



AGENDA

MEETING: Regular Meeting (Hybrid)
DATE/TIME: Thursday, January 16, 2025, 5:30 p.m.
LOCATION: Conference Room 243, 2nd Floor of the Tacoma Municipal Building
747 Market Street, Tacoma, WA 98402
ZOOM INFO: Link: <https://www.zoom.us/j/82923259724>
Dial-in: +1 253 215 8782
ID: 829 2325 9724

A. Kick-off

- Welcome
- Roll Call
- Land Acknowledgement

B. Board Member Introductions

C. Discussion items

1. Urban Design Board (UDB) Orientation

- Description: Review the UDB Bylaws, Open Public Meeting Act, legal requirements, and introduction to Urban Design Project Review (UDPR).

2. Election of Chair and Vice-Chair

- Description: Nominate candidates and elect a Chair and Vice-Chair of the Urban Design board for the term of one year – January 2025 through January 2026.

3. Approval of the Urban Design Board's Rules and Regulations ("Bylaws")

- Description: Review and approve the proposed bylaws.

D. Adjournment



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¿Necesitas información en español? Cần thông tin bằng tiếng Việt? 한국어로 정보가 필요하십니까? ແຈ້ງຂໍກາມຕິຣັບຂາສຳລັບຄຳຖາມ?
Нужна информация на русском? Потрібна інформація українською мовою? ☎ Contact TacomaFIRST 311 at (253) 591-5000.



To: Urban Design Board
From: Carl Metz, Urban Design Studio, Long Range Planning
Subject: Draft Urban Design Board Rules and Regulations (aka Bylaws)
Memo Date: January 16, 2025
Meeting Date: January 16, 2025

Action Requested:

Approve the draft Urban Design Board (UDB) Rules and Regulations (aka Bylaws) with revised Section VII.B Disclosure of Contacts text that accurately reflects Board members' legal requirements.

Discussion:

The draft UDB Bylaws included language regarding disclosure of contacts that does not accurately reflect legal responsibilities of Board members. Staff recommend the Board approve the draft Bylaws with the revised Disclosure of Contacts text provided below. A "track changes" version showing the differences between the draft and revised text is also provided.

Section VII. Miscellaneous

B. Disclosure of Contacts – Individual members of the Board may not participate in discussions with parties affected by issues under consideration by the Board outside of a Board meeting. In the event such meetings or contacts with parties affected by issues under consideration by the Board occur, they must be disclosed at the next scheduled meeting of the Board. The intent of such disclosures in a public setting is to preserve the integrity of the Board's process and provide a record and notice to other individuals who may also be affected or interested. Such contacts may require recusal of the Board Member from participation in a decision on the matter or be grounds for disqualification absent recusal. If a Board Member receives a request to meet/discuss they should suggest the requesting parties to express their comments and concerns through the normal procedures, i.e., providing testimony at public hearings and/or providing comments to staff.

Section VII. Miscellaneous

B. Disclosure of Contacts – Individual members of the Board may not participate in discussions with parties affected by issues under consideration by the Board outside of a Board meeting, ~~but are not required to, participate in discussions with interested parties affected by issues under consideration by the Board.~~ In the event such meetings or contacts with parties affected by issues under consideration by



the Board occur, they must ~~Such meetings or contacts with community members~~ ~~should~~ be disclosed at the next scheduled meeting of the Board. The intent of such disclosures in a public setting is to preserve the integrity of the Board's process and provide a record and notice to other individuals who may also be affected or interested. Such contacts may require recusal of the Board Member from participation in a decision on the matter or be grounds for disqualification absent recusal. If a Board Member receives a request to meet/discuss ~~but prefers not to do so,~~ they should ~~may~~ suggest the requesting parties to express their comments and concerns through the normal procedures, i.e., providing testimony at public hearings and/or providing comments to staff.

Staff Contacts:

- Carl Metz, Senior Planner, cmetz@cityoftacoma.org
- Stephen Antupit, Senior Planner, santupit@cityoftacoma.org



TACOMA URBAN DESIGN BOARD

RULES AND REGULATIONS (“BY-LAWS”)

The following Rules and Regulations of the Tacoma Urban Design Board (“Board”) were originally adopted by the Board on January 16, 2025. These Rules and Regulations conform to the statutory authority of Tacoma Municipal Code (TMC) (Title 13, Chapter 13.19 – Urban Design Board).

The Rules and Regulations contain the following sections:

- I. Officers**
- II. Advisory Committees and Task Forces**
- III. Staffing**
- IV. Meetings**
- V. Records**
- VI. Annual Report**
- VII. Miscellaneous**
- VIII. Rules and Regulations Amendments**

Section I. Officers

- A. The Board shall elect its own Chair, Vice-Chair, and such other officers as from time to time it may determine it requires, all of whom shall be members of the Board.
- B. Nominations and elections of officers shall be conducted at the first meeting in January of each year or on a different date set by the Board. New officers will assume duties after the meeting following their election.
- C. Officer Qualification Considerations – The Officers should be interested in holding the position(s); be able to devote sufficient time to Board business and attend as many Board meetings as possible; be prepared to make presentations to the City Council, community members, committees, neighborhood groups, and service clubs regarding Board responsibilities; and have sufficient experience and/or understanding of the Board’s role and functions and to have a basic understanding of the City’s Comprehensive Plan policies, Land Use Code, and development regulations.
- D. The term of office shall be for one (1) year or until the next scheduled election. In case of any vacancy in office, the vacancy shall be filled by an election at the first regular meeting after the occurrence of such vacancy.
- E. Duties of Officers – The Chair shall preside over all meetings of the Board. All actions of the Board and Board correspondence shall be signed in their name as Chair of the Board. In the event of the absence of the Chair or their inability to act, the Vice-Chair shall take their place and perform their duties. In the event of the absence or inability to act of both the Chair and

the Vice-Chair, the remaining members of the Board shall appoint one of their members to temporarily act as Chair.

Section II. Advisory Committees and Task Forces

- A. Advisory Committees – The Board may establish advisory committees as it deems appropriate, following the procedures set forth in TMC 13.19.030.
- B. Task Forces – The Board may also establish task forces as it deems appropriate to conduct extended and supplemental analyses of issues identified and defined by the Board. Task forces are ad-hoc and issue-oriented in nature and shall not be construed to have the same organization and operation as those of “advisory committees.” A task force shall be comprised of up to three (3) members of the Board designated by a majority vote of the Board. Chairpersons of task forces may be designated by the Chair of the Board. There shall not be more than two task forces operating at any given time. Task forces shall serve at the discretion of the Board and their duties and responsibilities shall be established by the Board. All task force meetings shall be open to the public and conducted in accordance with these rules.

Section III. Staffing

The Long-Range Planning Division Manager and/or their designee (hereinafter referred to as Staff) shall organize and supervise clerical details of the Board's business and shall be responsible to the Board for the proper preparation and maintenance of records of meetings, hearings, official actions, and all public records. Staff shall be responsible for providing such other services as may be required by the Board within the limits of the budget for the Planning and Development Services Department as approved by the City Council.

Section IV. Meetings

- A. Regular Meetings – Regular meetings of the Board shall be held on the third Thursday of each month at 5:30 p.m. in the Tacoma Municipal Building, or in another location designated by the Board. If the regular meeting day falls on a legal holiday, the Chair of the Board shall fix another day and give notice of said meeting as hereinafter providing for “special meetings.” The notice for any regular public meeting shall indicate the date, time, place, and business to be transacted, and be distributed prior to the meeting to those individuals and organizations listed on the mailing list that shall be maintained by Staff and may be subject to the Board's approval.
- B. Urban Design Project Review (UDPR) Public Meetings – UDPR public meetings conducted by the Board for the purpose of discussing, receiving public comment, and providing guidance on a UDPR permit shall be held in the Tacoma Municipal Building or another location designated by the Board and indicated in the notice of meeting. The date and time of the meeting shall be determined by the Board and indicated on the notice of meeting. Notices for UDPR public meetings shall be distributed in accordance with TMC 13.05.070. Notices shall also be mailed, prior to the meeting, to those on the Board's mailing list, including individuals or organizations that have indicated an interest in the meeting, and to other interested parties as deemed appropriate by the Board.
- C. Special Meetings – Special meetings of the Board set for a time different than regularly scheduled as hereinabove provided shall be held at such times as the Board may determine or may be called by the Chair for any time upon the written request of three members of the Board. Special meetings shall be open to the public. Per RCW 42.30.080, special meetings require at least 24 hours written notice. Such notice shall indicate the date, time, place, and

business to be transacted. Notices of special meetings shall be distributed to the same recipients of notices for regular public meetings, to the recipients on the special press mailing list on file with the City Clerk's Office, and to other interested parties as deemed appropriate by the Board.

- D. Quorum – A quorum for the transaction of official business shall consist of a simple majority of appointed, filled positions of the Board, per TMC 13.19.030.H.
- E. Electronic Participation in Meetings – Members of the Board may participate in a meeting through electronic communications, teleconferencing, videoconferencing, or other appropriate technology available at the meeting location that enables all persons participating in the meeting to communicate with each other simultaneously and instantaneously. Participation in such a meeting shall constitute presence in person at such meeting, and that presence shall count toward a quorum of the Board for all purposes.
- F. Absences – Members are expected to attend Board meetings and to fully participate in and contribute to the work of the Board. Any member anticipating absence from a meeting should notify the Chair and Staff in advance, so that the absence may be excused by the Board at the meeting. Any member who is absent from three consecutive meetings without being excused or six meetings in a calendar year, whether excused or unexcused, should be deemed to have forfeited the office and the Chair should recommend to the City Council that a new member be appointed to fill the unexpired term. When a member misses three meetings within a six-month period, the Chair should discuss with the member the implications of their lack of attendance and options for improvement. If the circumstances are expected to continue unimproved, the member may be asked to consider resigning from the Board before reaching the above-mentioned threshold of absences. For the purpose of this provision, "meetings" shall mean "regular meetings" as defined in Section IV.A above.
- G. Every official act taken by the Board shall be by resolution or by motion by an affirmative vote of a majority of the quorum. In the event that a member disqualifies themselves or passes, this is to be registered as "not voting". Notwithstanding Robert's Rules of Order, the Chair shall vote on all resolutions or motions.
- H. Conduct of Meetings
 - 1. Order of Business – The following order of business may be modified for any meeting by a suspension of the rules, concurred in by a majority of the voting members present, except that consideration of matters set for UDPR public meeting must occur at or following the time indicated on the hearing notice:
 - (a) Call to Order and Quorum Call
 - (b) Approval of Agenda
 - (c) Approval of Minutes
 - (d) Disclosure of Contacts and Recusals
 - (e) Public Comment – The Chair shall decide how much time will be allowed for each speaker. Public comments must not address UDPR Concept Design review permits on the agenda. Comments on UDPR Concept Design review permits on the agenda will be taken during that agenda item. UDPR project records will not include comments received after the close of the public comment period for the respective UDPR permit.
 - (f) Discussion/UDPR Items

- (g) Communication – This may include other business brought forward by Board Members, comments by Board Members, and comments and additional information provided by Staff.
 - (h) Adjournment
2. Conduct of Regular and Special Meetings:
- (a) The Chair shall preside over all regular and special meetings of the Board.
 - (b) The Chair introduces the agenda items.
 - (c) Staff and/or presenters invited by staff summarize the information prepared or received by the staff responsible for the agenda item.
 - (d) The Board considers requests and may ask questions of the staff and/or other presenters. Comments by the public on the agenda item under consideration may be permitted, but only at the discretion of the Chair.
 - (e) The Chair asks for reports from advisory committees or task forces, if appropriate.
 - (f) The Board takes appropriate action if an action is required.
3. Conduct of UDPR Public Meetings:
- (a) The Chair shall preside over all public meetings conducted by the Board.
 - (b) The Chair calls the public meeting to order and announces the procedure for the UDPR public meeting as established by the Board.
 - (c) Staff summarizes the staff report or other information prepared or received by the staff responsible for the meeting item.
 - (d) The Chair asks for reports from UDPR applicant, if appropriate.
 - (e) The Board receives public comment for UDPR Concept Design review.
 - (f) The Chair closes the meeting and announces the date upon which the record will remain open to receive additional written comments.
 - (g) The Board considers all oral and written testimony concerning the meeting item and acts to render Concept Design Guidance, render Final Design decision, or divert Final Design Review to administrative decision as appropriate to the agenda item.
- I. Open Public Meetings Act and E-mail Exchanges – E-mail exchanges between members of the Board can constitute a violation of the Washington State Open Public Meetings Act (OPMA), Chapter 42.30 RCW. Generally, if a majority of the members participate in an e-mail discussion of Board business, the members are conducting a meeting in violation of the OPMA requirement that meetings must be “open to the public with prior notice.” It is suggested that Board members observe the following guidelines to avoid OPMA problems with e-mail exchanges:
- 1. When possible, limit e-mail exchanges on issues related to Board business to less than a majority of Board members. Sending copies of an e-mail to less than a majority may not suffice if subsequent exchanges relay the content of the original exchange to a majority of members.
 - 2. Never decide at an open meeting that a majority of the Board will continue or complete discussion of an agenda item by e-mail.

3. One-sided (no response anticipated) informational e-mails to a majority or more of Board members are probably consistent with the OPMA. In open meetings, the Board members should verbally announce that they have sent this type of e-mail if it relates to the discussion at hand. Board members are free to engage in e-mail exchanges with staff on one-sided e-mails, but not with each other. To avoid OPMA violations, Board members should be sure to not "Reply All" to e-mails received from staff.
4. E-mail exchanges on issues that the Board will not address are consistent with the OPMA. However, if any reasonable chance exists that an issue relates to a vote that may or will come before the Board, a majority of the Board should not subject the issue to e-mail discussion.

Section V. Records

- A. The Board's adopted summary minutes of the public meetings, as well as the audio recordings of these meetings as long as they are retained, shall be the official records of proceedings and be maintained by Staff consistent with state law, RCW 40.14.
- B. Supplemental records pertaining to matters of public meetings shall be kept on file in the Planning and Development Services Department as required by law. These supplemental records may include but not be limited to the following:
 1. Description of agenda items, including all submitted information therewith.
 2. Report of the Planning and Development Services Department, Board Advisory Committees, and Task Forces on the matter as presented to the Board at a meeting thereof, including such material submitted in writing and in map form.
 3. Additional materials submitted by the UDPR applicant not previously included.
 4. Written communications concerning the matter.
 5. Facts concerning the matter.
 6. Records of all actions taken by the Board in the matter (resolutions, motions, setting of dates for public meetings, etc.).
 7. Record of actions taken by the Hearing Examiner in the matter.
- C. Recorded transcripts or summary minutes of all official Board proceedings shall be filed with the City Clerk and shall be opened to public inspection.

Section VI. Annual Report

Pursuant to TMC 13.19.030 H (4), the Board shall annually report to the City Council regarding accomplishments and the status of the Urban Design Project Review (UDPR) permit process undertaken in the previous year, and if applicable, the outlook of urban design issues for the coming year. Said report is typically presented no later than October of each year and should, at the discretion of the Chair, take the form of a letter, a memorandum, a summary report, or a copy of relevant minutes of the Board's meetings, and may be posted on the City's website.

Section VII. Miscellaneous

- A. Code of Ethics – Members of the Board shall comply with the City of Tacoma's Code of Ethics pursuant to TMC 1.46 while conducting Board business.

- B. Disclosure of Contacts – Individual members of the Board may not participate in discussions with parties affected by issues under consideration by the Board outside of a Board meeting. In the event such meetings or contacts with parties affected by issues under consideration by the Board occur, they must be disclosed at the next scheduled meeting of the Board. The intent of such disclosures in a public setting is to preserve the integrity of the Board’s process and provide a record and notice to other individuals who may also be affected or interested. Such contacts may require recusal of the Board Member from participation in a decision on the matter or be grounds for disqualification absent recusal. If a Board Member receives a request to meet/discuss they should suggest the requesting parties to express their comments and concerns through the normal procedures, i.e., providing testimony at public hearings and/or providing comments to staff.
- C. Contact Information – The contact information of members of the Board should be considered public information and made available for public access upon request.
- D. Conferences – Members of the Board may attend, at their own expense, conferences, meetings, and training courses closely related to Board business.

Section VIII. Rules and Regulations Amendments

The Rules and Regulations may be amended by the Board by a majority vote at any meeting.

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