

IV.A DRB Rules of Procedure

We, the members of the Design Review Board of the City of Kirkland, State of Washington, a review board functioning pursuant to Kirkland Municipal Code Section 3.30 and the Kirkland Zoning Code; adopt, publish, and declare the following rules of procedure.

Section 1. Name:

The official name is “The Kirkland Design Review Board”, hereinafter referred to as “DRB”.

Section 2. Official Seat:

The official meeting place of the DRB is the Council Chamber of Kirkland, Washington, provided that the DRB may hold meetings in other venues as deemed necessary.

Section 3. Meetings:

- A. Regular Meetings. The DRB intends to meet on the first Monday of each month, commencing at 7:00p.m. unless another schedule is approved by a majority of those present at a previous meeting.
- B. Special Meetings. The DRB shall meet at additional times at the call of the Chair.
- C. Open Meeting Requirements and Notification:
 - 1. The open meetings provisions of state law (RCW Chapter 42.30) shall apply to DRB meetings.
 - 2. Notification procedures shall follow the requirements of the Kirkland Zoning Code.
- D. Minutes. The Department of Planning and Community Development will prepare minutes of each meeting that includes all pertinent information, motions, decisions made, and actions and votes taken.

Section 4. Officers:

- A. Appointment. The DRB has the following officers:
 - 1. The Chair
 - 2. A Vice Chair
 - 3. Any other officer that the DRB, by a majority vote, approves and appoints.
- B. Temporary Chair. If both the Chair and Vice Chair are absent from a meeting, the DRB shall, by a majority vote of the members present, elect a temporary Chair for that meeting.
- C. Duties of Officers. The duties and powers of the officers of the DRB are as follows:
 - 1. Chair:
 - a To preside at all meetings of the DRB
 - b To call meetings of the DRB
 - c To sign documents of the DRB
 - d To act as a liaison between the DRB and other City entities
 - 2. Vice Chair: During the absence, disability, or disqualification of the Chair, or upon request of the Chair, the Vice Chair shall exercise all the duties and responsibilities of the Chair. The Vice Chair shall also maintain any other responsibilities that are assigned by the Chair. The Chair and Vice Chair and any other officers shall be elected by a majority vote of the DRB at the last regular meeting of the calendar year. The Chair and Vice Chair officers will rotate on an annual basis. At the end of a term, the Vice Chair will take the office of Chair and a new Vice Chair will be appointed unless majority of the DRB votes otherwise.

IV. A DRB Rules of Procedure

Section 5. Order of Business:

A. Generally the DRB will follow the following order of business at all meetings:

1. Call to order
2. Reading and/or approval of minutes
3. Announcement of agenda
4. Requests from the audience – limited to 5 minutes
5. Study sessions
6. Unfinished business
7. New business
8. Administrative reports and DRB discussion
9. Comments from the audience – limited to 5 minutes
10. Adjournment

B. The order of business may be changed during the meeting by the Chair with the consent of a majority of DRB members present.

Section 6. Quorum:

A majority of the appointed voting members of the DRB constitutes a quorum. A quorum must be in attendance before a motion can be presented. Every motion by the DRB requires approval of the majority to pass.

Section 7. Voting:

- A. Each member present at a meeting shall cast one vote on each motion. Voting may be by voice call or roll call. Any disqualified member must leave the room when the matter is presented. The minutes shall show that the member left the room and abstained on that vote.
- B. Dispositive motions may be approved by a majority of the members present.

Section 8. Disqualification:

Each of the following disqualifies a DRB member from participating in any DRB business related to a design review application:

- A. If a member is a paid or unpaid advocate, agent, or representative for an applicant on a design review application.
- B. Prior Communication with any person, other than an employee of the City of Kirkland, about the design review application.
- C. Prejudging the merits of the design review application before all written and oral comments have been received.

Section 9. Vacancies:

Should any vacancy occur among the membership of the DRB, the City Clerk shall be immediately notified. The chair of the DRB shall request that the City Council consider an appointment to the vacancy of the DRB at the earliest possible time.

IV. A DRB Rules of Procedure

Section 10. Conduct of Meetings:

- A. General: The Chair has broad authority over all matters regarding the conduct of meetings. The Chair shall exercise this authority to promote the fullest possible presentation of information and discussion of matters before the DRB while permitting the orderly and timely completion of DRB business.
- B. Use of Robert's Rules of Order. The DRB shall comply with the applicable provisions of Robert's Rules of Order if specific guidance is not found in the Rules of Procedures, and:
 - 1. The Chair decides to follow the provisions, or
 - 2. A member moves to follow these provisions, and a majority of the quorum or those members present, whichever is greater, vote in favor of this motion.

Section 11. Rules of Procedure for Project Review:

- A. Presentations to the DRB: The Chair will call for a staff presentation, followed by a presentation by the project proponent, followed by clarifying questions by the DRB, followed by public comment, followed by DRB deliberation.
- B. Written Comments: Any person wishing to comment on an application in writing may do so by submitting comments to the Department of Planning and Community Development staff before the public meeting, or the Chair during the meeting.
- C. Oral Comments: The Chair shall permit any person to make a brief oral presentation at the public meeting. The Chair has the authority to limit oral presentations to a length of time established by the Chair at the public meeting. The Chair shall limit oral presentations that pertain to matters beyond the scope of the DRB's authority outlined in the Kirkland Zoning Code. The speaker shall first identify their name and address.
- D. Questions from the DRB: Members may question a speaker on any matter related to the speaker's statement
- E. Questions from the Speaker: The speaker shall address all questions and comments to the DRB.
- F. DRB Deliberation: After all speakers have been heard, the DRB shall consider the project proposal. This deliberation will include:
 - 1. The information submitted by the project proponent;
 - 2. The written comments received;
 - 3. Any presentation and discussion made at the meeting; and
 - 4. The staff report
- G. Continuance: The DRB may continue the matter by an affirmative vote of the members present on a motion to continue. If the matter is continued to a specific date, no further public notice is required.

Section 12. Amending the Rules of Procedure:

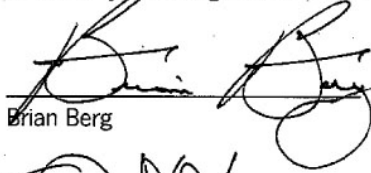
The rules of procedure may be amended at any meeting of the DRB by majority vote of the appointed members.

Section 13. Validity:

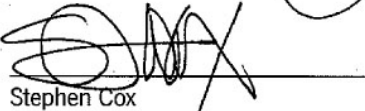
If any part or parts of these rules of procedure are found to be invalid, that part or parts will not invalidate the remainder of the rules.

IV. A DRB Rules of Procedure

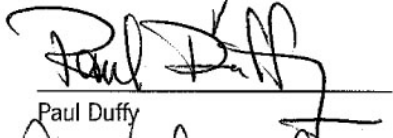
PASSED by the Design Review Board on the 19th day of May, 2005.

A handwritten signature in black ink, appearing to read "Brian Berg", written over a horizontal line.

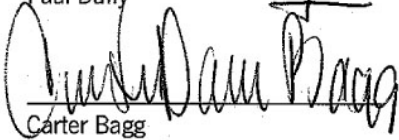
Brian Berg

A handwritten signature in black ink, appearing to read "Stephen Cox", written over a horizontal line.

Stephen Cox

A handwritten signature in black ink, appearing to read "Paul Duffy", written over a horizontal line.

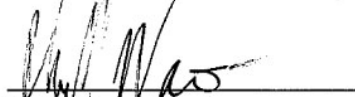
Paul Duffy

A handwritten signature in black ink, appearing to read "Carter Bagg", written over a horizontal line.

Carter Bagg

A handwritten signature in black ink, appearing to read "Todd Kilburn", written over a horizontal line.

Todd Kilburn

A handwritten signature in black ink, appearing to read "Phyllis Warman", written over a horizontal line.

Phyllis Warman

A handwritten signature in black ink, appearing to read "Kevin Oremus", written over a horizontal line.

Kevin Oremus

IV. B Role Of Board Members

1. Council and Commission members should make every effort to attend every meeting and be on time.
2. Effective Council and Commission members understand the rules of procedure as well as parliamentary procedure and abide by them.
3. Members should address all remarks through the Chair.
4. Members should use their parliamentary knowledge in a constructive manner rather than hindering or obstructing the business of the meeting.
5. Members should be knowledgeable and familiar with the issues before them so they can participate in the meeting by:
 - a. Introducing motions;
 - b. Seconding another Board member's motion;
 - c. Debating the issue according to the rules or asking questions of information regarding issues; and
 - d. Voting.
 - (1) A member may vote but cannot be forced to do so, unless your rules provide otherwise. A member should not vote on questions of direct personal or pecuniary interest not common to other members.
 - (2) A member may change a vote before the Chair announces the result of the vote. After the result is announced, a majority of the Council must vote to allow the change.
 - (3) A member may request a rising vote by calling "Division" when a voice vote or show hands is in doubt.
6. Members should enjoy their experience on the Council or Commission.

IV. C DRB Role Of The Chair

The Chair is the Presiding Officer of the meeting. The duties are to:

1. **Open the meeting on time and call the meeting to order**
2. **Announce in proper sequence the business on the agenda**
3. **Recognize members who are entitled to floor**
4. **State and put to a vote all legitimate questions that arise during the meeting. If a motion is out of order, the Chair should rule it out of order.**
5. **Protect the Board from frivolous or delaying motions by refusing to recognize them**
6. **Enforce the rules regarding debate and keep order**
7. **Expedite business in a way compatible with the rights of the members**
8. **Decide all questions of order**
9. **Respond to inquiries of members**
10. **Declare the meeting adjourned**

IV. D Questions To Improve Discussions

To Open Discussion

- “Could we clarify the terms connected with this topic?”
- “What do you think the general idea or problem is?”
- “What are the elements essential to understanding the topic?”
- “Would anyone care to offer suggestions on facts we need to better our understanding of the problem or topic?”

To Broaden Participation

- “Now that we have heard from a number of our members, would others who havenot spoken like to add their ideas?”
- “How do the ideas presented thus far sound to those of you who have been thinking about them?”

To Limit Participation

- “We appreciate your contributions. However, it might be good to hear from some of the others. Would some of you who have not spoken care to add your ideas to those already expressed?”
- “You have made several good statements, and I am wondering if someone else might like to make some remarks.”
- “Since all our group members have not yet had an opportunity to speak, I wonder if you could hold your comments until a little later.”

To Focus Discussion

- “Where are we now in relation to our goal for this discussion?”
- “Would you like to have me review my understanding of the things we have said and the progress we have made in this discussion?”
- “Your comment is interesting. However, I wonder if it is quite on target for the problem we’re discussing.”

To Help the Group Move Along

- “I wonder if we have spent enough time on this phase of the problem. Should we move to another aspect of it?”
- “Have we gone into this part of the problem far enough so that we might now shift our attention and consider this additional area?”
- “In view of the item we have set for ourselves, would it not be well to look at the next question before us?”

IV. D Questions To Improve Discussions

To Help the Group Evaluate Itself

- “I wonder if any of you have a feeling that we are blocked on the particular question; why are we tending to slow down?”
- “Should we take a look at our original objective for this discussion and see where we are in relation to it?”
- “Now that we are nearing the conclusion of our meeting, would anyone like to offer suggestions on how we might improve our next meeting?”

To Help the Group Reach a Decision

- “Am I right in sensing agreement on these points?” (Chair then gives a brief summary.)
- “Since we tend to be moving in the direction of a decision, should we consider what it will mean for our group if we decide the matter in this way?”
- “What have we accomplished in our last discussion up to this point?”

To Lend Continuity to the Discussion

- “Since we had time for a particular consideration of the problem at the last meeting, would someone care to review what we covered then?”
- “Since we cannot reach a decision at this meeting, what are some of the points we should take up at the next one?”
- “Would someone care to suggest points which need further study before we convene again?”

IV. E Basic Information On Motions

| RANKING MOTIONS | |
|--|--|
| These motions are listed in order of rank. When any one of these motions is immediately pending, those above it are in order and those below are not in order. | |
| Privileged Motions | |
| 13. Fix Time to Which to Adjourn | |
| 12. Adjourn | |
| 11. Recess | |
| 10. Raise a Question of Privilege | |
| 9. Call for the Orders of the Day | |
| Subsidiary Motions | |
| 8. Lay on the Table | |
| 7. Previous Question (to close debate) | |
| 6. Limit or Extend Limits of Debate | |
| 5. Postpone to a Certain Time | |
| 4. Commit (or Refer) | |
| 3. Amend | |
| 2. Postpone Indefinitely | |
| 1. Main Motion | |
| NON-RANKING MOTIONS | |
| whether these motions are in order depends upon the business already under consideration and what purpose they may serve when introduced. | |
| Incidental Motions | |
| Appeal | |
| Close Nominations or the Polls | |
| Consider by Paragraph or Seriatim | |
| Division of the Assembly | |
| Division of a Question | |
| Objection to Consideration of a Question | |
| Parliamentary Inquiry | |
| Point of Order | |
| Reopen Nominations or the Polls | |
| Suspend the Rules* | |
| Withdraw a Motion | |
| Motions That Bring A Question Again Before The Assembly | |
| Reconsider | |
| Rescind | |
| Take from the Table | |

| PRINCIPAL CHARACTERISTICS | | | | | |
|---------------------------|----------------|----------------|-----------------------|---------------------|---------------|
| Second Required | Can Be Debated | Can Be Amended | Can Be Voted Required | Can Be Reconsidered | Can Interrupt |
| yes | no | yes | maj | yes | no |
| yes | no | no | maj | no | no |
| yes | no | yes | maj | no | no |
| no | no | no | x* | no | yes |
| no | no | no | x* | no | yes |
| yes | no | no | maj | no | no |
| yes | no | no | 2/3 | yes* | no |
| yes | no | yes | 2/3 | yes* | no |
| yes | yes | yes | maj | yes | no |
| yes | yes | yes | maj | yes* | no |
| yes | = | yes* | maj | yes | no |
| yes | yes | no | maj | + | no |
| yes | yes | yes | maj* | yes | no |
| | | | | | |
| | | | | | |
| yes | * | no | maj | yes | yes |
| yes | no | yes | 2/3 | no | no |
| yes | no | yes | maj | no | no |
| no | no | no | no | no | yes |
| yes | no | yes | maj | no | no |
| no | no | no | 2/3 | # | yes |
| no | no | no | chair | no | yes |
| no | no | no | chair | no | yes |
| yes | no | yes | maj | # | no |
| yes | no | no | 2/3* | no | no |
| no* | no | no | maj* | # | yes* |
| yes | = | no | maj | no | no |
| yes | yes | yes | * | # | no |
| yes | no | no | maj | no | no |

Key to Markings

* – See Robert's Rules of Order Newly Revised for special rules.

x – Usually no vote taken. Chair responds.

+ – Only an affirmative vote may be reconsidered

– Only a negative vote may be reconsidered

= – Debatable when applied to a debatable motion. See Robert's Rules of Order Newly Revised.

IV. E Basic Information On Motions

PARLIAMENTARY TERMS

AGENDA: an outlined plan of an entire business session; an order of business

ACCEPT: adopt, approve, agree to.

ADOPT: approve, agree to, accept

AMEND: modify or change the wording of a motion before action is taken upon the motion itself

ANNOUNCING THE VOTE: declaration by the chair of the result of the vote.

ASSEMBLY: a body of people assembled for the transaction of business

ARE YOU READY FOR THE QUESTION: debate (discussion) is in order.

BYLAWS: basic rules of a society which relate to itself as an organization.

CARRIED: adopted, approved

CHAIR: the presiding officer; the place or station of the presiding officer

DIVISION OF THE ASSEMBLY: a motion requiring that a vote taken by voice or by show of hands

EX OFFICIO: “from the office” or by virtue of the office or chairmanship. Bylaws frequently provide that the president shall be an ex-officio member of all committees except the nominating committee.

FLOOR, OBTAIN THE: securing recognition by the chair as having the right to speak in a meeting.

GENERAL CONSENT: unanimous consent; informal agreement of the assembly. The chair asks if there is any objection to a certain procedure; *silence gives consent*.

GERMANE: closely related; of the same subject matter. Example: an amendment must be germane to the motion to which it is applied.

IMMEDIATELY PENDING QUESTION: the latest question (motion) stated by the chair when more than one question is pending

INCIDENTAL MOTIONS: motions which deal with questions of procedure arising out of other motions or items of business

MAIN MOTION: A motion that introduces business to an assembly

MAJORITY VOTE: over half of the votes cast

MEETING: a single gathering of persons or members of an organization, usually for the purpose of transacting business. See *Session*

MINUTES: the record of the proceedings of an assembly. Sometimes referred to as the *journal*

MOTION: a formal proposal that certain action be taken, or that a certain statement express the sense, opinion, desire, or will of the assembly.

PARLIAMENTARY LAW: a consistent system of rules which govern procedure in all deliberative assemblies; founded upon certain fundamental principles originated in the unwritten customs of the House of Parliament in England; first compiled for use in this country by Thomas Jefferson, whose manual has been the foundation for rules used in the United States House of Representatives and Senate.

PENDING: before the assembly. A motion is “pending” after it has been stated by the chair and until it is disposed of temporarily or permanently

PLURALITY VOTE: the largest number of votes received by a candidate or proposition when three or more choices are possible. A plurality vote never decides a question or election except by specific rule of the organization

PRECEDENCE, TAKES: outranks; used in reference to the order in which motions can be introduced and must be considered by the assembly.

PREVIOUS NOTICE: announcement that a specific motion will be introduced at the next meeting; substance of the proposal should be described at least briefly; unless specified otherwise in the bylaws, must be made at the preceding meeting or included in the call of the meeting at which it is to be brought up.

PRIVILEGED MOTIONS: a class of motions which, although they are not directly concerned with the business before the assembly, are of such immediate importance that they have the privilege of interrupting the consideration of anything else. All motions of this call are *not debatable*

PRO TEM: for the time being

PUTTING THE QUESTION: putting the motion to a vote

IV. E Basic Information On Motions

PARLIAMENTARY TERMS

QUESTION: the business before the assembly; the motion as stated by the chair. (See “motion”)

QUORUM: the number of members who must be present in order that business can be transacted legally. The quorum is a majority of all members unless the bylaws state otherwise.

RECESS: an intermission taken by the assembly

RESOLUTION: a main motion usually of such importance and length as to be written; may or may not have a preassembly setting forth the reasons for the resolutions.

REVISION OF THE BYLAWS: a complete set of bylaws submitted as a substitute for existing bylaws

RONR: acronym for *Robert’s Rules of Order Newly Revised*

SECONDARY MOTIONS: motions which can be made while a main motion is pending and which relate to business already before the assembly, to questions of order or procedure, or to matters of comfort or privilege. There are three classes of secondary motions: subsidiary, privileged, and incidental.

SECONING A MOTION: agreeing that a motion should come before a meeting

SESSION: a meeting or a series of meetings with a single order of business, agenda, or program.

STANDING RULES: regulations for the guidance of an organization usually adopted by majority vote without previous notice.

STATING THE QUESTION: formally placing a motion before the assembly and indicating (where appropriate) that it is open to debate. Wording of a motion in the minutes should be exactly the same as when *stated* by the chair

SUBSIDIARY MOTIONS: Motions that assist the assembly in treating or disposing of a main motion (and sometimes in other motions)

TWO-THIRDS VOTE: two out of three of the votes cast. For two-thirds approval, the affirmative vote is at least twice as large as the negative.

UNFINISHED BUSINESS: questions that have come over from the previous meeting because that meeting adjourned without completing its order of business

VOTE: a formal expression of the will, opinion, or preference of the members of an assembly in regard to a matter submitted to it.

YIELD: give way to. A pending question yields to one of higher rank

IV. F Parliamentary Procedure at a Glance

| To Do This: | You Say This: | May you Interrupt the Speaker? | Must You Be Seconded? | Is the Motion Debatable? | What Vote What Vote is Required? |
|---|---|--------------------------------|-----------------------|--------------------------|----------------------------------|
| Adjourn the Meeting | "I move that we adjourn" | No | Yes | No | Majority |
| Recess the Meeting | "I move that we recess until..." | No | Yes | No | Majority |
| Complain about noise, room temperature, etc. | "Point of Privilege" | Yes | No | No | No Vote |
| Suspend Further Consideration of Something | "I move we table it" | No | Yes | No | Majority |
| End Debate | "I move the previous question" | No | Yes | No | 2/3 Vote |
| Postpone Consideration of Something | "I move that we postpone this matter until..." | No | Yes | Yes | Majority |
| Have Something Studied Further | "I move that we refer this matter to a committee" | No | Yes | Yes | Majority |
| Amend a Motion | "I move that this motion be amended by..." | No | Yes | Yes | Majority |
| Introduce Business (a primary motion) | "I move that..." | No | Yes | Yes | Majority |
| Object to Procedure or to a Personal Affront | "Point of Order" | Yes | No | No | No Vote. Chair Decides |
| Request Information | "Point of Information" | Yes | No | No | No Vote |
| Ask for a Vote by Actual count to Verify Voice Vote | "I call for a division of the house" | No | No | No | No Vote |
| Object to Considering Some Undiplomatic Matter | "I object to consideration of this question" | Yes | No | No | 2/3 Vote |
| Take up a Matter Previously Tabled | "I move to take from the table" | No | Yes | No | Majority |
| Reconsider Something Already Disposed of | "I move that we reconsider our action relative to..." | Yes | Yes | Yes | Majority |
| Consider Something Cut of its Scheduled Order | "I move that we suspend the rules and consider..." | No | Yes | No | 2/3 Vote |