

RESOLUTION NO. 2021-09

**A RESOLUTION OF THE CITY OF LYNNWOOD, WASHINGTON,
RELATING TO THE COUNCIL RULES OF PROCEDURE; REVISED RULES**

**CITY OF LYNNWOOD
COUNCIL RULES OF PROCEDURE**

Adopted by Resolution No. 2008-11, as amended by Resolution No. 2011-16, Resolution No. 2012-01, Resolution No. 2012-05, Resolution No. 2015-04, Resolution No. 2016-16, and Resolution No. 2020-07.

WHEREAS, RCW 35A.L2.120 authorizes the City Council to adopt rules of procedure, to establish an order of business and to provide for its organization and operation; and

WHEREAS, the City Council determined that adoption of procedures and an order of business for Council meetings would expedite the conduct of Council and City business; and

WHEREAS, most recently/ in Resolution No. 2015-04, the City Council adopted rules of procedure for the conduct of the Council's meetings; and

WHEREAS, in 2016, the City Council discussed amendments to Rule 9 of the Council Rules of Procedure; and

WHEREAS, the City Council has determined that amending the Council Rules as stated in this Resolution will enable the Council to accomplish the City's business in a more effective and efficient manner, and reflects a spirit of cooperation among the Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LYNNWOOD, THAT COUNCIL RULES SHALL BE REVISED TO READ AS FOLLOWS:

Section 1.

- A. Rules -- Adopted. The City Council adopts as the governing rules of procedure and order of business of the City Council of the City of Lynnwood the rules set forth herein.
- B. Rules -- Application. These rules apply to and shall govern all meetings of the City Council, regardless of how styled; provided, however, that quasi-judicial proceedings of the Council shall be governed by rules and procedures established by Resolution No. 96-7.

47 Section 2. Rules of Procedure of the City Council of the City of Lynnwood.
48

49 **Part I: General provisions**
50

51 **Rule 1. General Rules of Procedure:**
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- 53 A. All meetings of the City Council shall be conducted according to the most
54 current edition of Robert's Rules of Order Newly Revised; provided that
55 Robert's Rules shall be superseded to the extent they conflict with state law,
56 local ordinances or resolutions, or these rules. The suspension of any special
57 rule set forth herein as permitted by Robert's Rules shall not be considered a
58 conflict with these rules.
59
60 B. The City Attorney shall serve as parliamentarian and shall advise the Presiding
61 Officer regarding questions concerning procedures and application of Robert's
62 Rules and these rules.
63
64 C. All questions of order shall be decided by the Presiding Officer of the Council
65 with the right of appeal to the Council by any member. Any decisions made by
66 the Presiding Officer may be overruled by a majority vote of the Council.
67

68 **Rule 2. Meeting Location & Time:** Repealed.
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70 **Rule 3. Meetings Open to the Public:**
71

72 All meetings of the City Council shall be open to the public, except for executive
73 sessions authorized by Chapter 42.30 RCW.
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75 **Rule 4. Election of Officers:**
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- 77 A. At the first business meeting of the year, the Council shall elect a Council
78 President to serve at the pleasure of the Council for a term of one year who
79 shall serve as Mayor Pro-Tem in the absence of the mayor. The duties and
80 responsibilities of the Council President shall be determined by the Council
81 (See Rule #21).
82
83 B. At the first business meeting of the year, the Council shall also elect a Council
84 Vice-President to serve at the pleasure of the Council for a term of one year,
85 who shall serve as Mayor Pro-Tem in the absence of the Mayor and the Council
86 President. The Council Vice-President shall perform such other duties as the
87 Council President may direct.
88
89 C. While performing the duties of Mayor Pro-Tem, Council President or Vice
90 President shall not have power to appoint or remove any officer, or to veto any
91 acts of the City Council.
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93 **Rule 5. Presiding Officer:**
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- 95 A. All meetings of the City Council shall be presided over by the mayor or, in the
96 mayor's absence, by the Mayor Pro-Tem. If neither the mayor nor the Mayor
97 Pro-Tem is present at a meeting, the Vice President of the Council shall serve
98 as presiding officer. Service as Presiding Officer shall not abridge a council
99 member's right to vote upon all questions coming before the Council.
100
101 B. The Presiding Officer shall conduct meetings of the Council in accordance with
102 the law, Robert's Rules, and these rules. The Presiding Officer shall state all
103 questions coming before the Council and announce the decision of the Council
104 on all subjects.
105
106 C. The Presiding Officer shall confine debate to the question under discussion,
107 preserve order and decorum and prevent personal attacks or attacks upon a
108 member's motives.
109

110 **Rule 6. Quorum:**
111

112 The presence of a majority of the full Council shall constitute a quorum for the
113 purpose of transacting business.
114

115 **Rule 7. Special Council Meetings - Call & Notice - Limitation:**
116

117 The mayor, or any four (4) members of the Council, may call for a special meeting
118 by providing written notice specifying the subject of the meeting to each Council
119 member and the mayor at least twenty-four (24) hours before the time specified
120 for the proposed meeting, except as otherwise provided by law. The Council
121 Executive Assistant shall confirm that all council members have been contacted
122 and acknowledged receipt of the notice. At a special meeting final action may be
123 taken only on matters set out in the notice calling the meeting and on no other
124 matters.
125

126 **Rule 8. Council Meetings - Business & Work Session:**
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128 Regular business and work session meetings of the Council shall be held as
129 provided in LMC 2.04.030. The third Wednesday work sessions shall be the
130 preferred meeting time for presentations to the Council by individuals, agencies or
131 groups that are not affiliated with the City.
132

133 **Rule 9. Council Meetings - Agendas & Order of Business:**
134

- 135 A. The Council President and Vice President, in consultation with the Mayor and
136 the Mayor's designee, shall set the agenda for all Council meetings, provided
137 the Council may amend the agenda in accordance with Robert's Rules, state
138 law, and City ordinances and resolutions.

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B. The order of business for a regular business meeting shall be as follows:

10. Call to Order and Flag Salute

The mayor shall call the meeting to order and then rotate the flag salute among the council members unless an individual has been invited to lead the flag salute by the mayor.

20. Roll Call

30. Approval of Minutes

Minutes shall record what actually occurred at a meeting. Minutes may be amended only to conform them to what actually occurred. Minutes shall not include remarks made by individual council members or written statements submitted by council members during the Council Comment period (Item 80).

The minutes of the meeting shall include but not be limited to the following:

- The place of the meeting;
- The time the meeting started and ended;
- Which council members were present;
- The fact a quorum was present;
- Text of all main motions taken up by the council and their disposition (passed, failed, postponed, etc.);
- If amendments were made, the final version of the motion as amended;
- Expressions of support for, dissent from or protest against any ordinance or resolution of the council, and the reasons given, by any council member.
- Any points of order that were made and their resolution; and
- If the council went into executive session, the time of entering, the topic of discussion as provided, any time extensions, and the time of leaving such session.

Details of amendments to motions and voting results on them shall not be included in the minutes. Withdrawn motions will ordinarily also not be included in the minutes.

Amendments to the minutes necessary to correct errors of fact may be made when approved by majority vote of the council members present. The amendments are noted in the minutes of the meeting being

180 corrected. The minutes of the meeting at which corrections are made
181 shall state merely that, "the minutes were approved as corrected."
182

183 A council member's absence from a meeting does not prevent the
184 member from participating in the correction or approval of the minutes
185 for that meeting.
186

187 **40. Messages and Papers from the Mayor**
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189 The mayor may bring forward any matters deemed necessary to
190 share with the Council and/or public. The mayor may report on topics
191 of interest to the Council as a whole, and may include a calendar of
192 events, upcoming or on-going programs or projects, and other reports
193 of a general nature. The mayor's comments shall be limited to two (2)
194 minutes unless approval for more time is granted in advance by the
195 Council President.
196

197 **50. Public Comments and Communications**
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199 A. The Presiding Officer shall announce that all persons who wish to be
200 heard shall be heard, on any topic pertaining to the city. When
201 appropriate, the Presiding Officer may request a deferral of public
202 comment on a topic on the agenda to the time Council takes up the
203 matter.

204 B. The Presiding Officer shall request that all persons state their name
205 and zip code.

206 C. In all cases, persons signing-in attending the meeting in person or
207 raising their hand in a virtual meeting format will be recognized and
208 given the opportunity to speak, followed by those who seek
209 recognition from the audience.

210 D. An individual person's comments shall be limited to three (3)
211 minutes, with no exceptions. A person providing comments as a
212 spokesperson for a group of persons in the audience shall be
213 limited to five (5) minutes, with no exceptions. The Council
214 Assistant shall monitor the comment time and use a bell or other
215 device to communicate when the allotted time has been completed.

216 E. All remarks by persons shall be addressed to the Council as a
217 whole. Any person making personal, impertinent, or slanderous
218 remarks, who becomes boisterous, threatening, or personally
219 abusive, or otherwise disrupts the conduct of the meeting while

220 addressing the Council may be requested by the Presiding Officer
221 to leave the meeting.

222 F. If a person makes a specific request for Council action, the
223 Presiding Officer shall inform the person that they must secure the
224 support of a council member to serve as a sponsor for the
225 proposed legislation or other Council action. The sponsoring
226 council member must secure the support of a second council
227 member before the item can be scheduled for a work session.

228 G. Information will be available to the public at each meeting
229 summarizing these rules of procedure, including those concerning
230 public hearings.
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232 **60. Presentations and Proclamations**

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234 A proclamation by the mayor and/or Council is defined as an official
235 declaration recognizing or promoting city-wide or special activities
236 in the City. Presentations are to include awards, plaques,
237 certificates, grants, recognition or other items or things, given to the
238 public, to staff, to the Council, to council members, or the "city" as a
239 whole. The number of presentations and proclamations will be at
240 the discretion of Council leadership, based on the anticipated
241 workload for each meeting. The presentations and proclamations
242 will be limited to a reasonable time frame (approximately five (5)
243 minutes each), with a maximum of three (3) presentations and
244 proclamations per business meeting.
245

246 **70. Written Communications and Petitions**

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248 The mayor shall ask whether any written communications or
249 petitions have been received by the city staff or any Council
250 member or whether any person wishes to present written
251 communications or petitions. Business meeting comments will not
252 be read in public. The council assistant will summarize the overall
253 concepts for the mayor to read at the meeting.
254

255 **80. Council Comments and Announcements**

256 A Council member's comments shall be limited to two (2) minutes
257 unless more time is granted by the Council President.
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259 **90. Business Items and Other Matters:**

260 **90.1 Unanimous Consent Agenda:**
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- A. The Council Leadership, in consultation with the mayor, shall place on the Unanimous Consent Agenda matters that:
 - 1. Have been previously discussed by the Council; or
 - 2. Have been the subject of a memo previously included in the council packet which does not need further explanation; or
 - 3. Are routine in nature and adoption is likely; or
 - 4. Have been scheduled by the Council.
 - B. Items on the Unanimous Consent Agenda shall be adopted by a non-debatable motion. Before requesting a motion to adopt the Unanimous Consent Agenda the council member reading the Unanimous Consent Agenda shall ask if any Council member wishes to have an item removed from the agenda.
 - C. Items removed by request shall be considered immediately after the Unanimous Consent Agenda.
 - D. The council member making the motion to adopt the Unanimous Consent Agenda shall read each matter on the agenda. After the motion is made, the Presiding Officer shall ask for unanimous consent to adopt the agenda as read, and
 - 1. If no objection is made, the Presiding Officer shall state, in substance, that the Unanimous Consent Agenda is adopted.
 - 2. If an objection is made, the Presiding Officer shall ask the member making the objection to identify the objectionable item(s) and each item shall be removed from the motion and placed immediately after the adoption of the Consent Agenda or later on the agenda under "100 New Business."
 - 3. The Presiding Officer shall identify the items removed from the Unanimous Consent Agenda, and then ask if there is objection to adoption of the amended Unanimous Consent Agenda. This process shall be repeated until there is no objection or until no items remain on the Unanimous Consent Agenda.

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90.2 Public Hearings & Quasi-Judicial Proceeding

- A. Resolution 96-7 shall govern the conduct of public meetings and quasi-judicial proceedings.

- B. The Presiding Officer shall announce the procedures and sequence of steps of a public hearing or a quasi-judicial hearing at the beginning of each hearing.

100. New Business

- A. Any council member may propose additional item(s) of new business. The Council may consider and take immediate action on an item of new business proposed by a council member.

- B. Any item of New Business not acted upon shall be held over to the next business meeting.

Rule 10. Guidelines for the Purposes and Uses of Work Sessions & Workshops

- A. A work session may be conducted in the form of a workshop to allow Council members to do concentrated preliminary work on a single subject which may be time consuming or complex and allow informal discussion.

- B. Under no circumstances shall any "final action" (as defined in Chapter 42.30 RCW) be taken at any work session. or workshop; provided, that the Council may take action authorized by LMC 2.04.040.

Rule 11. Forms of Address:

The mayor shall be addressed as "Mayor (surname)", "Your Honor" or "Mayor." The Council President, when acting for the mayor, shall be addressed as "Council President (surname)." Members of the Council shall be addressed as "Council member (surname)."

Rule 12. Proposed Drafts - Ordinances, Resolutions and Motions:

Ordinances, resolutions, and motions may be proposed by the Administration or by council members. Such ordinances, resolutions, and motions may identify the originator(s) or sponsor(s) of the proposal. Ordinances shall be assigned a number upon a motion for final adoption.

Rule 13. Debate & Decorum:

- 351 A. No member shall speak more than once until all members seeking recognition
352 have spoken.
- 353 B. Council members shall not engage in contemptuous or disorderly behavior,
354 discuss, or comment on personalities, or indulge in derogatory remarks.
- 355 C. The Council has the power as predicated by state law to impose punishment
356 on its members for violation of state law: provided that the Council cannot
357 remove a council member from office.
- 358 D. Any member of the Council shall have the right to challenge any action or
359 ruling of the Presiding Officer.

360
361 **Rule 14. Motions:**

- 362 A. A motion that does not receive a second dies, provided that nominations or a
363 request for a roll call vote do not need a second.
- 364 B. After a motion and second are made, the Presiding Officer shall identify the
365 maker of the motion and the member who seconded the motion and state the
366 motion before the Council.
- 367 C. The maker of the motion shall be recognized to speak first in the discussion of
368 the motion and be entitled to speak last to close debate,
- 369 D. New motions proposing projects expected to involve significant Council or
370 staff time shall be presented only during the New Business section of
371 regularly scheduled business meetings or at a work session. The sponsor
372 shall have two minutes to persuade at least two additional council members
373 to proceed; otherwise, no action shall be taken.
- 374 E. When a project proposal is granted, the council member making the proposal
375 shall submit to the Council's Executive Assistant a **written description** of the
376 proposal within 7 days. of the proposal being approved. After the written
377 description of the proposal has been received, the Council President shall
378 schedule the item for discussion at a work session within 45 days.
- 379

380
381 **Rule 15. Voting:**

382 Votes during a regular council business meeting shall be held as follows:

- 383 A. Votes shall initially be by voice vote, except votes on any motion to approve an
384 ordinance shall be by roll call. If the Presiding Officer is in doubt, the Presiding
385 Officer may call for a show of hands. Any council member may supersede a
386 voice vote by requesting a roll call vote.
- 387

- 388 B. The order of a roll call vote shall be rotated to ensure that council members
389 are called in a random order each time.
- 390 C. Each member present must vote on all questions put to the Council.
- 391 a. In matters in which such a council member has a prohibited personal
392 financial interest or is otherwise precluded by law, said member must
393 recuse themselves from the vote. Council members recusing themselves
394 from voting on a question must leave the room before any hearings or
395 discussion.
- 396 b. A council member who abstains from voting shall be noted as an
397 abstention and shall not be counted as either a yea or a nay vote.
- 398
- 399 E. In case of a tie vote, the mayor may choose to: (1) cast a vote and break the
400 tie or (2) not vote and the vote will fail. The mayor shall not cast a vote if the
401 matter to be decided involves:
- 402 1. Adoption of any ordinance; or
403 2. A resolution to spend money; or
404 3. The granting or revocation of a franchise or a license; or
405 4. Any motion for approval of vouchers, payments, claims or payroll.
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407 **Rule 16. Task Groups and Committee of the Whole:**

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409 A. Task Groups:

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- 411 1. The Council President, in consultation with the Council, may appoint task
412 group as may be appropriate, to consider any matter that requires special
413 study before the matter is reviewed by the Council. All appointments shall
414 occur at a Council meeting. The Administration may request the creation
415 of a task group.
416
- 417 2. Each task group shall have a chairperson who is a council member and at
418 least two other members which includes at least one other council member,
419 who shall be appointed by the Council President after consultation with the
420 Council. Each task group shall have an assigned task and date for delivery
421 of a written report to Council.
422
- 423 3. The task group chair shall:
- 424 a. Schedule, set the agenda, determine a location, and make other
425 necessary arrangement for task group meetings.
- 426 b. Preside over the meeting and business of the task group.

- 427 c. Write up a report or explanation to accompany any action or
- 428 recommendation of the task group and include both majority and
- 429 minority reports and share with all council members.
- 430 4. Under no circumstances shall any "final action be taken at any task
- 431 group meeting.
- 432 5. A task group may be relieved of its responsibility by the Council.
- 433 Thereafter, the Council may conduct deliberation, consideration, and take
- 434 final action thereon, or otherwise make an appropriate disposition thereof.
- 435

436 **Rule 17. Finance Committee:**

- 437
- 438 A. The Finance Committee of the Lynnwood City Council is hereby established
- 439 and created. The Committee shall operate according to the following rules
- 440 and procedures, and have the following rights and responsibilities:
- 441

442 **Membership.**

- 443 1. The Committee shall consist of three council members appointed by the
- 444 Council President in consultation with the members of the City Council.
- 445 2. The appointments shall be made at the first business meeting of every
- 446 even numbered year and shall be for a term of two years provided that
- 447 appointments may be made for a shorter term in order to fill a vacancy.
- 448 3. The members of the Committee shall at least annually at their first
- 449 meeting of the year select a chair who shall be one of the three
- 450 Committee members.
- 451

452 **Meetings.**

- 453 1. The Committee shall meet in regular session at least monthly. Once
- 454 membership is established at the start of the year, the members of the
- 455 Committee shall prepare and present an ordinance or resolution to the
- 456 Council establishing the dates and times of the Committee's monthly
- 457 meetings for the year.
- 458 2. Additional meetings may be scheduled by majority vote of the
- 459 Committee members at a regular Committee meeting or by passage of
- 460 a scheduling motion at a business or work session of the City Council.
- 461 3. The meetings shall be presided over by the Committee chair and
- 462 operate according to all Council rules governing work sessions and work
- 463 committees unless otherwise noted in this resolution. In the absence of
- 464 the Committee chair, the Committee shall choose a presiding officer
- 465 from the remaining members.
- 466 4. All meetings shall be open to the public.
- 467

468 **Area of Responsibility.**

- 469 1. The Committee shall receive monthly financial reports from the
- 470 Administration and shall work with the Administration as to the content
- 471 and presentation format of those reports to the Council.

472 2. The Committee shall be responsible for creating and submitting the
473 Legislative Department Budget to the Council for their review and
474 adoption, and responsible for monitoring and reporting to the Council on
475 the implementation of that budget on a periodic basis.

476 **Rule 18. Reconsideration:**

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478 A. If a motion has been either adopted or defeated during a meeting, and at
479 least one member who voted on the prevailing side wants to have a vote
480 reconsidered, such a member may make the motion to “reconsider “at the
481 current or next business meeting.

482 B. No motion to reconsider an adopted quasi-judicial written decision shall be
483 allowed after the close of the meeting at which the written findings and
484 conclusions were adopted.

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486 **Rule 19. Audio and Video Recordings of Meetings:**

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488 A. All regular business meetings shall be recorded by audio and video devices.
489 Regular work sessions shall be recorded by audio devices. Special business
490 meetings and special work sessions may be recorded by audio and/or video
491 devices, as scheduled by the Council President, or a majority of the Council.

492
493 **Rule 20. Other General Provisions:**

494
495 A. All proposals submitted to the Council shall have line numbers and page
496 numbers printed on them, and if the proposal involves amending the existing
497 language of another document, then the "strike through" and "underline"
498 amendatory format shall be used for words being removed, or added,
499 respectively.

500 B. Except for good cause, staff shall not distribute handouts of written materials at a
501 council meeting at which they are to be considered. Handouts from persons
502 testifying at hearings or public meetings, or staff information provided in response
503 to matters raised at a public hearing or public meeting, shall be accepted in
504 accordance with rules applicable to those proceedings.

505 **Rule 21. Responsibilities of Council President:**

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507 A. In January of each calendar year, the Council elects one of its members to serve
508 as the Council President for the current year. A Vice President is also selected.
509 Both serve at the Council’s discretion.

510 B. Overview of Responsibilities:

- 511 1. Drafts the meeting dates' calendar for the current year.
- 512 2. Maintains a 90-day Council work calendar
- 513 3. Determines Business Meeting Agenda in consultation with Administration
- 514 4. Appoints Council liaisons to various boards and commissions
- 515 5. Coordinates retreats and special meetings for Council
- 516 6. Writes correspondence on behalf of the Council
- 517 7. Serves as primary spokesperson for communication with Mayor's office
- 518 8. Acts as Mayor Pro-Tem in absence of Mayor at business meetings and work
- 519 sessions
- 520 9. Forms Task Groups for specific projects
- 521 10. Provides updates to Council on issues of concern
- 522 11. Represents Council at various public functions
- 523 12. Sees that the Council abides by its own rules
- 524 13. Supervises the Council Executive Assistant

525
 526 RESOLVED this 13th day of December 2021

CITY OF LYNNWOOD
 DocuSigned by:
Nicola Smith 12/14/2021
 281B3CE79E884DA...
 Nicola Smith, Mayor

532 ATTEST/AUTHENTICATED
 DocuSigned by:
Karen Fitzthum
 549561C7EC99433...
 Karen Fitzthum, City Clerk

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