

1 **RESOLUTION NO. 2023-04**
2 **A RESOLUTION OF THE CITY OF LYNNWOOD, WASHINGTON,**
3 **RELATING TO THE COUNCIL RULES OF PROCEDURE; REVISED RULES**
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6 **CITY OF LYNNWOOD**
7 **COUNCIL RULES OF PROCEDURE**
8

9 **Adopted by Resolution No. 2008-11, as amended by Resolution No.**
10 **2011-16, Resolution No. 2012-01, Resolution No. 2012-04, Resolution**
11 **No. 2015-05, Resolution No. 2016-16, Resolution No. 2020-07; and**
12 **Resolution No. 2021-09**
13

14 WHEREAS, RCW 35A.12.12O authorizes the City Council to adopt rules of
15 procedure, to establish an order of business and to provide for its organization and
16 operation; and
17

18 WHEREAS, the City Council determined that adoption of procedures and an order
19 of business for Council meetings would expedite the conduct of Council and City
20 business; and
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22 WHEREAS, most recently in Resolution No. 2021-09, the City Council adopted
23 rules of procedure for the conduct of the Council's meetings; and
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25 WHEREAS, the City Council has determined that amending the Council Rules as
26 stated in this Resolution will enable the Council to accomplish the City's business in a
27 more effective and efficient manner, and reflects a spirit of cooperation among the
28 Council;
29

30 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
31 LYNNWOOD, THAT COUNCIL RULES SHALL BE REVISED TO READ AS FOLLOWS:
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33 Section 1.
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- 35 A. Rules -- Adopted. The City Council adopts as the governing rules of procedure and
36 order of business of the City Council of the City of Lynnwood the rules set forth herein.
37
38 B. Rules -- Application. These rules apply to and shall govern all meetings of the City
39 Council, regardless of how styled; provided, however, that quasi-judicial proceedings
40 of the Council shall be governed by rules and procedures established by Resolution
41 No. 96-7.
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43 Section 2. Rules of Procedure of the City Council of the City of Lynnwood are hereby
44 set forth as follows:
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Rule 1. General Rules of Procedure:

- A. All meetings of the City Council shall be conducted according to the most current edition of Robert's Rules of Order Newly Revised; provided that Robert's Rules shall be superseded to the extent they conflict with state law, local ordinances or resolutions, or these rules. The suspension of any special rule set forth herein as permitted by Robert's Rules shall not be considered a conflict with these rules.
- B. The City Attorney shall serve as parliamentarian and shall advise the Presiding Officer regarding questions concerning procedures and application of Robert's Rules and these rules.
- C. All questions of order shall be decided by the Presiding Officer of the Council with the right of appeal to the Council by any member. Any decisions made by the Presiding Officer may be overruled by a majority vote of the Council.

Rule 2. Meeting Location & Time: Repealed.

Rule 3. Meetings Open to the Public:

All meetings of the City Council shall be open to the public, except for executive sessions authorized by Chapter 42.30 RCW.

Rule 4. Election of Officers:

- A. At the first business meeting of the year, the Council shall elect a Council President to serve at the pleasure of the Council for a term of one year who shall serve as Mayor Pro-Tem in the absence of the mayor. The duties and responsibilities of the Council President shall be determined by the Council (See Rule #21).
- B. At the first business meeting of the year, the Council shall also elect a Council Vice-President to serve at the pleasure of the Council for a term of one year, who shall serve as Mayor Pro-Tem in the absence of the Mayor and the Council President. The Council Vice-President shall perform such other duties as the Council President may direct.
- C. While performing the duties of Mayor Pro-Tem, Council President or Vice President shall not have power to appoint or remove any officer, or to veto any acts of the City Council.

Rule 5. Presiding Officer:

- 91 A. All meetings of the City Council shall be presided over by the mayor or, in the
92 mayor's absence, by the Mayor Pro-Tem. If neither the mayor nor the Mayor
93 Pro-Tem is present at a meeting, the Vice President of the Council shall serve
94 as presiding officer. Service as Presiding Officer shall not abridge a council
95 member's right to vote upon all questions coming before the Council.
96
- 97 B. The Presiding Officer shall conduct meetings of the Council in accordance with
98 the law, Robert's Rules, and these rules. The Presiding Officer shall state all
99 questions coming before the Council and announce the decision of the Council
100 on all subjects.
101
- 102 C. The Presiding Officer shall confine debate to the question under discussion,
103 preserve order and decorum and prevent personal attacks or attacks upon a
104 member's motives.
105

106 **Rule 6. Quorum:**

107
108 The presence of a majority of the full Council shall constitute a quorum for the
109 purpose of transacting business.
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111 **Rule 7. Special Council Meetings - Call & Notice - Limitation:**

112
113 The mayor, or any four (4) members of the Council, may call for a special meeting
114 by providing written notice specifying the subject of the meeting to each Council
115 member and the mayor at least twenty-four (24) hours before the time specified
116 for the proposed meeting, except as otherwise provided by law. The Council
117 Executive Assistant shall confirm that all council members have been contacted
118 and acknowledged receipt of the notice. At a special meeting final action may be
119 taken only on matters set out in the notice calling the meeting and on no other
120 matters.
121

122 **Rule 8. Council Meetings - Business & Work Session:**

123
124 A. Regular business and work session meetings of the Council shall be held as provided
125 in LMC 2.04.030. The third Wednesday work sessions shall be the preferred meeting
126 time for presentations to the Council by individuals, agencies or groups that are not
127 affiliated with the City.
128

129 B. Councilmember Remote Attendance at Meetings

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131 1. In the event of an emergency as declared by the City, State and/or Federal
132 government, the City Council may arrange for electronic participation at a Regular
133 Meeting, Committee of the Whole, Special Meeting, Executive Session, Retreat,
134 standing committee meeting, or work session.
135

136 a. During a fully remote meeting, elected officials may attend by phone or other

137 electronic means that allow all participants to hear one another. Also, all
138 elected officials should be visible on video.

139 b. Fully remote meetings are open to the public and arrangements must be
140 conducted such that the public can hear the meeting while it is occurring,
141 subject to the requirements of RCW 42.30.

142
143 2. In times of non-emergency, the City Council prefers and recognizes the value of
144 in-person attendance at meetings as integral to public service. However, remote
145 attendance by a Councilmember not physically able to be present, whether for all
146 or part of a meeting, is allowed subject to the following provisions, and subject to
147 paragraph 3 below:
148

149 a. Councilmembers may attend remotely a maximum of three (3) Council
150 Meetings per calendar year; provided the Council may, by majority vote, allow
151 a Councilmember to attend additional meetings remotely in excess of three per
152 year due to medical or other factors beyond the individual's control. After three
153 virtual meetings, more shall be counted as an unexcused absence.
154

155 b. A Councilmember planning to attend a meeting remotely shall notify the Council
156 Executive Assistant and Council President with the reason for remote
157 attendance no later than one hour prior to the meeting start time or 15 minutes
158 prior to an emergency meeting.
159

160 c. A Councilmember attending remotely will be marked present, counted toward
161 quorum, and can vote just as if physically present. However, if virtual
162 connection is lost for more than 50% of the meeting, this shall be counted as
163 an absence.
164

165 d. While attending remotely, council members shall not be attending another
166 meeting or event at the same time. Councilmembers must keep their video on
167 at all times.

168 e. If a Councilmember's virtual connection should become lost during the meeting,
169 the meeting should continue unless the quorum is no longer met. A
170 Councilmember's loss of a virtual connection will not be counted toward the
171 maximum limit described in Section 2.a.

172 f. Executive sessions: When attending an executive session remotely, elected
173 officials must have their camera/video on. If they cannot be on camera, they
174 cannot attend the executive session.

175
176 3. Finally, the council may, by majority vote, make exceptions to the above rules.

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179 **Rule 9. Council Meetings - Agendas & Order of Business:**
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181 A. The Council President and Vice President, in consultation with the Mayor and
182 the Mayor's designee, shall set the agenda for all Council meetings, provided
183 the Council may amend the agenda in accordance with Robert's Rules, state
184 law, and City ordinances and resolutions.
185

186 B. The order of business for a regular business meeting shall be as follows:
187

188 **Rule 10. Call to Order and Flag Salute**
189

190 The mayor shall call the meeting to order and then rotate the flag salute
191 among the council members unless an individual has been invited to lead
192 the flag salute by the mayor.
193

194 **Rule 11. Roll Call**
195

196 **Rule 12. Approval of Minutes**
197

198 Minutes shall record what actually occurred at a meeting. Minutes may be
199 amended only to conform them to what actually occurred. Minutes shall not
200 include remarks made by individual council members or written statements
201 submitted by council members during the Council Comment period (Item
202 80).
203

204 The minutes of the meeting shall include but not be limited to the following:
205

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

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

223 Amendments to the minutes necessary to correct errors of fact may be
224 made when approved by majority vote of the council members present.
225 The amendments are noted in the minutes of the meeting being
226 corrected. The minutes of the meeting at which corrections are made
227 shall state merely that, "the minutes were approved as corrected."
228

229 A council member's absence from a meeting does not prevent the
230 member from participating in the correction or approval of the minutes
231 for that meeting.
232

233 **Rule 13. Messages and Papers from the Mayor**

234
235 The mayor may bring forward any matters deemed necessary to
236 share with the Council and/or public. The mayor may report on topics
237 of interest to the Council as a whole, and may include a calendar of
238 events, upcoming or on-going programs or projects, and other reports
239 of a general nature. The mayor's comments shall be limited to two (2)
240 minutes unless approval for more time is granted in advance by the
241 Council President.
242

243 **Rule 14. Public Comments and Communications**

- 244
- 245 A. The Presiding Officer shall announce that all persons who wish to be
246 heard shall be heard, on any topic pertaining to the city. When
247 appropriate, the Presiding Officer may request a deferral of public
248 comment on a topic on the agenda to the time Council takes up the
249 matter.
 - 250 B. The Presiding Officer shall request that all persons state their name
251 and zip code.
 - 252 C. In all cases, persons signing-in attending the meeting in person or
253 raising their hand in a virtual meeting format will be recognized and
254 given the opportunity to speak, followed by those who seek
255 recognition from the audience.
 - 256 D. An individual person's comments shall be limited to three (3)
257 minutes, with no exceptions. A person providing comments as a
258 spokesperson for a group of persons in the audience shall be
259 limited to five (5) minutes, with no exceptions. The Council
260 Assistant shall monitor the comment time and use a bell or other
261 device to communicate when the allotted time has been completed.

262 E. All remarks by persons shall be addressed to the Council as a
263 whole. Any person making personal, impertinent, or slanderous
264 remarks, who becomes boisterous, threatening, or personally
265 abusive, or otherwise disrupts the conduct of the meeting while
266 addressing the Council may be requested by the Presiding Officer
267 to leave the meeting.

268 F. If a person makes a specific request for Council action, the
269 Presiding Officer shall inform the person that they must secure the
270 support of a council member to serve as a sponsor for the
271 proposed legislation or other Council action. The sponsoring
272 council member must secure the support of a second council
273 member before the item can be scheduled for a work session.

274 G. Information will be available to the public at each meeting
275 summarizing these rules of procedure, including those concerning
276 public hearings.
277

278 **Rule 15. Presentations and Proclamations**

279
280 A proclamation by the mayor and/or Council is defined as an official
281 declaration recognizing or promoting city-wide or special activities
282 in the City. Presentations are to include awards, plaques,
283 certificates, grants, recognition or other items or things, given to the
284 public, to staff, to the Council, to council members, or the "city" as a
285 whole. The number of presentations and proclamations will be at
286 the discretion of Council leadership, based on the anticipated
287 workload for each meeting. The presentations and proclamations
288 will be limited to a reasonable time frame (approximately five (5)
289 minutes each), with a maximum of three (3) presentations and
290 proclamations per business meeting.
291

292 **Rule 16. Written Communications and Petitions**

293
294 The mayor shall ask whether any written communications or
295 petitions have been received by the city staff or any Council
296 member or whether any person wishes to present written
297 communications or petitions. Business meeting comments will not
298 be read in public. The council assistant will summarize the overall
299 concepts for the mayor to read at the meeting.
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301 **Rule 17. Council Comments and Announcements**

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303 A Council member's comments shall be limited to two (2) minutes unless
304 more time is granted by the Council President.

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Rule 18. Business Items and Other Matters:

Rule 19 Unanimous Consent Agenda:

Rule 20. Approval of Minutes

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."

351 3. The Presiding Officer shall identify the items removed
352 from the Unanimous Consent Agenda, and then ask if
353 there is objection to adoption of the amended Unanimous
354 Consent Agenda. This process shall be repeated until
355 there is no objection or until no items remain on the
356 Unanimous Consent Agenda.
357

358 **Rule 21. Public Hearings & Quasi-Judicial Proceeding**

- 359
360 A. Resolution 96-7 shall govern the conduct of public
361 meetings and quasi-judicial proceedings.
362
363 B. The Presiding Officer shall announce the procedures
364 and sequence of steps of a public hearing or a quasi-
365 judicial hearing at the beginning of each hearing.
366

367 **Rule 22. New Business**

- 368
369 A. Any council member may propose additional item(s) of new
370 business. The Council may consider and take immediate
371 action on an item of new business proposed by a council
372 member.
373
374 B. Any item of New Business not acted upon shall be held over to
the next business meeting.

375 **Rule 23. Guidelines for the Purposes and Uses of Work Sessions & Workshops**

- 376
377 A. A work session may be conducted in the form of a workshop to allow Council
378 members to do concentrated preliminary work on a single subject which may
379 be time consuming or complex and allow informal discussion.
380
381 B. Under no circumstances shall any "final action" (as defined in Chapter 42.30
382 RCW) be taken at any work session. or workshop; provided, that the Council
383 may take action authorized by LMC 2.04.040.

384 **Rule 24. Forms of Address:**

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386 The mayor shall be addressed as "Mayor (surname)", "Your Honor" or "Mayor."
387 The Council President, when acting for the mayor, shall be addressed as "Council
388 President (surname)." Members of the Council shall be addressed as "Council
389 member (surname)."
390

391 **Rule 25. Proposed Drafts - Ordinances, Resolutions and Motions:**

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

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398 **Rule 26. Debate & Decorum:**

- 399
400 A. No member shall speak more than once until all members seeking recognition
401 have spoken.
- 402 B. Council members shall not engage in contemptuous or disorderly behavior,
403 discuss, or comment on personalities, or indulge in derogatory remarks.
- 404 C. The Council has the power as predicated by state law to impose punishment
405 on its members for violation of state law: provided that the Council cannot
406 remove a council member from office.
- 407 D. Any member of the Council shall have the right to challenge any action or
408 ruling of the Presiding Officer.

409
410 **Rule 27. Motions:**

- 411
412 A. A motion that does not receive a second dies, provided that nominations or a
413 request for a roll call vote do not need a second.
- 414 B. After a motion and second are made, the Presiding Officer shall identify the
415 maker of the motion and the member who seconded the motion and state the
416 motion before the Council.
- 417 C. The maker of the motion shall be recognized to speak first in the discussion of
418 the motion and be entitled to speak last to close debate,
- 419 D. New motions proposing projects expected to involve significant Council or
420 staff time shall be presented only during the New Business section of
421 regularly scheduled business meetings or at a work session. The sponsor
422 shall have two minutes to persuade at least two additional council members
423 to proceed; otherwise, no action shall be taken.
- 424 E. When a project proposal is granted, the council member making the proposal
425 shall submit to the Council's Executive Assistant a **written description** of the
426 proposal within 7 days. of the proposal being approved. After the written
427 description of the proposal has been received, the Council President shall
428 schedule the item for discussion at a work session within 45 days.

429
430 **Rule 28. Voting:**

- 431 Votes during a regular council business meeting shall be held as follows:
432
433 A. Votes shall initially be by voice vote, except votes on any motion to approve an
434 ordinance shall be by roll call. If the Presiding Officer is in doubt, the Presiding
435 Officer may call for a show of hands. Any council member may supersede a
436 voice vote by requesting a roll call vote.
- 437 B. The order of a roll call vote shall be rotated to ensure that council members
438 are called in a random order each time.
- 439 C. Each member present must vote on all questions put to the Council.
- 440 a. In matters in which such a council member has a prohibited personal
441 financial interest or is otherwise precluded by law, said member must
442 recuse themselves from the vote. Council members recusing themselves
443 from voting on a question must leave the room before any hearings or
444 discussion.
- 445 b. A council member who abstains from voting shall be noted as an
446 abstention and shall not be counted as either a yea or a nay vote.
- 447
448 E. In case of a tie vote, the mayor may choose to: (1) cast a vote and break the
449 tie or (2) not vote and the vote will fail. The mayor shall not cast a vote if the
450 matter to be decided involves:
- 451 1. Adoption of any ordinance; or
452 2. A resolution to spend money; or
453 3. The granting or revocation of a franchise or a license; or
454 4. Any motion for approval of vouchers, payments, claims or payroll.
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456 **Rule 29. Task Groups and Committee of the Whole:**

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458 A. Task Groups:
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- 460 1. The Council President, in consultation with the Council, may appoint task
461 group as may be appropriate, to consider any matter that requires special
462 study before the matter is reviewed by the Council. All appointments shall
463 occur at a Council meeting. The Administration may request the creation
464 of a task group.
- 465
466 2. Each task group shall have a chairperson who is a council member and at
467 least two other members which includes at least one other council member,
468 who shall be appointed by the Council President after consultation with the
469 Council. Each task group shall have an assigned task and date for delivery
470 of a written report to Council.
471
- 472 3. The task group chair shall:

- 473 a. Schedule, set the agenda, determine a location, and make other
- 474 necessary arrangement for task group meetings.
- 475 b. Preside over the meeting and business of the task group.
- 476 c. Write up a report or explanation to accompany any action or
- 477 recommendation of the task group and include both majority and
- 478 minority reports and share with all council members.
- 479 4. Under no circumstances shall any "final action be taken at any task
- 480 group meeting.
- 481 5. A task group may be relieved of its responsibility by the Council.
- 482 Thereafter, the Council may conduct deliberation, consideration, and take
- 483 final action thereon, or otherwise make an appropriate disposition thereof.
- 484

Rule 30. Finance Committee:

- 485
- 486
- 487 A. The Finance Committee of the Lynnwood City Council is hereby established
- 488 and created. The Committee shall operate according to the following rules
- 489 and procedures, and have the following rights and responsibilities:
- 490

Membership.

- 491
- 492 1. The Committee shall consist of three council members appointed by the
- 493 Council President in consultation with the members of the City Council.
- 494 2. The appointments shall be made at the first business meeting of every
- 495 even numbered year and shall be for a term of two years provided that
- 496 appointments may be made for a shorter term in order to fill a vacancy.
- 497 3. The members of the Committee shall at least annually at their first
- 498 meeting of the year select a chair who shall be one of the three
- 499 Committee members.
- 500

Meetings.

- 501
- 502 1. The Committee shall meet in regular session at least monthly. Once
- 503 membership is established at the start of the year, the members of the
- 504 Committee shall prepare and present an ordinance or resolution to the
- 505 Council establishing the dates and times of the Committee's monthly
- 506 meetings for the year.
- 507 2. Additional meetings may be scheduled by majority vote of the
- 508 Committee members at a regular Committee meeting or by passage of
- 509 a scheduling motion at a business or work session of the City Council.
- 510 3. The meetings shall be presided over by the Committee chair and
- 511 operate according to all Council rules governing work sessions and work
- 512 committees unless otherwise noted in this resolution. In the absence of
- 513 the Committee chair, the Committee shall choose a presiding officer
- 514 from the remaining members.
- 515 4. All meetings shall be open to the public.
- 516

517 **Area of Responsibility.**

- 518 1. The Committee shall receive monthly financial reports from the
519 Administration and shall work with the Administration as to the content
520 and presentation format of those reports to the Council.
- 521 2. The Committee shall be responsible for creating and submitting the
522 Legislative Department Budget to the Council for their review and
523 adoption, and responsible for monitoring and reporting to the Council on
524 the implementation of that budget on a periodic basis.

525 **Rule 31. Reconsideration:**

- 526
- 527 A. If a motion has been either adopted or defeated during a meeting, and at
528 least one member who voted on the prevailing side wants to have a vote
529 reconsidered, such a member may make the motion to “reconsider “at the
530 current or next business meeting.
- 531 B. No motion to reconsider an adopted quasi-judicial written decision shall be
532 allowed after the close of the meeting at which the written findings and
533 conclusions were adopted.

534

535 **Rule 32. Audio and Video Recordings of Meetings:**

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- 537 A. All regular business meetings shall be recorded by audio and video devices.
538 Regular work sessions shall be recorded by audio devices. Special business
539 meetings and special work sessions may be recorded by audio and/or video
540 devices, as scheduled by the Council President, or a majority of the Council.

541

542 **Rule 33. Other General Provisions:**

543

- 544 A. All proposals submitted to the Council shall have line numbers and page
545 numbers printed on them, and if the proposal involves amending the existing
546 language of another document, then the "strike through" and "underline"
547 amendatory format shall be used for words being removed, or added,
548 respectively.
- 549 B. Except for good cause, staff shall not distribute handouts of written materials at a
550 council meeting at which they are to be considered. Handouts from persons
551 testifying at hearings or public meetings, or staff information provided in response
552 to matters raised at a public hearing or public meeting, shall be accepted in
553 accordance with rules applicable to those proceedings.

554 **Rule 34. Responsibilities of Council President:**

555

556 A. In January of each calendar year, the Council elects one of its members to serve
557 as the Council President for the current year. A Vice President is also selected.
558 Both serve at the Council's discretion.

559 B. Overview of Responsibilities:


- 560 1. Drafts the meeting dates' calendar for the current year.
- 561 2. Maintains a 90-day Council work calendar
- 562 3. Determines Business Meeting Agenda in consultation with Administration
- 563 4. Appoints Council liaisons to various boards and commissions
- 564 5. Coordinates retreats and special meetings for Council
- 565 6. Writes correspondence on behalf of the Council
- 566 7. Serves as primary spokesperson for communication with Mayor's office
- 567 8. Acts as Mayor Pro-Tem in absence of Mayor at business meetings and work
568 sessions
- 569 9. Forms Task Groups for specific projects
- 570 10. Provides updates to Council on issues of concern
- 571 11. Represents Council at various public functions
- 572 12. Sees that the Council abides by its own rules
- 573 13. Supervises the Council Executive Assistant

574
575 RESOLVED this 8th day of May, 2023

CITY OF LYNNWOOD

DocuSigned by:
 5/17/2023
 5E0020D425DB4B8...
 Christine Frizzell, Mayor

582 ATTEST/AUTHENTICATED

DocuSigned by:

 9859FC9ACFCA4CE...
 Luke Lomie, City Clerk

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