

CITY OF MOUNTLAKE TERRACE

ORDINANCE NO. 2809

**AN ORDINANCE OF THE CITY OF MOUNTLAKE TERRACE,
WASHINGTON, AMENDING MOUNTLAKE TERRACE MUNICIPAL
CODE SECTION 2.10.090 OF CHAPTER 2.10, CITY COUNCIL RULES
AND PROCEDURES, RELATING TO PUBLIC COMMENT AND
VERBAL TESTIMONY FOR CITY COUNCIL MEETINGS; AMENDING
THE CITY COUNCIL PUBLIC COMMENT POLICY; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the Mountlake Terrace City Council desires to conduct its meetings in an efficient and orderly manner; and

WHEREAS, the City Council has adopted a Public Comment Policy, most recently amended on April 3, 2017 in Ordinance 2705; and

WHEREAS, portions of the City Council’s Public Comment Policy and associated Rules and Procedures have become outdated and are in need of revision to address a new physical location and city contact information as well as recently adopted state law encouraging remote participation by members of the public; and

WHEREAS, the City Council desires to continue the COVID-19 pandemic practice of permitting public comments and participation remotely to enable wider participation; and

WHEREAS, the City Council is authorized by statute to determine its own rules and order of business, and to establish formal rules for the conduct of Council meetings; and

WHEREAS, City Council meetings should be carried out with efficiency and uniformity and written rules of procedures best assure an atmosphere conducive to said efficiency and uniformity; and

WHEREAS, the City Council discussed and concluded by consensus at its April 28, 2022 work/study session to allow public comment via telephone or online communication at City Council meetings; and

WHEREAS, the City Council has recommended the policy specify when public comment should take place on the agenda at regular meetings and work/study sessions to provide input prior to the Council formally considering items requiring action; and

WHEREAS, the Council finds that in updating its Public Comment policy, MTMC 2.10.090 “Addressing the council” needs to be updated accordingly so that each are in agreement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amending MTMC 2.10.090. Mountlake Terrace Municipal Code Section 2.10.090, Addressing the council, is hereby amended to read as follows:

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 set forth in the written agenda, public comments shall be allowed during that portion of the meeting reserved for public comment. Public comments shall not be taken on items subject to quasi-judicial consideration by the Council, unless it is during a specified public hearing on that topic. Public comment regarding items listed on the agenda will be taken when that agenda item is heard.

In addressing the Council, each person should give their name, and shall limit their address to five minutes. When addressing Council in person, comments should be made from the designated public comment location.

All remarks shall be made to the Council as a body and not to any individual member. To ensure equal opportunity for the public to comment, each person may address the Council only one time during the public comment portion of the meeting, and one time for each agenda action item under discussion. No speaker may convey or donate his or her time for speaking to another speaker. If a number of people wish to speak to a particular topic or issue, the City Council by majority vote may limit at that meeting the total amount of time dedicated to that single issue.

No person shall make personal attacks, or threatening remarks while addressing the Council, which disrupts, disturbs, or otherwise impedes the orderly conduct of the Council meeting.

Any person who is engaging in conduct that disturbs, disrupts, or impedes the business of the City Council, or whose comments has been ruled out of order by the presiding officer, shall immediately cease and refrain from further improper comments or inappropriate conduct. The refusal of an individual to desist from inappropriate remarks or conduct after being ruled out of order by the presiding officer may subject the individual to removal from the council chambers, or expulsion from the remote meeting, and the person may be barred from further audience before the City Council during that meeting by the presiding officer or other remedies imposed as provided in RCW 42.30.050 now or hereinafter amended.

Section 2. Amending Public Comment Policy. The City of Mountlake Terrace's Public Comment Policy is amended as set forth in Exhibit A to this Ordinance.

Section 3. Corrections. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Severability. If any section, sentence, paragraph, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any section, sentence, clause or phrase of this Ordinance.

Section 5. Publication and Effective Date. This ordinance, or a summary thereof, shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after passage and publication as provided by law.

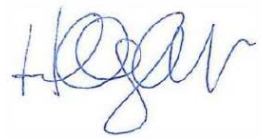
PASSED by the City Council of the City of Mountlake Terrace this 16th day of May, 2022, and signed in authentication of its passage this 16th day of May, 2022.



Mayor Kyoko Matsumoto Wright

ATTEST: 

City Clerk



APPROVED AS TO FORM: _____
Hillary J. Evans, City Attorney

PUBLIC COMMENT POLICY

RCW 42.30, the Open Public Meetings Act, requires all meetings of the City Council be open to the public. MTMC 2.10.090 states that the public may address Council after being recognized by the presiding officer and provides an order for doing so. To facilitate orderly meetings and to encourage appropriate public comment during meetings, the City Council adopted the following policy:

1. During regular meetings held generally on the first and third Mondays, public comments on matters, not on the agenda, shall be taken under the Public Comment agenda item that precedes the consent calendar. Comments must be limited to five (5) minutes and persons shall first be recognized to speak by the presiding officer. A sign-up sheet will be provided on a table near the Council Chambers entrance and following recognition of those who signed up, public comments shall be taken from the floor and from those persons participating remotely. All in-person public comments shall be made from the designated public comment location. No speaker may convey or donate his or her time for speaking to another speaker. Comments shall be made to the Council as a body and shall not be addressed to individual members of the City Council.
2. Prior to Council consideration of any action item on the agenda, the presiding officer shall ask for any public comment on the agenda item requiring Council action. A sign-up sheet shall be provided on a table near the Council Chambers entrance for public comment on action items on the agenda. Comments must be limited to five (5) minutes and shall be addressed to the Council as a body. Each speaker may address the Council only one time during the public comment portion of the meeting and one time for each agenda action item on the meeting agenda. Public comment and/or verbal testimony on agenda items subject to quasi-judicial consideration by the Council shall only be during the specified public hearing on that topic. City Council work/study sessions are held on Thursday nights, preceding regular meetings. The City Council uses work sessions to study issues and to discuss issues among themselves and with City staff. There shall be no public comment during these discussions. The Council generally takes no formal action at work sessions, however if action is noted, the regular meeting public comment policy applies. Matters on work/study session agendas will also typically come before the Council for action at a subsequent regular meeting. Public comment shall be allowed and each speaker will be given a maximum of two (2) minutes to speak. Public comments at work/study sessions shall be noted preceding the review of the upcoming regular meeting agenda items.
3. Members of the public who wish to address the Council should come to the designated public comment location after they are recognized by the Mayor and state their name for the record. No person shall make personal attacks, threatening remarks, or engage in conduct which disrupts, disturbs, or otherwise impedes the orderly conduct of the Council meeting.

Agendas and meeting materials are available on the city's website at www.cityofmlt.com/129. You may also make a request for records by contacting the Public Records Officer at 425-744-6235 or recordsofficer@mltwa.gov. There is a fee for copying records.