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**Chapter 2.10**  
**CITY COUNCIL RULES AND PROCEDURES\***

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\*Prior legislation: Ord. 1478.

**2.10.010 Meetings and Council attendance.**

A. Regular Meetings. The City Council shall meet regularly on the first and third Mondays of each month at 7:00 p.m. except that when either of these days falls on a legal or national holiday, the Council shall meet on the following evening at the same hour. The Council shall also meet regularly on the Thursday preceding each first and third Monday meeting at 7:00 p.m. in work/study sessions.

B. Special Meetings. Special meetings may be called by the Mayor or four Council members. Notice of special meetings shall comply with the law of the State of Washington in effect at the time of the meeting.

C. Council Attendance. Council members shall comply with RCW 35A.12.060, Vacancy for non-attendance, which reads as follows: “In addition a council position shall become vacant if the council member fails to attend three consecutive regular meetings of the council without being excused by the council.” Regular meetings shall include both regularly scheduled Council meetings and regularly scheduled work/study session meetings, as described in subsection A of this section.

D. Procedure for Excused Absences. Council members shall be required to contact the City Clerk’s office no later than 5:00 p.m. of the day of the meeting requesting he/she be excused from the meeting and stating the reason for such absence. Failure to comply, except in cases of emergency, shall result in an unexcused absence. The Clerk shall inform the Council of the reason for the member’s absence. Upon passage of a motion by a majority of the members present, the absent member shall be considered excused and the Clerk will make an appropriate notation in the minutes. If the motion is not passed, the Clerk will note in the minutes that the absence is unexcused.

E. Telephonic Attendance. A Council member may attend a Council meeting via telephone once per calendar year. Telephonic attendance of a Council member shall not constitute a quorum of the Council. In order to attend a Council meeting via telephone, a Council member shall inform the City Clerk no later than three working days before the meeting in order for a telephone connection to be arranged, whereby the voice of the

Council member can be identified, the Council member can hear all that is spoken at the meeting, and all persons at the meeting can hear the Council member speak. To attend a Council meeting by telephone, a Council member shall have received in advance all materials for the meeting. Telephone attendance of a Council member for purposes of voting on a quasi-judicial matter at a Council meeting is prohibited. (Ord. 2383 § 1, 2005; Ord. 2321 § 1, 2002; Ord. 2306 § 1, 2002; Ord. 2249 § 1, 2000; Ord. 2192 § 1, 1998; Ord. 1990, 1993; Ord. 1869, 1990; Ord. 1639, 1985; Ord. 1320, 1980; Ord. 1202 § 1, 1978).

#### **2.10.020 Agenda.**

All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Council shall (normally) be delivered to the City Manager by 5:00 p.m. on the Wednesday preceding the Council meeting, whereupon the City Manager shall arrange a list of such matters according to the order of the business and furnish each member of the Council, the City Clerk, and the City Attorney with a copy of the same prior to the Council meeting and as far in advance of the meeting as time for preparation will permit. At the same time, the City Manager will place a copy of the agenda in the lobby of Mountlake Terrace Temporary City Hall, 6100 219th Street S.W. – Suite 200, Mountlake Terrace, WA, and at the Mountlake Terrace Library, 23300 58th Avenue W., Mountlake Terrace, WA. None of the foregoing matters shall be presented to the Council by administrative officials without the approval of the City Manager before presentation. (Ord. 2513 § 1, 2009; Ord. 1202 § 2, 1978).

#### **2.10.030 Presiding officer.**

Biennially, in the meeting at which the newly elected Councilpersons take office, the Council shall choose from among its members by majority vote a chairperson (presiding officer) who shall have the title of Mayor. An assistant chairperson (presiding officer) who shall have the title of Mayor Pro Tempore shall be elected by majority vote of the Council at the first regular meeting of a newly formed Council. The Mayor shall serve until the next regularly elected Councilperson takes office unless removed as provided in this section. The Mayor Pro Tempore shall serve for a term of one year unless removed as provided in this section. At the first regular meeting following the Mayor Pro Tempore term, another election for Mayor Pro Tempore shall be held. The Mayor Pro Tempore may be re-elected or any other Councilperson may be elected. If neither the Mayor or Mayor Pro Tempore are present at a meeting and a quorum is present, the presiding officer shall be elected by a majority vote of those Councilpersons present. The Mayor Pro Tempore shall act as Mayor during the absence or disability of the Mayor and shall succeed to the office of Mayor in case of a vacancy or removal of the Mayor as provided in this section.

The Mayor or the Mayor Pro Tempore, when serving as Mayor, shall preside at meetings of the Council and shall be recognized as head of the City government for all ceremonial purposes and by the Governor for purpose of military law. He/she shall have the rights, privileges and immunities of a member of the City Council but shall have no regular administrative duties as Mayor.

The Council may remove the Mayor or the Mayor Pro Tempore from the respective position in accordance with the following procedure:

A. The Council must adopt by an affirmative vote of at least five of its members a resolution stating the reason or reasons for the proposed removal which resolution, if adopted, shall be served on or mailed to the officer proposed to be removed.

B. Within 15 days after such service or mailing, the officer proposed to be removed may file with the City Clerk a written reply and request a public hearing. The hearing, if requested, shall be conducted not earlier than 15 days nor later than 30 days after the filing of the hearing request. If the Mayor is the officer proposed to be removed, the Mayor Pro Tempore shall preside at the hearing and during the Council deliberations and action, if any, on the question of removal. If the Mayor Pro Tempore is the officer

proposed to be removed and the Mayor is unavailable to preside at the hearing or Council deliberations and action, if any, the Council shall select another from its members to preside.

C. Not less than 30 days after the date of adoption of the proposed removal resolution and after the public hearing, if requested, the Council may remove the officer by adoption of a resolution by an affirmative vote of at least five of its members.

D. Should the Mayor Pro Tempore be removed by resolution, the City Council shall immediately hold an election and elect a Mayor Pro Tempore by majority vote.

E. Should both the Mayor and Mayor Pro Tempore be removed by resolution at the same Council meeting, the Council shall immediately hold an election and by majority vote proceed to elect a Mayor and Mayor Pro Tempore.

The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council. He/She shall state all questions coming before the Council, provide opportunity for discussion from the floor, announce the decision of the Council on all subjects and decide all questions of order, subject to appeal of the Council; in which event a majority vote of the Council shall govern.

The Mayor or two members of the Council shall sign all ordinances and resolutions adopted by the Council. In the absence of the Mayor, the Mayor Pro Tempore shall sign ordinances or resolutions as then adopted. (Ord. 2383 § 2, 2005; Ord. 2068, 1995; Ord. 1202 § 3, 1978).

#### **2.10.040 Roll call.**

Before proceeding with business, a roll call of Council members shall be made by the City Clerk and the names of those present recorded in the minutes. (Ord. 1202 § 4, 1978).

#### **2.10.050 Quorum.**

A majority of the Council shall constitute a quorum. (Ord. 1202 § 5, 1978).

#### **2.10.060 Order of business.**

A. The consent calendar may include bid openings, petitions, communications, recognitions, and proclamations, current business, new business, and adoption of ordinances and resolutions which shall be considered for Council approval as one motion. Any item may, at the request of any Council member, be removed from the consent calendar and restored to its proper order.

B. An item of business may be changed to a different order during a meeting by a majority vote of the City Council.

C. All public hearings in regular City Council meetings shall be held at 7:00 p.m., or as soon thereafter as the orderly process of the meeting allows. (Ord. 2383 § 3, 2005; Ord. 2235 § 1, 2000; Ord. 1670, 1986; Ord. 1202 § 6, 1978).

#### **2.10.070 Reading of minutes.**

Unless a reading of minutes of a Council meeting is requested by a Council member, such minutes may be approved without reading; provided the City Clerk has furnished each member with a written copy of the minutes prior to the meeting. (Ord. 1202 § 7, 1978).

#### **2.10.080 Council – Speaking.**

A. A Council member desiring to speak shall address the chair and upon recognition by the presiding officer shall confine himself to the question under debate.

B. Any member, while speaking, should not be interrupted unless it be to call him to order.

C. No member shall speak a second time upon the same motion before opportunity has been given each member to speak on the motion. (Ord. 1202 § 8, 1978).

#### **2.10.090 Addressing the council.**

All persons, upon recognition of the presiding officer, shall be provided opportunity to address the Council, but the presiding officer shall give recognition in the following order:

A. To those whose request to be heard is contained in the written agenda.

B. To those who have submitted their request to be heard in writing to the City Clerk before the Council meeting.

C. To those who ask recognition from the floor.

If the matter about which the request to be heard is not contained in the written agenda, these requests shall be honored only during that portion of the meeting reserved for oral communications.

In addressing the Council, each person should stand, and after recognition, move to the rostrum, give his name and address, and unless further time is given by the presiding officer, shall limit his address to five minutes. All remarks shall be made to the Council as to body and not to any individual member.

No person shall be permitted to enter into any discussion from the floor without first being recognized by the presiding officer.

Any person making personal, impertinent or slanderous remarks while addressing the Council shall be barred from further audience by the presiding officer unless permission to continue be granted by majority vote of the Council. (Ord. 1202 § 9, 1978).

### **2.10.100 Voting.**

Silence of a member during a voice vote shall be recorded as an affirmative vote. Unless otherwise provided for by statute, ordinance, or resolution, all votes on Council action, including the adoption of ordinances or resolutions, shall be taken by voice vote; provided, however, if requested by a Council member, any question shall be voted upon by roll call, and the ayes and nays shall be recorded. The roll call vote of all present Council members, if requested, shall be carried out by the City Clerk in a random order as determined by the City Clerk in his/her sole discretion.

Each member present must vote on all questions before the Council and may abstain only for reasons acceptable to a majority of the Council. (Ord. 2488 § 1, 2008; Ord. 2383 § 4, 2005; Ord. 1202 § 10, 1978).

### **2.10.110 Committees.**

A. Special. All special committees shall be appointed by the presiding officer with the approval of the Council.

B. Standing. Standing committees shall be constituted by ordinance or resolution; said ordinance or resolution to specify duties, length of term of members, number of members, method of appointment and reason for standing committee. In no case is a standing committee to be vested with administrative authority.

C. Finance Committee.

1. There is hereby established and created a Finance Committee for the City of Mountlake Terrace, which shall be composed of two members of the City Council who shall be appointed by the Mayor for terms of one year each, and the City Manager or Finance Director if so designated by the Manager.

2. The City Manager, or the Finance Director if so designated by the City Manager, shall act as chairman of said committee, and the office of said committee shall be in the office of the Finance Director.

3. The Finance Director shall maintain copies of all claims approved by the Finance Committee, as required by law.

4. Prior to payment all claims shall be audited and certified by the Auditing Officer as designed in Chapter 2.20 MTMC.

5. All expenditures will require Finance Committee approval prior to payment except for those instances where there will be a penalty for late payments, lost discounts, on-going routine budgeted expenditures, and emergency purchases, as approved by the City Manager. Any expenditure made prior to Finance Committee approval shall require retroactive approval by the Finance Committee and City Council.

6. Said Committee may make such rules and regulations for the conduct of its business as are not inconsistent with law. (Ord. 2383 § 4, 2005; Ord. 2359 § 1, 2004; Ord. 1511, 1983; Ord. 1202 § 11, 1978).

#### **2.10.120 Ordinances – Resolutions – Motions – Contracts.**

A. Ordinances, resolutions, and other matters requiring action by the Council must be introduced and sponsored by a member of the Council, except that the City Manager, or other staff persons, in the manner provided by MTMC 2.10.020, may present ordinances, resolutions, and other matters to the Council, and any Council member may assume sponsorship thereof by moving that such ordinances, resolutions, or other matters be adopted.

B. Unless statute, ordinance, or resolution provide otherwise, the adoption of an ordinance or resolution may be put to its final passage on the same day on which it was introduced.

#### **C. Publications and Posting of Ordinances, Notices, Etc.**

1. All ordinances, notices or other matters required by law to be publicly posted by the City of Mountlake Terrace, and all boards, commissions or agencies thereof, shall be posted for the period required by law in the following public places:

- a. Lobby of Mountlake Terrace Temporary City Hall, 6100 219th St. S.W. – Suite 200, Mountlake Terrace, WA;
- b. Mountlake Terrace Library, 23300 58th Avenue W., Mountlake Terrace, WA;
- c. Recreation Pavilion, 5303 228th Street S.W., Mountlake Terrace, WA;
- d. United States Post Office, 5706 232nd Street S.W., Mountlake Terrace, WA.

2. Ordinances approved, passed and enacted by the City Council of the City of Mountlake Terrace shall be published once in The Everett Herald, a legal newspaper of general circulation within the said City. Nothing herein shall be construed so as to prevent the publication of ordinance summaries as provided by law.

#### **D. Public Information Center.**

1. The agenda of the coming City Council meeting, with all informational materials provided with the agenda, will be placed in the lobby of the Mountlake Terrace Temporary City Hall for public view in an orderly and easily defined manner.

2. This information will be held for two weeks after the bi-monthly City Council meetings along with the agenda, also in the lobby of the Mountlake Terrace Temporary City Hall. (Ord. 2513 § 2, 2009; Ord. 2488 § 2, 2008; Ord. 2383 § 5, 2005; Ord. 1623, 1985; Ord. 1491, 1982; Ord. 1320, 1980; Ord. 1202 § 12, 1978).

#### **2.10.130 Recess.**

A motion for temporary recess shall always be in order and may not be debated. (Ord. 1202 § 13, 1978).

#### **2.10.140 Adjournment.**

A motion to adjourn shall be in order after completion of the written agenda items and may not be debated. (Ord. 1202 § 14, 1978).

#### **2.10.150 Robert's Rules of Order.**

Questions of parliamentary procedure, not covered by these rules, shall be governed by Robert's Rules of Order. (Ord. 1202 § 15, 1978).

#### **2.10.160 Leaves of absence.**

The City Council may by motion grant leaves of absence to its members for such term as may commend itself to the discretion of the Council. (Ord. 1213 § 1, 1978).

#### **2.10.170 Written application required for leave of absence.**

Any such leave shall be pursuant to written application setting forth the necessity

therefor as occasioned by exigencies of employment, health, or other good cause as determined in the discretion of the Council. (Ord. 1213 § 2, 1978).

**2.10.180 Pro tempore appointments.**

The City Council, by majority vote, may make a pro tempore appointment to any position on the Council whose member may have been granted a leave pursuant to the provisions of this chapter. (Ord. 1213 § 3, 1978).

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**This page of the Mountlake Terrace Municipal Code is current through Ordinance 2529, passed January 4, 2010.**

Disclaimer: The City Clerk's Office has the official version of the Mountlake Terrace Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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