEES

The COMMISSION shall have full power to create standing or temporary committees of up to three members, charged with such duties of examination, investigation, and inquiry relative to one or more subjects of interest to the COMMISSION, as it may determine necessary. No standing or temporary committee shall have the power to commit the COMMISSION to the endorsement of any plan or program without approval by the COMMISSION. Committee reports to the COMMISSION should be concise, giving subject matter and date(s) during which the subject was discussed.

SECTION 7. PARTICIPATION

- A. Member Participation: In keeping with Robert's Rules of Order, discussion by members should be concise, to the point, and relevant to the business pending before the COMMISSION.

Alternate Member Participation: Alternate members are encouraged to attend and participate in all meetings of the COMMISSION. Alternate members who are not serving in the absence of a regular member are encouraged to participate in discussion of agenda items but will not participate in debate of motions nor vote on motions, unless the alternate member is serving in the absence of a regular member pursuant to Section 4 above.

- B. Staff Participation: The Chair may request that qualified staff provide expert testimony or informational presentations to the COMMISSION.
- C. Public Participation: The public will be given the opportunity to make general public comments on issues that are not part of a public hearing at the beginning of the COMMISSION meeting (see Section 10). Public comments may also be made during Public Hearings before the COMMISSION. For additional guidelines on providing public comments during a Public Hearing, see Section 11.

The following guidelines are established for public comments made under General Public Comments or Public Hearings:

1. When recognized, commenters are encouraged to use the podium.
2. Commenters must state their name and relationship to the City (e.g., resident, business owner, property owner, etc.). Commenters are encouraged, but not required, to provide their address.
3. Comments shall be limited to five minutes or less. Commenters are encouraged to avoid repetition by referencing previous commenters with whom they agree.

4. If any written materials are provided to the COMMISSION, a copy shall also be provided to the staff liaison or the recording secretary during the meeting or hearing.

The Chair shall have the discretion to make exceptions to the time restrictions or impose an overall maximum duration.

Personal attacks, obscene language, derogatory remarks, and disruptive behavior, such as shouting, booing, clapping, and stomping feet, will not be permitted. If a speaker is out of order, the Chair will direct the speaker to return to his or her seat. If a speaker does not comply, the Chair may take a recess to restore order. If a disruption of the meeting occurs and order cannot be restored, the Chair may proceed to use one of the options provided for in RCW 42.30.050 to ensure orderly continuation of the meeting. All those who would like to indicate support of a stated position may raise their hand or use another method identified by the Chair.

SECTION 8. VOTING

- A. Prior to all Regular and Special meetings, all members of the COMMISSION are expected to review agenda materials. This may be done by reviewing current and prior meeting packets, minutes, and video.
- B. Any COMMISSION member who has an obvious material, direct, or individual interest in any matter before the COMMISSION shall declare a conflict of interest, as soon as reasonably possible, but not later than prior to voting on the issue on which they have a conflict.

After the conflict of interest is stated, the COMMISSION may then, by a majority vote, excuse a member from voting on the issue. If a member is excused from voting, they shall leave the meeting room. Their absence will be considered excused when voting occurs.

- C. Each Regular member present has a duty and obligation to vote on all questions put before the COMMISSION, unless an obvious conflict of interest or appearance of fairness question is present.

If a member fails to vote on an issue, when that member has not been excused from voting due to a conflict of interest or appearance of fairness question, they will have been determined to vote "yes" on the issue.

If a member intends to abstain from voting, they shall announce this intention prior to the vote on the issue to ensure their abstention is recognized by the Chair and recording secretary. The word "abstention" will not be included in the minutes; abstentions will be recorded as a "yes" vote.

SECTION 9. AGENDA AND STAFF REPORTS

Meeting agendas shall be prepared and distributed by City staff five days in advance, unless circumstances dictate otherwise. The agenda shall be accompanied with a copy of the draft minutes of the previous meeting, staff reports, and any other material that may pertain to the agenda.

SECTION 10. ORDER OF BUSINESS

The order of business for each regular meeting of the COMMISSION shall be as follows:

1. Call to Order.
2. Approval of Minutes.
3. General Public Comments, on non-Public Hearing items.
4. Public Hearing(s).
5. Regular Business.
6. Reports.
7. Other Business/Announcements.
8. Adjournment.

SECTION 11. PUBLIC HEARINGS

The order for public hearings involving quasi-judicial decisions, conducted by the COMMISSION is as follows:

Overview:

- A. Purpose of Public Hearing.
- B. Appearance of Fairness Disclosures.
- C. Opening of Public Hearing.
- D. Staff Presentation.
- E. Applicant Presentation.
- F. Public Comment.
- G. Rebuttal by Applicant then Staff.
- H. Close Public Hearing.
- I. Commission Deliberation.
- J. Commission Action, including motions, amendments, discussion, and vote.
- K. Conclude Agenda item on Quasi-judicial Permit.

- A. Purpose of Public Hearing. The Chair reads or paraphrases the purpose of the hearing and a brief summary of the application/proposal.
- B. Appearance of Fairness Disclosures. Staff will ask COMMISSION members for Appearance of Fairness disclosures, including any apparent conflicts of interest. *See a/so* Section 8(B) above. If a COMMISSION member answers in the affirmative, the COMMISSION may then, by a majority vote, excuse a member from voting on the issue. If a member is excused, they shall leave the Chamber immediately. Their absence will be considered excused when voting occurs. The Appearance of Fairness Doctrine (Chapter 42.36 RCW) includes the following:
 1. Prohibits ex parte (outside of the hearing) communications with the applicant, regarding the application/proposal, with limited exceptions requiring disclosure on the record.
 2. Prohibits a COMMISSION member from making a determination on the matter in advance of the hearing.
 3. Requires the hearing to be fair and impartial.
 4. Prohibits the participation of any COMMISSION member who has a conflict of interest or financial or other personal interest in the outcome of the hearing or proceedings.

Any such COMMISSION member shall consult with the City Attorney via the COMMISSION's staff liaison ahead of the meeting to determine whether they should recuse

themselves from the quasi-judicial discussion and decision. Any member who is recused on the advice of the City Attorney shall announce their intent under the Appearance of Fairness Disclosures and shall leave the Chamber.

COMMISSION members should not read or reply to any correspondence received from the applicant or the public on a quasi-judicial matter. Such correspondence shall be forwarded immediately to the COMMISSION's staff liaison. If COMMISSION members have inadvertently read correspondence or participated in communication outside of the public hearing on a quasi-judicial matter, they shall disclose the communication promptly to the staff liaison and during the Appearance of Fairness Disclosures.

After COMMISSION members have completed their Appearance of Fairness Disclosures (and any votes to recuse members as a result), the Chair shall invite the applicant and members of the public to raise a challenge under the Appearance of Fairness Doctrine. If such a challenge is made by the public, the COMMISSION shall then deliberate and vote whether to excuse the challenged member from voting on the issue. If a member is excused, they shall leave the Chamber immediately.

- C. Opening of Public Hearing. The Chair announces that the public hearing is open.
- D. Staff Presentation. Staff present an overview of the staff report to the COMMISSION. If COMMISSION members have questions of staff during the presentation, COMMISSION members shall identify themselves to the Chair so as to direct any questions to the staff.
- E. Applicant Presentation. The applicant makes its presentation to the COMMISSION. If COMMISSION members have any questions of the applicant at that time, COMMISSION members shall identify themselves to the Chair so as to direct any questions to the applicant.
- F. Public Comment. Prior to the meeting, a sign-up list may be made available to the public for those who wish to provide public comment on the application/proposal, providing for an orderly process for calling of speakers. Each person who has signed up to provide public comment or who has indicated a desire to speak shall be given an equal amount of time to make comments, as determined by the Chair. The number of speakers may be weighed against the amount of time available for the public hearing. Persons who have signed up to provide public comment may waive their opportunity to speak.
 - 1. See Section 7(C) for general process for Public Participation.
 - 2. When all of the persons on the list have been called and have either have spoken or waived the opportunity to speak, the Chair shall ask if there are any other persons who desire to speak. If there are any, those persons should be allocated the same amount of time as previous speakers, if possible.
 - 3. Any questions by COMMISSION members to any member of the audience should be asked once the COMMISSION member is recognized by the Chair and following the audience member's statement.
- G. Rebuttal. After public comment has been completed, first the applicant, or his/her representative, may choose to make a brief statement of rebuttal; followed by staff, who may also choose to make a brief rebuttal statement. The Chair should then determine if there are no more COMMISSION questions for the applicant.

- H. Closing of Public Hearing. The Chair shall ask the COMMISSION if there is any objection to closing the public hearing. If there is no objection, the public comment portion will be closed. If a COMMISSION member objects, a vote will be taken on whether to continue the public hearing. A majority vote will be required to continue the hearing. Once the public hearing is closed on a quasi-judicial matter, no additional testimony may be taken, and the COMMISSION will be limited to questions to staff only, deliberations, and voting. The COMMISSION may not proceed to deliberate and vote on the issue until the public hearing is closed.
- I. Commission Deliberation. The COMMISSION shall deliberate on the application/proposal. During deliberations, the COMMISSION discusses whether the proposal complies with adopted code criteria.
- J. Commission Action. At the conclusion of deliberation, any regular member (or alternate serving as regular member) of the COMMISSION may bring a motion to the floor to approve or deny the application/proposal. If the motion is seconded, the COMMISSION shall proceed to deliberate and vote on the motion. During voting, the Chair may call upon each member to state his/her reasons for or against the particular motion.
- K. Conclude Agenda Item on Quasi-judicial Permit.

These additional rules shall apply to all public hearings before the COMMISSION:

- L. If the hearing or agenda item reaches the allotted time on the agenda or the regular adjournment time (see Section 1(C)) and public comments, deliberations, and voting have not been completed, then the Chair may continue the hearing or agenda item. The COMMISSION must meet the requirements of RCW 42.30.090 and .100 to continue the public hearing. If these requirements are not met, notice of the public hearing must be reissued.
- M. The COMMISSION accepts written comments at any time prior to the closing of the record of an open record pre-decision hearing per IMC 18.04.170(A)(5).
- N. The Chair will recognize COMMISSION members before a Commissioner asks questions or provides other information.
- O. Photographs, maps, slides, letters, invoices, memorandums, petitions, or any other documents of any nature presented to the COMMISSION in connection with the hearing shall also be given to staff for the official record of the proceedings.
- P. Any visual presentations, such as Powerpoint presentations, that the applicant wishes to use during the hearing, must be provided in advance of the hearing to the staff liaison. Presentations will be accepted up to two hours before the start of the meeting. If a visual presentation cannot be accommodated due to timing, technical, or logistical issues, the staff will work with the individual to ensure that the COMMISSION receives the content of the presentation.
- Q. COMMISSION members shall avoid whispered conversations between themselves during the course of the hearing or an intermission during the course of the hearing. These conversations may not be audible on the recording and may jeopardize the record of the hearing.

SECTION 12. WASHINGTON STATE OPEN PUBLIC MEETINGS ACT (OPMA)

In compliance with OPMA (RCW 42.30), any Regular or Special meeting of the COMMISSION shall be open to the public.

ARTICLE V. PARLIAMENTARY AUTHORITY

The current edition of Robert's Rules of Order shall govern the deliberations of the COMMISSION except when in conflict with any of the rules contained herein.

ARTICLE VI. AMENDMENTS

The Rules & Regulations may be amended by an affirmative vote of four or more members of the COMMISSION at a regular or special meeting. Notice of intent to amend the rules and regulations must be provided in the agenda of the meeting at which the amendments are to be considered.

ARTICLE VII. ADOPTION

Adopted by the COMMISSION this 20th day of October, 2021.

DocuSigned by:

Michael A. Brennan

BFB77E3F8E164A5...

Michael A. Brennan, Chair

Attachments:

- A. [IMC 18.03.080-100](#)
- B. [Code of Ethics](#)
- C. [Ethics Guidelines](#)