



## Topic: City Council Regular Meeting

You are invited to a Zoom webinar or in person meeting. Note: Due to the lifting of Covid safety restrictions on June 9<sup>th</sup>, 2022, the city is now required to provide a physical location for all meetings. A computer screen with a microphone and speaker will be set up in council chambers and at least one council member, staff member or the mayor will be present, but most council members and staff will not be present in person but will be participating via Zoom.

Topic: 1<sup>st</sup> Regular City Council Meeting of this month

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83273254975?pwd=aGJhcW1aVEpFc2lDVWpXOEU5cJlJvdz09>

Passcode: 172825

Or One tap mobile:

US: +12532158782,,83273254975#,,,,\*172825# or +16699006833,,83273254975#,,,,\*172825#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 669 900 6833 or +1 346 248 7799 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 832 7325 4975

Passcode: 172825

International numbers available: <https://us02web.zoom.us/j/kYRNSJrRX>



## CITY OF LANGLEY DRAFT COUNCIL AGENDA

**Monday July 3, 2023 @ 5:30 P.M. – 112nd Street Langley, WA**

### **CALL TO ORDER – 5 minutes**

- 1. Opening Words**
- 2. Roll Call**

**CONSENT AGENDA** (The CONSENT AGENDA consists of routine items that normally do not require further Council discussion.) – 2 minutes

1. Approval of Claim Warrants - and EFTs in the amount of \$44,954.43 .....4-10
2. Approval of Manual Warrants - in the amount of \$69,954.43 .....11-13
3. Approval of Payroll Direct Deposit Run (6/15/23) in the amount of \$39,073.53 ....14-15
4. Approval of Commission Meeting Minutes posted since previous Council Meeting
5. Approval of Liquor License for Island Shakespeare Festival .....16-17
6. Approval of Heather Smith Cemetery Board.....18

### **APPROVAL OF AGENDA – 3 minutes**

### **APPROVAL OF MINUTES – 3 minutes**

1. Approval of Council Meeting Minutes of 6/20/2023.....19-27
2. Approval of Council Meeting Minutes of 6/05/2023 .....28-31
3. Approval of Council Meeting Minutes of 9/06/2022 .....32-34

### **PUBLIC COMMENT PERIOD\* – 30 minutes**

### **PRESENTATION/GUEST SPEAKER/COMMISSION REPORTS – 15 minutes**

1. Presentation to Council from Dismantling Systematic Racism Commission- Kennedy Horstman, Chair - 3 mins .....35
2. Presentation to Council from Historic Preservation Commission- Bob Waterman, Chair- 3 minutes .....36-37
3. Presentation from Langley Main Street Association-Nicole Whittington-Johnson, Executive Director – 3 mins

### **MAYOR'S REPORT – 10 minutes**

## NEW BUSINESS

1. Proposed Contract with Compass Rose Planning Services Ltd, to prepare code amendments to add multi-family housing as a permitted use within the Fairgrounds Overlay (LMC 18.10) - Meredith Penny, Director of Community Planning– 5 minutes.....38-45
2. Rabbit Disease – 5 minutes .....46-51
3. Discussion of Ethics Commission -Sarah Springer- 10 minutes.....52
4. Flag Protocol and Pledge of Allegiance -5 minutes.....53-62

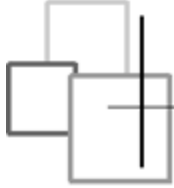
## COUNCIL REPORTS– 15 minutes

1. Council Member Harolynne Bobis – 3 minutes
2. Council Member Rhonda Salerno – 3 minutes
3. Council Member Thomas Gill – 3 minutes
4. Council Member Craig Cyr – 3 minutes
5. Council Member Gail Fleming – 3 minutes

## ADJOURN

**\*Public Comment:** This is the time on the agenda where Council welcomes comments on subjects of concern or interest that are not on the agenda or to make known that a member of the public wishes to comment on a particular agenda item at the time the item is being discussed. We welcome your comments which are very important to us. Note that all comments are limited to three minutes and should be directed to the presiding officer. Please state your name, address and the subject of your comment. Please note that we will not be entering into dialogue at this time. The purpose of this agenda item is for you, the public, to inform us, the Council, about your views. If you have factual questions, staff will be happy to address them, either now or at a later date.

Thank you for participating! **If reasonable accommodation of a disability is needed, please contact Darlene Baldwin at (360) 221-4246 ext. 17 at least 48 hours prior to this meeting.**



# Voucher Directory

Fiscal : 2023 - July  
 Council Date : 2023 - July - 1st Council Meeting

Vendor	Number	Reference	Account Number	Description	Amount
<b>Chapman Todd</b>	<b>43531</b>	<b>2023 - July - 1st Council Meeting</b>			
		<b>Invoice - 415 3rd St STR Renewal Fee Refund</b>			
		<b>Refund Dupl ST Rental Fee</b>			
		001-000-110-558-60-40-01	Professional Fees/Reimbursible - Permit Review		\$260.00
			Refund dupl pymt Receipt #7777 6/6/23		
		<b>Total Invoice - 415 3rd St STR Renewal Fee Refund</b>			<b>\$260.00</b>
	<b>Total 43531</b>				<b>\$260.00</b>
<b>Total Chapman Todd</b>					<b>\$260.00</b>
<b>Correct Equipment, Inc.</b>	<b>43532</b>	<b>2023 - July - 1st Council Meeting</b>			
		<b>Invoice - 49331</b>			
		401-000-000-534-80-31-01	Parts, Chemicals & Supplies		\$1,217.00
			SKU 8004313, Accutab Pail		
		<b>Total Invoice - 49331</b>			<b>\$1,217.00</b>
	<b>Total 43532</b>				<b>\$1,217.00</b>
<b>Total Correct Equipment, Inc.</b>					<b>\$1,217.00</b>
<b>De Lage Landen Financial Services</b>	<b>43533</b>	<b>2023 - July - 1st Council Meeting</b>			
		<b>Invoice - 80175810</b>			
		<b>July copier lease</b>			
		001-000-010-513-10-40-01	Professional Services - ADMIN Shared Cost		\$29.48
		001-000-030-514-20-40-02	Professional Services - ADMIN Shared Cost		\$135.63
		001-000-070-521-20-40-01	Professional Services - ADMIN Shared Cost		\$129.73
		001-000-100-518-30-40-01	Professional Services - ADMIN Shared Cost		\$17.69
		001-000-110-558-60-40-00	Professional Services - ADMIN Shared Cost		\$35.38
		001-000-120-558-50-40-00	Professional Services - ADMIN Shared Cost		\$29.48
		001-000-150-576-80-40-00	Professional Services - ADMIN Shared Cost		\$11.79
		001-000-180-518-80-40-01	Professional Services		\$5.90
		101-000-000-543-10-40-01	Professional Services - ADMIN Shared Cost		\$41.28
		104-000-000-536-10-40-00	Professional Services - ADMIN Shared Cost		\$5.90
		401-000-000-534-10-40-01	Professional Services - ADMIN Shared Cost		\$64.87
		402-000-000-535-10-40-01	Professional Services - ADMIN Shared Cost		\$64.87

Vendor	Number	Reference	Account Number	Description	Amount
			403-000-000-531-10-40-01	Professional Services - ADMIN Shared Cost	\$17.70
		<b>Total Invoice - 80175810</b>			<b>\$589.70</b>
	<b>Total 43533</b>				<b>\$589.70</b>
<b>Total De Lage Landen Financial Services</b>					<b>\$589.70</b>
<b>Hanson's Bldg. Supply</b>					
<b>43534</b>				<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - 2306-230347</b>			
			001-000-100-594-59-00-00	Capital maintenance City Hall	\$90.15
				Back door repair - City Hall	
		<b>Total Invoice - 2306-230347</b>			<b>\$90.15</b>
	<b>Total 43534</b>				<b>\$90.15</b>
<b>Total Hanson's Bldg. Supply</b>					<b>\$90.15</b>
<b>Kimbro Trustee, Owen P &amp; Lisa M Kimbro Trustee</b>					
<b>43535</b>				<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - Surety Agreement Return</b>			
			633-000-000-586-12-00-02	Trust Account	\$10,404.00
				Kimbro Surety Bond Return	
		<b>Total Invoice - Surety Agreement Return</b>			<b>\$10,404.00</b>
	<b>Total 43535</b>				<b>\$10,404.00</b>
<b>Total Kimbro Trustee, Owen P &amp; Lisa M Kimbro Trustee</b>					<b>\$10,404.00</b>
<b>Langley Main St Association</b>					
<b>43536</b>				<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - 2021-2125</b>			
			401-000-000-534-10-49-03	excise tax MainSt credit	\$3,750.00
				Qtr 2 - 2023 Main Street Grant	
			402-000-000-535-10-49-03	excise tax MainSt credit	\$3,750.00
				Qtr 2 - 2023 Main Street Grant	
			403-000-000-531-10-49-03	excise tax MainSt credit	\$3,750.00
				Qtr 3 - 2023 Main Street Grant	
		<b>Total Invoice - 2021-2125</b>			<b>\$11,250.00</b>
	<b>Total 43536</b>				<b>\$11,250.00</b>
<b>Total Langley Main St Association</b>					<b>\$11,250.00</b>

Vendor	Number	Reference	Account Number	Description	Amount
<b>North Central Laboratories</b>	<b>43537</b>			<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - 488610</b>			
			402-000-000-535-10-40-04	Sewer Plant Testing	\$839.78
				Sewer Plant Testing Eqpt	
		<b>Total Invoice - 488610</b>			<b>\$839.78</b>
	<b>Total 43537</b>				<b>\$839.78</b>
<b>Total North Central Laboratories</b>					<b>\$839.78</b>
<b>PACE Engineers, Inc.</b>	<b>43538</b>			<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - 87514</b>			
			001-000-110-558-60-40-01	Professional Fees/Reimbursible - Permit Review	\$287.50
				On-Call SW Support - THIC	
			001-000-110-558-60-40-06	Professional Services	\$460.00
				6th Street Cottages	
			408-000-000-594-34-60-04	WWTP-3 Resurface Chlorine CC Walls	\$3,454.49
				Subconsultant Service - Quality Coatings	
		<b>Total Invoice - 87514</b>			<b>\$4,201.99</b>
	<b>Total 43538</b>				<b>\$4,201.99</b>
<b>Total PACE Engineers, Inc.</b>					<b>\$4,201.99</b>
<b>Puget Sound Energy</b>	<b>43539</b>			<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - 0964 June 21 23</b>			
			105-000-000-557-30-46-01	Utilities/VIC & R/R	\$61.98
				JUne 21 2023	
		<b>Total Invoice - 0964 June 21 23</b>			<b>\$61.98</b>
		<b>Invoice - 7646 June 21 23</b>			
			401-000-000-534-10-46-01	Utilities-Water Dept.	\$137.54
				June 21 2023	
		<b>Total Invoice - 7646 June 21 23</b>			<b>\$137.54</b>
		<b>Invoice - 8745 June 21 23</b>			
			401-000-000-534-10-46-01	Utilities-Water Dept.	\$1,186.37
				June 21 2023	
		<b>Total Invoice - 8745 June 21 23</b>			<b>\$1,186.37</b>
		<b>Invoice - 9941 June 21 23</b>			
			101-000-000-542-63-46-01	Street Lighting Utilities	\$20.73
				June 21 2023	
		<b>Total Invoice - 9941 June 21 23</b>			<b>\$20.73</b>
	<b>Total 43539</b>				<b>\$1,406.62</b>
<b>Total Puget Sound Energy</b>					<b>\$1,406.62</b>

Vendor	Number	Reference	Account Number	Description	Amount
<b>Quill Corporation</b>	<b>43540</b>			<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - 32995603</b>			
			<b>Office Supplies</b>		
			001-000-010-513-10-30-01	Office/operational Supplies	\$4.38
			001-000-030-514-20-30-01	Supplies	\$20.16
			001-000-070-521-20-30-01	Supplies-Printing	\$20.16
			001-000-100-518-30-30-01	Facilities Maint. Supplies	\$2.63
			001-000-110-558-60-30-01	Supplies	\$5.26
			001-000-120-558-50-30-01	Supplies	\$4.38
			001-000-150-576-80-30-01	Supplies	\$1.75
			001-000-180-518-80-30-01	supplies	\$0.88
			101-000-000-543-10-30-01	Supplies	\$7.01
			104-000-000-536-10-30-01	Supplies	\$0.88
			401-000-000-534-10-30-01	Supplies	\$9.64
			402-000-000-535-10-30-01	Supplies	\$9.64
			403-000-000-531-10-30-01	Supplies	\$0.87
		<b>Total Invoice - 32995603</b>			<b>\$87.64</b>
	<b>Total 43540</b>				<b>\$87.64</b>
<b>Total Quill Corporation</b>					<b>\$87.64</b>
<b>Sebo's DO IT Center</b>	<b>43541</b>			<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - A1496853</b>			
			<b>Tools &amp; Hardware</b>		
			001-000-100-594-59-00-01	Capital maintenance Fire Hall	\$27.74
				Tools	
			403-000-000-531-10-47-03	Stormwater Maintenance	\$169.69
				Hardware	
		<b>Total Invoice - A1496853</b>			<b>\$197.43</b>
	<b>Total 43541</b>				<b>\$197.43</b>
<b>Total Sebo's DO IT Center</b>					<b>\$197.43</b>
<b>Shred-IT c/o Stericycle, Inc</b>	<b>43542</b>			<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - 8004177667</b>			
			<b>June Shredding, 1 bin</b>		
			001-000-010-513-10-40-01	Professional Services - ADMIN Shared Cost	\$1.76
			001-000-030-514-20-40-02	Professional Services - ADMIN Shared Cost	\$9.71
			001-000-070-521-20-40-01	Professional Services - ADMIN Shared Cost	\$9.71
			001-000-110-558-60-40-00	Professional Services - ADMIN Shared Cost	\$4.41
			001-000-120-558-50-40-00	Professional Services - ADMIN Shared Cost	\$0.88
			001-000-150-576-80-40-00	Professional Services - ADMIN Shared Cost	\$2.65
			001-000-180-518-80-40-01	Professional Services	\$0.88
			101-000-000-544-90-40-01	Professional Services	\$9.71
			104-000-000-536-10-40-00	Professional Services - ADMIN Shared Cost	\$0.88

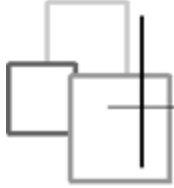
Vendor	Number	Reference	Account Number	Description	Amount
			105-000-000-557-30-40-00	Professional Services - ADMIN Shared Cost	\$6.18
			401-000-000-534-10-40-01	Professional Services - ADMIN Shared Cost	\$20.29
			402-000-000-535-10-40-01	Professional Services - ADMIN Shared Cost	\$14.12
			403-000-000-531-10-40-01	Professional Services - ADMIN Shared Cost	\$7.05
		<b>Total Invoice - 8004177667</b>			<b>\$88.23</b>
	<b>Total 43542</b>				<b>\$88.23</b>
<b>Total Shred-IT c/o Stericycle, Inc</b>					<b>\$88.23</b>
<b>Sound Publishing Inc</b>	<b>43543</b>				
				<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice -SWR978420</b>			
			001-000-110-558-60-43-02	Publications/Notifications	\$132.00
				Hearing 6/20/23	
		<b>Total Invoice -SWR978420</b>			<b>\$132.00</b>
	<b>Total 43543</b>				<b>\$132.00</b>
<b>Total Sound Publishing Inc</b>					<b>\$132.00</b>
<b>South Whidbey Record</b>	<b>43550</b>				
				<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - SW-217481 104 Weeks</b>			
			001-000-030-514-20-49-01	Association Dues	\$128.00
				South Whidbey Record Subscription to July 2025	
		<b>Total Invoice - SW-217481 104 Weeks</b>			<b>\$128.00</b>
	<b>Total 43550</b>				<b>\$128.00</b>
<b>Total South Whidbey Record</b>					<b>\$128.00</b>
<b>South Whidbey School Dist. #206</b>	<b>43545</b>				
				<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - Langley-2023-09</b>			
				<b>Fuel - May 2023</b>	
			001-000-070-521-20-31-02	Fuel	\$694.82
				Fuel - May 2023	
			001-000-150-576-80-31-02	Fuel	\$193.10
				Fuel - May 2023	
			101-000-000-544-90-31-02	Fuel & Maintenance	\$65.84
				Fuel - May 2023	
			401-000-000-534-10-31-02	Fuel	\$182.26
				Fuel - May 2023	
			402-000-000-535-10-31-02	Fuel	\$330.29
				Fuel - May 2023	
			403-000-000-531-10-31-02	Fuel	\$55.00
				Fuel - May 2023	
		<b>Total Invoice - Langley-2023-09</b>			<b>\$1,521.31</b>
	<b>Total 43545</b>				<b>\$1,521.31</b>
<b>Total South Whidbey School Dist. #206</b>					<b>\$1,521.31</b>



Vendor	Number	Reference	Account Number	Description	Amount
<b>Summitt Law Group</b>	<b>43546</b>			<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - 145865</b>			
			001-000-030-514-20-40-03	Professional Services - Legal Hood Litigation	\$1,516.00
		<b>Total Invoice - 145865</b>			<b>\$1,516.00</b>
	<b>Total 43546</b>				<b>\$1,516.00</b>
<b>Total Summitt Law Group</b>					<b>\$1,516.00</b>
<b>United Business Machines</b>	<b>43547</b>			<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - INV498053</b>			
				<b>Kyocera Monthly Maintenance</b>	
			001-000-010-513-10-40-01	Professional Services - ADMIN Shared Cost	\$9.73
			001-000-030-514-20-40-02	Professional Services - ADMIN Shared Cost	\$42.83
			001-000-070-521-20-40-01	Professional Services - ADMIN Shared Cost	\$44.78
			001-000-100-518-30-40-01	Professional Services - ADMIN Shared Cost	\$5.84
			001-000-110-558-60-40-00	Professional Services - ADMIN Shared Cost	\$11.68
			001-000-120-558-50-40-00	Professional Services - ADMIN Shared Cost	\$9.73
			001-000-150-576-80-40-00	Professional Services - ADMIN Shared Cost	\$3.89
			001-000-180-518-80-40-01	Professional Services	\$1.95
			101-000-000-544-90-40-01	Professional Services	\$13.63
			104-000-000-536-10-40-00	Professional Services - ADMIN Shared Cost	\$1.95
			401-000-000-534-10-40-01	Professional Services - ADMIN Shared Cost	\$21.41
			402-000-000-535-10-40-01	Professional Services - ADMIN Shared Cost	\$21.41
			403-000-000-531-10-40-01	Professional Services - ADMIN Shared Cost	\$5.85
		<b>Total Invoice - INV498053</b>			<b>\$194.68</b>
	<b>Total 43547</b>				<b>\$194.68</b>
<b>Total United Business Machines</b>					<b>\$194.68</b>
<b>Wa. Assoc. of Sheriffs &amp;</b>	<b>43548</b>			<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - 031242</b>			
			001-000-070-521-20-42-02	Training Registration Cost Wasser - Conference Registration	\$375.00
		<b>Total Invoice - 031242</b>			<b>\$375.00</b>
	<b>Total 43548</b>				<b>\$375.00</b>
<b>Total Wa. Assoc. of Sheriffs &amp;</b>					<b>\$375.00</b>
<b>Whidbey Island Center for the Arts</b>	<b>43549</b>			<b>2023 - July - 1st Council Meeting</b>	
		<b>Invoice - WICA Grant - Year Round Programming</b>			
		<b>Driving</b>			
			105-000-000-557-30-49-01	WICA Year Round Programming Driving Overnight Stays Brochure Mailing Postage	\$1,000.00

City of Langley Council Meeting - Draft Agenda  
Monday July 3rd, 2023 5:30pm

Vendor	Number	Reference	Account Number	Description	Amount
			105-000-000-557-30-49-01	WICA	\$5,500.00
				Year Round Programming Overnight Stays - Season Brochure Printing	
			105-000-000-557-30-49-01	WICA	\$2,500.00
				Year Round Programming Driving Overnight Stays - Contract Professionals	
			105-000-000-557-30-49-01	WICA	\$1,000.00
				Year Round Programming Driving Overnight Stays - KCTS9 TV - Advertising	
			<b>Total Invoice - WICA Grant - Year Round Programming Driving</b>		<b>\$10,000.00</b>
				<b>Total 43549</b>	<b>\$10,000.00</b>
			<b>Total Whidbey Island Center for the Arts</b>		<b>\$10,000.00</b>
<b>Grand Total</b>		<b>Vendor Count</b>	<b>19</b>		<b>\$44,499.53</b>



# Voucher Directory

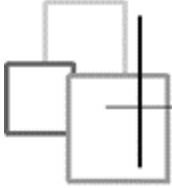
Fiscal: : 2023 - June  
 Council Date: : 2023 - June - June Manual

Vendor	Number	Reference	Account Number	Description	Amount
<b>Abraham, Kristen Miller</b>	<b>43498</b>			<b>2023 - June - June Manual</b>	
		<b>Invoice - 001</b>			
			<b>Reorganization of City Records</b>		
			001-000-030-514-20-40-04	Professional Services - Contract	\$3,120.00
				Reorganization of City Records	
		<b>Total Invoice - 001</b>			<b>\$3,120.00</b>
	<b>Total 43498</b>				<b>\$3,120.00</b>
	<b>43528</b>			<b>2023 - June - June Manual</b>	
		<b>Invoice - #002</b>			
			<b>Reorganization of City Records</b>		
			001-000-030-514-20-40-04	Professional Services - Contract	\$1,202.50
				Reorganization of City Records	
		<b>Total Invoice - #002</b>			<b>\$1,202.50</b>
	<b>Total 43528</b>				<b>\$1,202.50</b>
<b>Total Abraham, Kristen Miller</b>					<b>\$4,322.50</b>
<b>Darrel Duhm</b>	<b>43499</b>			<b>2023 - June - June Manual</b>	
		<b>Invoice - 1001</b>			
			<b>2022 WA SAO Annual Report</b>		
			001-000-030-514-20-40-04	Professional Services - Contract	\$2,604.00
				2022 WA SAO Annual Report	
		<b>Total Invoice - 1001</b>			<b>\$2,604.00</b>
	<b>Total 43499</b>				<b>\$2,604.00</b>
<b>Total Darrel Duhm</b>					<b>\$2,604.00</b>
<b>Diamond Rentals &amp; Sales</b>	<b>43529</b>			<b>2023 - June - June Manual</b>	
		<b>Invoice - 1-632013</b>			
			<b>Seawall Park Portable</b>		
			105-000-000-557-30-40-03	Contract Services (R&R, Chamber 1%, County)	\$180.00
				Seawall Park Portable	
		<b>Total Invoice - 1-632013</b>			<b>\$180.00</b>
	<b>Total 43529</b>				<b>\$180.00</b>
<b>Total Diamond Rentals &amp; Sales</b>					<b>\$180.00</b>

Vendor	Number	Reference	Account Number	Description	Amount
<b>Heritage Bank</b>					
	<b>6.21.23</b>	<b>ACH Deposit Ticket books</b>		<b>2023 - June - June Manual</b>	
		<b>Invoice - 6/21/2023 Bank Charge - 4 Deposit Ticket Books</b>			
			001-000-030-514-20-48-06	Credit fees	\$83.41
				Deposit ticket books (4)	
		<b>Total Invoice - 6/21/2023 Bank Charge - 4 Deposit Ticket Books</b>			<b>\$83.41</b>
	<b>Total 6.21.23</b>	<b>ACH Deposit Ticket books</b>			<b>\$83.41</b>
		<b>Bank Withdrawal</b>		<b>2023 - June - June Manual</b>	
		<b>Invoice - 6/29/2023 Cashier Check Fee</b>			
		<b>Cashier's ck fee - Tesla</b>			
			001-000-030-514-20-48-06	Credit fees	\$7.00
				Cashier's Ck Fee - Tesla Police Vehicle	
		<b>Total Invoice - 6/29/2023 Cashier Check Fee</b>			<b>\$7.00</b>
	<b>Total Bank Withdrawal</b>				<b>\$7.00</b>
	<b>Debit to Acct</b>			<b>2023 - June - June Manual</b>	
		<b>Invoice - Heritage Analysis Fee May 2023</b>			
		<b>Banking fee</b>			
			001-000-030-514-20-48-06	Credit fees	\$196.87
				6/15/23 May Bank Fee	
		<b>Total Invoice - Heritage Analysis Fee May 2023</b>			<b>\$196.87</b>
	<b>Total Debit to Acct</b>				<b>\$196.87</b>
<b>Total Heritage Bank</b>					<b>\$287.28</b>
<b>Invoice Cloud</b>					
	<b>EFT 6.6.23</b>	<b>Invoice Cloud</b>		<b>2023 - June - June Manual</b>	
		<b>Invoice - 384-2023_5</b>			
		<b>Portal Access, Paperless Invoices</b>			
			001-000-030-514-20-48-06	Credit fees	\$157.40
				5/2023 Portal Access, Invoices for Paperless Customers	
		<b>Total Invoice - 384-2023_5</b>			<b>\$157.40</b>
	<b>Total EFT 6.6.23</b>	<b>Invoice Cloud</b>			<b>\$157.40</b>
<b>Total Invoice Cloud</b>					<b>\$157.40</b>
<b>St of WA Dept of Revenue</b>					
	<b>6.26.23</b>	<b>EFT-DOR May Excise Tax</b>		<b>2023 - June - June Manual</b>	
		<b>Invoice - May 2023 Excise/Sales Tax</b>			
		<b>May 2023 Excise/Sales Tax</b>			
			401-000-000-534-10-49-02	Excise Tax	\$2,683.95
				May Excise Tax	
			401-000-000-534-10-49-03	excise tax MainSt credit	(\$2,578.45)
				May Excise Tax Credit	
			402-000-000-535-10-49-02	Excise Tax	\$969.86
				May Excise Tax	

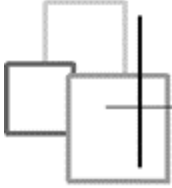
City of Langley Council Meeting - Draft Agenda  
Monday July 3rd, 2023 5:30pm

Vendor	Number	Reference	Account Number	Description	Amount
			402-000-000-535-10-49-03	excise tax MainSt credit	(\$931.74)
				Max Excise Tax Credit	
			403-000-000-531-10-49-02	S/S Excise Tax	\$297.89
				May Excise Tax	
			403-000-000-531-10-49-03	excise tax MainSt credit	(\$286.18)
				May Excise Tax Credit	
			<b>Total Invoice - May 2023 Excise/Sales Tax</b>		<b>\$155.33</b>
			<b>Total 6.26.23 EFT-DOR May Excise Tax</b>		<b>\$155.33</b>
			<b>Total St of WA Dept of Revenue</b>		<b>\$155.33</b>
<b>Tesla, Inc</b>					
	<b>Cashier's Check</b>			<b>2023 - June - June Manual</b>	
				<b>Invoice - 7SAYGDEF2PF816337</b>	
				<b>Tesla VIN 7SAYGDEF2PF816337</b>	
			303-000-000-594-21-60-01	Police vehicle purchase	\$62,247.92
				Tesla VIN 7SAYGDEF2PF816337	
			<b>Total Invoice - 7SAYGDEF2PF816337</b>		<b>\$62,247.92</b>
			<b>Total Cashier's Check</b>		<b>\$62,247.92</b>
<b>Total Tesla, Inc</b>					<b>\$62,247.92</b>
<b>Grand Total</b>		<b>Vendor Count</b>	<b>7</b>		<b>\$69,954.43</b>



## Direct Deposit Activity

Name	Social Security #	Bank Name	Account Number	Type	Amount
<b>Direct Deposit Run - 6/16/2023</b>			<b>6/15/2023</b>		
Baldwin, Darlene					\$3,168.08
Cattand, Alexis					\$1,881.51
Chaplin, Scott					\$1,653.11
Durr, Robert J.					\$2,659.16
Grone, Wanda J					\$3,090.77
Grove, Timothy J.					\$3,176.72
Hamilton, Bryan E.					\$2,417.08
Hathaway, Nicholas G					\$2,076.79
Herzberg, Robert					\$445.04
Liggitt, Charles E.					\$2,408.89
Marks, Joshua W.					\$2,173.22
McDivitt, Tara J					\$1,594.70
Pace, Jeremiah J.					\$2,007.10
Penny, Meredith B					\$2,773.02
Perry, Randi M.					\$2,813.69
Proffitt, Austin L					\$1,703.00
Wasser, Tavier					\$3,031.65
					\$39,073.53
					<b>\$39,073.53</b>



## Direct Deposit Activity

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					\$39,073.53
					<b>\$39,073.53</b>

WASHINGTON STATE LIQUOR AND CANNABIS BOARD - LICENSE SERVICES  
1025 UNION AVE SE - P O Box 43075  
Olympia WA 98504-3075  
specialoccasions@lcb.wa.gov Fax: 360-753-2710



TO: ISLAND COUNTY COMMISSIONERS

JUNE 28, 2023

SPECIAL OCCASION #: 093922

BY: .....

ISLAND SHAKESPEARE FESTIVAL  
2812 MEINHOLD RD  
LANGLEY, WA 98260

<b>DATE:</b>	AUGUST 18, 2023	<b>TIME:</b>	4:30PM - 9:00PM
	AUGUST 19, 2023		4:30PM - 9:00PM
	AUGUST 20, 2023		11:30PM - 9:00PM
	AUGUST 25, 2023		4:30PM - 9:00PM
	AUGUST 26, 2023		4:30PM - 9:00PM
	AUGUST 27, 2023		11:30PM - 9:00PM
	SEPTEMBER 1, 2023		4:30PM - 9:00PM
	SEPTEMBER 2, 2023		4:30PM - 9:00PM
	SEPTEMBER 3, 2023		11:30PM - 9:00PM
	SEPTEMBER 8, 2023		4:30PM - 9:00PM
	SEPTEMBER 9, 2023		4:30PM - 9:00PM
	SEPTMEBER 10, 2023		4:30PM - 9:00PM

**PLACE:** SOUTH WHIDBEY PRIMARY SCHOOL SOUTH CAMPUS - OUTDOORS - 5476 MAXWELTON RD,  
LANGLEY

**CONTACT:** ANGELICA METCALFE (DOB: 9.26.1992) 360-305-6171

**SPECIAL OCCASION LICENSES**

- \*      Licenses to sell beer on a specified date for consumption at a specific place.
- \*      License to sell wine on a specific date for consumption at a specific place.
- \*      Beer/Wine/Spirits in unopened bottle or package in limited quantity for **off** premise consumption.
- \*      Spirituous liquor by the individual glass for consumption at a specific place.

If return of this notice is not received in this office within 20 days from the above date, we will assume you have no objections to the issuance of the license. If additional time is required please advise.

- |  |                 |                |
|--|-----------------|----------------|
| 1. Do you approve of applicant?  | YES <u>    </u> | NO <u>    </u> |
| 2. Do you approve of location?   | YES <u>    </u> | NO <u>    </u> |
| 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken? | YES <u>    </u> | NO <u>    </u> |

<u>OPTIONAL CHECK LIST</u>	<u>EXPLANATION</u>	YES <u>    </u>	NO <u>    </u>
LAW ENFORCEMENT	_____	YES <u>    </u>	NO <u>    </u>
HEALTH & SANITATION	_____	YES <u>    </u>	NO <u>    </u>
FIRE, BUILDING, ZONING	_____	YES <u>    </u>	NO <u>    </u>
OTHER:	_____	YES <u>    </u>	NO <u>    </u>

If you have indicated disapproval of the applicant, location or both,



please submit a statement of all facts upon which such objections are based.

---

DATE      SIGNATURE OF MAYOR, CITY MANAGER, COUNTY COMMISSIONERS OR DESIGNEE

*Interviewed & approved 6/30/23*  
*Scott Clapham*



# VOLUNTEER APPLICATION

## CITY OF LANGLEY

112 Second St./PO Box 366 Langley, Washington 98260 (360) 221-4246

*Commission member Cemetery Commission 6/30/23* (recreation of may 2023 application)

Position	Board/Department	Date
<i>Smith</i>	<i>Heather</i>	<i>"Raven"</i>
Name: Last	First	Middle
<i>1</i>	<i>Langley, WA 98260</i>	
Street A	Phone	
<i>112</i>	<i>@gmail.com</i>	
Mailing	Email Address	
<i>La</i>	<i>WA 98260</i>	<i>same</i>
City	State	Zip
<i>5</i>	<i>1</i>	

Are at least 18 years old?  Yes  No If not, please specify your age \_\_\_\_\_

### BACKGROUND:

Education *BA in Education & Art*

Occupation (s): *retired*

Other Volunteer Positions: *currently organizing a renaissance fair - IT support*  
*- many other volunteer activities in the past*

Hobbies: *stone carving, metal smithing,*

Other applicable experience: *stone cleaning & repair*

### SKILLS:

List Applicable Skills *replacing/repairing stone monuments*

### DESIRE:

Briefly describe why you are interested in volunteering:

*wants to give back to community, very happy to*  
*help Cemetery Commission & share ideas for increasing revenue,*

Signature: *by phone to* Date: *6/30/2023*  
*replace lost application*



**CITY OF LANGLEY**  
**Council Meeting Minutes**  
**Tuesday, June 20, 2023**

**CALL TO ORDER**

1. Meeting was called to order by Mayor Scott Chaplin at 5:30 pm
2. Land Acknowledgement

**ROLL CALL**

In attendance: Mayor Scott Chaplin, Council Member Harolynne Bobis, Council Member Rhonda Salerno, Council Member Thomas Gill, Council Member Craig Cyr, Council Member Gail Fleming, Meredith Penny, Director of Community Planning and Development, Randi Perry, Director of Public Works and Kristen Abraham (filling in for the Interim City Clerk).

**APPROVAL OF CONSENT AGENDA**

1. Approval of Claim Warrants - and EFTs in the amount of \$43,989.30
2. Approval of Payroll Direct Deposit Run (6/1/23) in the amount of \$36,689.49
3. Approval of Payroll Direct Deposit Run (6/1/23) in the amount of \$2,407.70
4. Approval of Payroll Claim Nos 43495, 43496, and 43497 in the amount of \$13,090.61
5. Approval of Manual Warrants 43498 and 43499 and EFTs in the amount of \$5,881.40
6. Approval of Commission Meeting Minutes posted since previous Council Meeting
7. Approval of Liquor License for: a) Whidbey Children's Theatre, b) Swede Hill Cellars, and c) Grayhorse Mercantile
8. Appointment of Peter Morton to Civil Service Commission
9. Appointment of Greg Easton to Planning Advisory Board

Council amended Consent Agenda by moving items 6, 7a) (Whidbey Children's Theatre), 8, and 9 to New Business.

**Motion to adopt Consent Agenda as amended**

Motion: Council Member Craig Cyr  
2<sup>nd</sup>: Council Member Harolynne Bobis

**Motion passed unanimously**

## APPROVAL OF AGENDA

Mayor Scott Chaplin proposed amending the agenda by postponing Nicole Whittington-Johnson's presentation, as well as the discussion on "Whidbey's Water Future," and Council reports to the July 3<sup>rd</sup> meeting. Staff reports will follow the Mayor's report so that staff may leave before executive session.

### **Motion to adopt Agenda as amended**

Motion: Council Member Thomas Gill

2<sup>nd</sup>: Council Member Gail Fleming

**Motion passed unanimously**

## APPROVAL OF MINUTES

1. Approval of Council Meeting Minutes of 8/1/2022
2. Approval of Council Meeting Minutes of 8/15/2022
3. Approval of Council Meeting Minutes of 9/19/2022

### **Motion to approve Meeting Minutes of 8/1/2022, 8/15/2022, and 9/19/2022**

Motion: Council Member Thomas Gill

2<sup>nd</sup>: Council Member Craig Cyr

Discussion: Council Member Rhonda Salerno asked if it is necessary to approve each of the minutes separately. Other members stated that separate approval is not necessary, but if it is the case, they will vote on them separately in the future.

**Motion passed unanimously**

## PUBLIC COMMENT PERIOD

1. Jill Edwards, organizer of Pride Parade, announced that it is returning on July 8<sup>th</sup> at 12:00 pm at the Bus Barn (located at the South Whidbey Community Center). There will be a post-parade celebration in the Community Center courtyard with booths, music and food. The parade has several sponsors, with Readiness to Learn as the primary fiscal sponsor. State Senator Marko Liias will speak, and they will have others, to be announced. City staff will review the permit and determine if the parade needs a police escort. Marching on the streets does require them to be closed by Police order, so a permit will be required. The email for the event is [2023langleypride@gmail.com](mailto:2023langleypride@gmail.com); there is an online form to volunteer. The Facebook page is *South Whidbey Pride*.
2. Nicole Whittington-Johnson, Executive Director of the Langley Main Street Association, introduced herself to the Council and will be presenting at the July 3<sup>rd</sup> meeting.
3. Jenny Grisewood spoke against granting a liquor license for the Whidbey Children's Theatre, as she felt it was inappropriate to serve alcohol around children. She stated that others in the community felt the same. Further discussion came later in the meeting.

## MAYOR'S REPORT

1. Kristen Abraham has been helping with cleaning up of the records that are in storage under the library. We've been able to clear a number of boxes of old code books, and he joked that we have several boxes of old rolodex cards and a book on how to use a slide rule, if anyone is interested. Council Member Gill said he might be.
2. The mayor will call for approval later in the meeting to sign a \$200 month-to-month lease with the United Methodist Church for secure storage of City Records.
3. The hiring process for a new City Administrator is underway and will be discussed and voted on later in the meeting.

## STAFF REPORTS

Randi Perry, Public Works Director

Director Perry highlighted some of the items listed in her staff report:

1. An engineering meeting has been scheduled for the waterline relocation and protection plan at Edgecliff Stormwater Outfall.
2. Three significant water leaks occurred as part of the scheduled water system flushing, all of which have been repaired. As a result, the numbers are a little high for this period on the Water Use Efficiency Report.
3. The three-year rolling average dropped from 21.9% to 16.5% in the distribution system leakage in the Water Use Efficiency Report.
4. A chlorination pump replacement for the wastewater treatment plant has been ordered.
5. The Consumer Confidence Report will be completed by July 1.
6. A stop sign was stolen on 1<sup>st</sup> and De Bruyn, a woman reported seeing some teens trying to take apart some playground equipment in Generation Park, and there have been reports of vandalism at Seawall Park. Perry urged citizens to report any such issues to the police immediately, "If you see something, say something."
7. An RFQ has been sent out to trim the bluff on Cascade. The work probably won't be done until later this fall.
8. The main breaker that separates PSE power from our system failed at the water pump house. The electrician who worked on it recommended a replacement.

Council Member Gill commented that it looks like a tall vehicle hit the stop sign in front of the library. Council Member Salerno noted that it is illegal for semi-trucks to drive on Cascade due to weight restrictions.

Council Member Fleming suggested that someone write an article in the paper about the increased amount of vandalism, asking people for help in reporting incidents.

Council Member Cyr asked if we contracted with a tree service. Director Perry answered that the City does not.

9. Edgecliff Outfall Project

As outlined in the memo on p. 221 of the agenda packet, Director Perry asked the Council to:

- a. Move forward with intent to enter into an agreement with Island County as the bidding agency;
- b. Move forward in drafting a complete scope and contract with Davido Engineering Group to complete the plan set as outlined for this location;
- c. Move to utilize budgeted LIP-13 (Edgecliff water line replacement) funds from 405.

**Motion to approve Director Perry's recommendations for the Edgecliff Outfall Project as stated above**

Motion: Council Member Craig Cyr

2<sup>nd</sup>: Council Member Harolynne Bobis

Discussion: In answer to a question from Council Member Fleming, Director Perry stated that this project is not related to replacing the water line beyond the city limits to accommodate a property owner.

Island County is able to do this so quickly because this is stormwater.

**Motion passed unanimously**

**PUBLIC HEARING**

**Public Hearing started at 6:08 pm.**

1. Public Hearing on Resolution No. 833 adopting the City of Langley Housing Action Plan - Meredith Penny, Community Planning (p. 41-53)

Public Comment: Jenny Grisewood requested a copy of the presentation given by Director Penny.

Council Comment: Council Member Rhonda Salerno emphasized that this is a prioritized list, not a binding plan. She also noted that the top three priorities require intensive staff resources. Director Penny responded that there is no requirement from the state, these are city goals. The Council will decide how these plans are implemented. Salerno also requested a more in-depth discussion on inclusionary zoning as there were some discrepancies in the report. Director Penny informed her that Commissioner Greg Easton and Commissioner Rose Hughes will be attending the next City Council meeting to begin the discussion about moving forward with inclusionary zoning. Council Member Salerno said that August may be a better time for this discussion, as we are waiting for State numbers that will impact the subject. Mayor Chaplin said that they would take that under consideration and suggested holding a special meeting on this topic.

Council Member Cyr wished to explicitly thank the Department of Commerce for funding this. He also thanked Director Penny and staff for their work.

Council Member Salerno wanted to amend the motion to prioritize the prevention of displacing affordable neighborhoods. Others noted that it is already in the top priority list, so that would not be necessary. The amendment was withdrawn.

2. Public Hearing on Ordinance No. 1111 adopting a new LMC Chapter 18.25A performance standards – supportive housing facilities, and amending LMC sections 18.01.040, 18.22.130, and 18.22.165 to establish new definitions, land use categories, and performance standards for community residential facilities, emergency housing, emergency shelters, permanent supportive housing, and transitional housing in accordance with state law; adopting findings; providing for severability; and establishing an effective date - Meredith Penny, Director of Community Planning (p. 54-72)

Public Comment: Jenny Wisegood asked if using school gymnasiums during extreme emergencies was included in this; Director Penny replied that they were considered emergency shelter, so they are included.

Council Comment: Council Member Gill pointed out that in the matrix included in the packet, emergency shelters would not be allowed in public zones where the school would be. There is a significant portion of property that could be used for this. Director Penny will make that change to the Ordinance.

**Public Hearing ended at 6:32 pm.**

### **ORDINANCES/RESOLUTIONS**

1. Resolution to consider for a combined first and second reading adopting the City of Langley Housing Action Plan - Meredith Penny, Director of Community Planning (p. 73-199)

#### **Motion to approve Resolution No. 833 adopting the City of Langley Housing Action Plan**

Motion: Council Member Rhonda Salerno

2<sup>nd</sup> Council Member Thomas Gill

#### **Motion passed unanimously**

2. Ordinance to consider for a combined first and second reading adopting a new LMC Chapter 18.25A performance standards – supportive housing facilities, and amending LMC sections 18.01.040, 18.22.130, and 18.22.165 to establish new definitions, land use categories, and performance standards for community residential facilities, emergency housing, emergency shelters, permanent supportive housing, and transitional housing in accordance with state law; adopting findings; providing for severability; and establishing an effective date - Meredith Penny, Director of Community Planning (p. 200-218)

**Motion to approve Ordinance No. 1111 adopting a new LMC Chapter 18.25A performance standards – supportive housing facilities, and amending LMC sections 18.01.040, 18.22.130, and 18.22.165 to establish new definitions, land use categories, and performance standards for community residential facilities, emergency housing, emergency shelters, permanent supportive housing, and transitional housing in accordance with state law; adopting findings; providing for severability; and establishing an effective date, as presented with corrections to be made by Director Penny as stated above.**

Motion: Council Member Rhonda Salerno

2<sup>nd</sup> Council Member Thomas Gill

Council Member Gill felt that it was necessary to make a subsidiary motion to bypass the five-day notification (the ordinances were posted ten days prior, but the agenda packet was not posted until Friday, June 16).

**Motion to amend to approve waiving the five-day notification**

Motion: Council Member Thomas Gill  
2<sup>nd</sup> Council Member Harolynne Bobis

Discussion: Council Member Salerno stated that it was an unnecessary amendment, as the ordinances were posted ten days prior to the meeting.

**Amendment passed – 4 in favor, 1 abstention  
Council Member Salerno abstained because she felt the amendment was unnecessary.**

**Original motion to approve the ordinance stated above was passed unanimously.**

3. Resolution to consider regarding fees for commercial solar array permitting – Meredith Penny, Director of Community Planning (p. 219-220)

Director Penny explained that this resolution lowers fees to be in line with county fees for solar panels that are 15 watts or higher. Since the City wants to encourage the use of solar arrays, and since this will not apply to many applications, it is recommended that this resolution be adopted.

**Motion to approve Resolution No.834 to adjust building permit fees to match those of Island County**

Motion: Council Member Harolynne Bobis  
2<sup>nd</sup> Council Member Gail Fleming

**Motion passed unanimously**

**NEW BUSINESS**

1. Edgecliff Outfall Project was discussed in Director Perry's staff report.
2. Mayor's recommendation for City Administrator (p. 222-227).

**Motion to accept Mayor Chaplin's recommendation to offer the position of City Administrator to Mark Renfrow**

Motion: Council Member Gail Fleming  
2<sup>nd</sup> Council Member Rhonda Fleming

Discussion: Council Member Fleming stated she is very happy with the selection.

Council Member Bobis asked if the City would be hiring other staff who are much needed. Mayor Chaplin replied that will happen once job descriptions are written and budget amendments are made.



Council Member Gill appreciated what has gone into hiring the Administrator, but that hiring a City Clerk is a greater priority as it is required by law, (along with the Mayor and Chief Law Enforcement Officer). He felt it was a dereliction of duty and could not in good conscience vote for this position until a City Clerk is hired. Mayor Chaplin assured him that he is working on this issue, but he feels confident that the duties of the Clerk can be covered until a permanent hire is made. Council Member Salerno stated that she had complete confidence in Mr. Renfrow's ability to ensure that the Clerk duties will be achieved and that having the administrator involved in the hiring process of the Clerk will be advantageous.

**Motion passed – 4 in favor, 2 opposed**  
**Council Members Harolynne Bobis and Thomas Gill were opposed.**

3. Approval of Commission Meeting Minutes posted since previous Council Meeting (moved from Consent Agenda)

**Motion to postpone approval of Commission Meeting Minutes to next meeting**

Motion: Council Member Thomas Gill  
2<sup>nd</sup> Council Member Gail Fleming

**Motion passed unanimously**

4. Approval of Liquor License for: a) Whidbey Children's Theatre (moved from Consent Agenda)

Council Member Gill spoke in favor of granting this license as this is for fundraising purposes and has been occurring since 2012. He added that the State has already approved the license, so there is no purpose in the Council opposing it. Council Member Fleming asked if this was for a one-off event or for several activities. Council Member Gill answered that there were nine events scheduled between July and August. Council Member Bobis added that these events occur between 5:00-7:00 pm, so there probably will not be too many children.

Jenny Grisewood changed her mind about opposing the liquor license once she understood that the license is for fundraising events, not for the children's events.

**Motion to approve liquor license for Whidbey Children's Theatre**

Motion: Council Member Harolynne Bobis  
2<sup>nd</sup> Council Member Rhonda Salerno

**Motion passed unanimously**

5. Appointment of Peter Morton to Civil Service Commission (moved from Consent Agenda)

Peter Morton briefly spoke to the Council stating that he is happy to serve, but if they find someone more suitable, he is happy to step aside. The Council thanked him for his offer to serve.

**Motion to accept Peter Morton's appointment to the Civil Service Commission**

Motion: Council Member Harolynne Bobis

2<sup>nd</sup> Council Member Gail Fleming

**Motion passed unanimously**

6. Appointment of Greg Easton to Planning Advisory Board (moved from Consent Agenda)

**Motion to accept Greg Easton's reappointment to the Planning Advisory Board**

Motion: Council Member Rhonda Salerno

2<sup>nd</sup> Council Member Craig Cyr

Discussion: Council Member Gill pointed out that although he feels that Greg Easton has done a great job as chair of the Planning Advisory Board, the fact that he is also Commissioner for the Port of South Whidbey could be viewed as a conflict of interest, so he would be more comfortable appointing him as an alternate. However, it is up to the members of the Commission to appoint a chair. Council Member Salerno said that she has spoken to Mr. Easton and he understands the perceived conflict, and in the future, he will not represent the Port of South Whidbey when reporting to the Council, so she supports his reappointment. Council Member Cyr also expressed his support for Mr. Easton. Mayor Chaplin told the Council that if a perceived conflict occurs, they can reconsider his appointment.

**Motion passed - 4 in favor, 1 abstention**

**Council Member Thomas Gill abstained because he didn't feel comfortable with the reappointment.**

## UNFINISHED BUSINESS

Update on fiscal implications of long-term records storage options - Scott Chaplin, Mayor

Although it is not necessary to receive Council approval to sign the \$200/month month-to-month lease with the United Methodist Church for storage space, Mayor Chaplin asked the Council to make a motion.

**Motion to approve the lease with the United Methodist Church at \$200 per month**

Motion: Council Member Rhonda Salerno

2<sup>nd</sup> Council Member Thomas Gill

Discussion: The storage will be in what used to be the middle school room, FKA "Youth Room."

**Motion passed unanimously**

## COUNCIL REPORTS

There were no Council reports.

## EXECUTIVE SESSION

The Council went into executive session at 7:20 pm for a discussion with legal counsel about current or potential litigation per RCW 42.30.110(1)(i). Council members Harolynne Bobis and Gail Fleming left at this time; a quorum was maintained. Executive session ended at 7:50 pm.

**Motion to add an agenda item related to the Hood litigation**

Motion: Council Member Craig Cyr  
2<sup>nd</sup> Council Member Rhonda Salerno

**Motion passed unanimously HOOD LITIGATION**

**Motion to authorize the Mayor and the City's legal counsel to convey an offer of judgment in the Hood litigation in the amount recommended in executive session**

Motion: Council Member Thomas Gill  
2<sup>nd</sup> Council Member Craig Cyr

**Motion passed unanimously**

**ADJOURN**

Meeting adjourned at 7:52 pm by Mayor Scott Chaplin

Council Meeting Minutes  
Monday, September 6, 2022

Meeting was called to order by Mayor Scott Chaplin at 5:30pm

**ROLL CALL**

In attendance: Council Member Harolynne Bobis, Council Member Rhonda Salerno, Council Member Thomas Gill, Council Member Craig Cyr, Meredith Penny Director of Community Tavier Wasser Chief of Police, and Darlene Baldwin Interim City Clerk

**SPECIAL INFORMATION ITEM**

1. Coles Valley Development Application Process Legalities- Meredith Penny, Director of Community Planning & Alexandra Kenyon, for Mike Kenyon City Attorney

Appearance of Fairness Doctrine has been triggered now that the PUD application has been filed- Alexandra Kenyon, stepping in for Mike Kenyon City Attorney

- a. Discussions must occur in properly noticed council meetings. All discussion will take place on record at a public hearing.
- b. Council Members cannot have communications with proponents or opponents of the project, this sort of discussion would become Ex Parte.
- c. If approached by a community member you can simply blame your inability to talk about the project on the fact that the city attorney has advised that you cannot talk to anyone regarding the pending land use application.

Land Acknowledgement

**Motion to Approve Excused Absence of Council Member Gail Fleming from attending Council Meeting**

Motion: Council Member Rhonda Salerno

2<sup>nd</sup>: Council Member Thomas Gill

**Motion passed unanimously.**

**APPROVAL OF CONSENT AGENDA**

**Motion to Approve Consent Agenda**

Motion: Council Member Thomas Gill

2<sup>nd</sup>: Council Member Rhonda Salerno

**Motion passed unanimously.**

**APPROVAL OF AGENDA**

**Motion to Approve Agenda**

Motion: Council Member Thomas Gill

2<sup>nd</sup>: Council Member Rhonda Salerno

Discussion:

Council Member Rhonda Salerno-Switch order under Presentations; CCAC 1<sup>st</sup> and Ethics 2<sup>nd</sup>

**Motion Passed unanimously with amendments**

## **APPROVAL OF MINUTES**

**Motion to Approve Minutes 05/16/2022**

Motion: Council Member Rhonda Salerno

2<sup>nd</sup>: Council Member Harolynne Bobis

**Motion passed unanimously.**

## **PUBLIC COMMENT**

Dominique Emerson- Would like an elevator addition to be considered as part of the Library design. If an elevator was added the citizens would have access to the second floor. Would also like to see better set up for bicycles.

Steph Christensen-Confused about what communication she can have regarding Coles Valley project. Question on critical slopes and planning for these areas

## **PRESENTATION/GUEST SPEAKER/COMMISSION REPORTS**

1. Climate Crisis Action Committee- Linda Irvine, Chair
  - a. Received \$170,000 solar grant for South Whidbey Elementary school installation slated for next summer
  - b. There will be a 1.1 million Kicking Gas Campaign to get 100 homes into electric heat pumps
  - c. Supported middle school ALE students to bring a zero-waste ordinance before council
  - d. Held a grey water webinar to explore reusing household water for irrigation
  - e. Hosted a fair booth four days at the Highland County Fair
2. Ethics Board Presentation-Lily Fox, Chair
  - a. No formal advisory request currently
  - b. Looking at setting up training for city employees, council, and commission members
  - c. Lily will be resigning in January, so more volunteers are needed

## **MAYOR'S REPORT**

1. Review of 2022 Budget Narrative and update on 2023 budget process
2. Chamber has invited council to attend 9/14/2022 meeting to discuss housing crisis
3. Lots of calls coming in regarding the library
  - a. Council Member Harolynne Bobis will become the Library Liaison
  - a. Whidbey Camano Tourism Committee- joint Tourism Committee update
  - b. Question from citizen as to whether or not this agency is in fact a government organization

## ORDINANCE/RESOLUTIONS

1. Ordinance repealing section 18.22.190 of the Langley Municipal Code, wireless communications facilities; adopting a new chapter 18.23 of the Langley Municipal Code related to wireless communications facilities; providing for the severability; and establishing an effective date- 2<sup>nd</sup> reading- Meredith Penny, Director of Community Planning

**Motion to Approve Ordinance repealing section 18.22.190 of the Langley Municipal Code, wireless communications facilities; adopting a new chapter 18.23 of the Langley Municipal Code related to wireless communications**

Motion: Council Member Rhonda Salerno

2<sup>nd</sup>: Council Member Harolynne Bobis

**Motion passed unanimously.**

Mark Wahl, presentation on wireless code

## NEW BUSINESS

1. Presentation to Council on Safe Streets and Roads for all, Action Plan funding partnership opportunity- Dominique Emerson, Chair PWAC

**Motion to direct the mayor to submit a letter of commitment to the Island Regional Transportation Planning Organization for Langley's participation in the Safe Streets Program**

Motion: Council Member Craig Cyr

2<sup>nd</sup> Council Member Rhonda Salerno

**Call for the Question:**

Call: Council Member Harolynne Bobis

2<sup>nd</sup>: Council Member Craig Cyr

**Motion passed unanimously**

2. Initial discussion on the process for reviewing the Port of South Whidbey zoning code amendment application to add housing as an allowed use in the Fairgrounds Overlay – Meredith Penny, Director of Community Planning and Stan Reeves, Executive Director of the Port of South Whidbey

**Motion to Approve letter to Liz Chaffin the ARPA Project Coordinator for Budget Island County**

Motion: Council Member Rhonda Salerno

2<sup>nd</sup> Council Member Thomas Gill

**Motion passed unanimously**

Small Works and Consultant Roster- Meredith Penny, Director of Community Planning  
Wait on this agenda item and discuss at upcoming Special Meeting

## UNFINISHED BUSINESS

1. Discussion and Approval of 2023 Council Work Plan- Council Member Rhonda Salerno  
Discussion:  
Change wording from “estimated completion date” to “estimated start date”  
Change wording from “lawyer” to “attorney”  
Add under administrative - emotional training with Parenthesis Group  
Change wording from “conduct” to “attend and complete the anti-racism” self study  
Change wording from “board” to “commission”  
Change wording from “tree ordinance” to “update tree laws including fee schedule”  
**Motion to Approve Version 5 of draft work plan and finalize with changes made by council**  
Motion: Council Member Rhonda Salerno  
2<sup>nd</sup> Council Member Thomas Gill  
**Motion passed unanimously with amendments**
  
2. Presentation to Council on Lexipol’s Description of Services and Customer Toolkit  
Policy Power Point- Tavier Wasser, Chief of Police

## COUNCIL REPORTS

1. Council Member Thomas Gill
  - a. Attended the Cemetery Commission meeting, they are looking at raising fees
2. Council Member Harolynne Bobis
  - a. Meetings are getting long again
3. Council Member Rhonda Salerno
  - a. The city received the Governor’s 2022 Award for Smart Growth
  - b. Today some fencing went up around property on Cascade, this is the property used for parking and is up for sale
4. Council Member Craig Cyr
  - a. Observed and shared appreciation of what was completed at tonight’s meeting
5. Council Member Gail Fleming - not present

**ADJOURNMENT- 8:06pm** Mayor Scott Chaplin

Council Meeting Minutes  
Monday, June 5, 2023

Meeting was called to order by Mayor Scott Chaplin at 5:30pm  
Land Acknowledgement

**ROLL CALL**

In attendance: Council Member Harolynne Bobis, Council Member Rhonda Salerno, Council Member Thomas Gill, Council Member Craig Cyr, Council Member Gail Fleming, Meredith Penny Community Planning Director, Randi Perry Director of Public Works, Wanda Grone Finance Director, Tavier Wasser, Chief of Police and Darlene Baldwin Interim City Clerk

**APPROVAL OF CONSENT AGENDA**

**Motion to Approve Consent Agenda**

Motion: Council Member Harolynne Bobis  
2<sup>nd</sup>: Council Member Craig Cyr

Discussion:

Council Member Gail Fleming - Add Discussion on item #6

**Motion Passed unanimously with amendment**

**APPROVAL OF AGENDA**

**Motion to Approve Agenda**

Motion: Council Member Thomas Gill  
2<sup>nd</sup>: Council Member Gail Fleming

Discussion:

Council Member Rhonda Salerno-move Discussion items to after Mayors Report

Council Member Craig Cyr-remove Executive Session from Agenda

**Motion Passed Unanimously with amendments**

**APPROVAL OF MINUTES**

**Motion to Approve Minutes 5/15/2023**

Motion: Council Member Gail Fleming  
2<sup>nd</sup>: Council Member Harolynne Bobis

**Motion Passed Unanimously with amendments**

**Motion to Approve Special Executive Minutes of 5/22/23**

Motion: Council Member Thomas Gill  
2<sup>nd</sup>: Council Member Rhonda Salerno

**Motion Passed Unanimously with amendments**

**PUBLIC COMMENT**

1. Skip DeMuth- concern with Occupancy Permit for the Tiny Homes project and would like to see the process move forward



## **PRESENTATIONS/GUEST SPEAKER/COMMISSION REPORTS**

1. Presentation to Council from Civil Service Commission – Savannah Erickson, Acting Chair  
Civil Service needs to fill two volunteer positions: one commission member and the Secretary & Chief Examiner which is mandated by law.
2. Presentation to Council from Parks & Open Space Commission – Emily Gunn, Chair  
Work on updating the Tree Ordinance continues. Continuing to work on Outer Loop trail connection.
3. Presentation to Council from Planning Advisory Commission- Greg Easton, Chair  
Looking for an alternate for the commission. Spent a good amount of time on the Housing Action Plan including community meetings. Also working on the Critical Area Ordinance. Been working on several additional ordinances to bring to council.

### **Motion to hear 3 to 4 minutes of details on memo presented by Greg Easton**

Motion: Council Member Craig Cyr

2<sup>nd</sup>: Council Member

**Motion failed no 2nd**

## **MAYORS REPORT**

1. Public Record Grant was submitted
2. Interviews for the City Administrator/Clerk position have been held
3. Been looking at gaps in local economy, 2<sup>nd</sup> homes not using as much water and not spending as much money in community at local businesses
4. Library Records plan will be discussed at the next meeting

## **DISCUSSION**

1. Update and Discussion regarding Seawall Park graffiti- Randi Perry, Director of Public Works
2. Discussion of Meeting Decorum and Administrative Interference- Scott Chaplin, Mayor  
We are here to deliberate, important to follow Robert Rules  
Important to address the subject not the person  
Administrative interference is not part of the process for appointments to commissions  
Talk to the staff via the mayor  
Agendas are drafted by the mayor, any changes to the agenda go through the mayor or are removed by motion at the beginning of the meeting  
Agendas are drafted by the mayor, any changes to the agenda go through the mayor or are removed by motion at the beginning of the meeting
3. Approval of Commission Volunteers: PAB Reappointment of Casey Gloster, PWAC Ben Courteau and Reappointment of Tom Fox

### **Motion to Approve Commission Volunteers**

Motion: Council Member Rhonda Salerno

2<sup>nd</sup>: Council Member Gail Fleming

**Motion Passed unanimously**

## **UNFINISHED BUSINESS**

1. Approval of Hearing Examiner Contract Agreement- Meredith Penny, Director of Community Planning

### **Motion to Approve Hearing Examiner Contract**

Motion: Council Member Harolynne Bobis

2<sup>nd</sup>: Council Member Gail Fleming

**Motion Passed unanimously**

## **COUNCIL REPORTS**

1. Council Member Harolynne Bobis
  - a. Concerned with staffing levels
2. Rhonda Salerno
  - a. Template for Commissions is close to being ready to send to task force
  - b. Met with Snohomish Tribal members about a recognition wall to display photos and other items on site
  - c. June 10<sup>th</sup>, Whidbey's Water Future Conference will be held at WICA
3. Council Member Thomas Gill
  - a. Attended Fair Association meeting. They will be going back to holding meetings with more formalities
4. Council Member Craig Cyr
  - a. Island Transit ran the new route on June 4<sup>th</sup>. There was a bus running up and down the island for the first time. Ridership is picking up. Electric Sedan Vanpools will be starting up as well
  - b. Attended two meet and greets with applicants
5. Council Member Gail Fleming
  - a. Appreciated the meet and greets with applicants

**ADJOURNMENT- 6:52 pm** Mayor Scott Chaplin

## Dismantling Systemic Racism (DSR) Commission Workplan Status Report

For July 3, 2023 City Council Meeting

### General Status - Membership

In March, Cristina Rose withdrew from the commission for health reasons. In the same month, Crystal Ogle joined the commission. Several DSR member terms will expire in October of this year and we expect to lose our youngest member who will be heading to college in the fall. Commission member recruiting is under way.

### Learning Priority

#### DSR Self-Learning Program

- In the Fall of 2022, the program was offered to the Mayor, City Council and Directors, four of whom participated
- To encourage broader participation (including city staff):
  - The materials have been updated for posting on the city website
  - The DSR is working to identify community members/organizations to partner with the DSR so that the program can be offered to the community.

Holidays of Note - The DSR recommendation made to council regarding the commemoration of holidays of note

#### Q3/4 Workplan Items

- Post the self-learning materials to the website
- Pursue the transition to a community-based approach and offer a program series to community members.

### Community Wellbeing

- The DSR met with Joann Quintana of Langley Creates regarding the Cascade Connector project. A member of the DSR may independently support that effort moving forward.
- The DSR Incident Report form was finalized.

#### Q3/4 Workplan Items

Recognizing that the DSR is primarily a policy advisory group to the city council, we are interested in engaging the community to take on some activities that have been generated or directed to the DSR but might be more appropriately pursued outside of the formal DSR, examples include:

- BIPOC community engagement
- Self-learning program
- Participation with the Langley Creative District/Langley Creates

### City Policies, Procedures and Planning

#### Police Policy Review

The Q2 workplan included review of police policies, but this work is being delayed so that Chief Wasser can address more pressing priorities. We will revisit police policy review in Q1 of 2024.

#### Commission Working Group

The DSR chair has been engaged with a commission working group. Supporting activities to date include a draft standard commission page template and a municipal code appropriate template for the creation of commissions.

#### Q3/4 Workplan Items

- 
- Review state legislative changes and advocate legislative position/s or actions for City Council as appropriate
- Update DSR webpage content/format (possibly pending Commission Ad Hoc working group recommendations)
- Participate in comp plan review and update

Report to City Council July 3, 2023

Progress regarding missions of the HPC since 2/6/2023:

**1. Register of Historic Places**

Nomination form for Anderson Farmhouse (141 Al Anderson Avenue) drafted and submitted to owners Dorothy Anderson and Tamara Knapp for review.



2015. West side Anderson farmhouse.



2017. Exterior restoration complete.



2017. Interior restoration of living/dining room.

## 2. Resource for History of Langley:

### 1. Building Biographies Website

Continuing to update photos and information as facades change and new businesses appear.

### 2. Working with the Langley Main Street Association to place QR codes detailing the history of businesses on/in selected businesses.



Sample

### 3. Will hang historic photographs in WICA in November.

**CONTRACT FOR SERVICES  
CITY OF LANGLEY AND COMPASS ROSE PLANNING SERVICES LTD**

THIS CONTRACT FOR SERVICES (“Agreement”) is entered into this \_\_\_\_ day of \_\_\_\_\_, 2023, by and between the City of Langley, a municipal corporation of the State of Washington (“City”), and Compass Rose Planning Services Ltd, a [private limited company] (“Contractor”), in consideration of the mutual benefits and conditions contained herein.

WHEREAS, the City has determined the need to have certain services performed for its citizens;  
and

WHEREAS, the City desires to have the Contractor perform such services pursuant to certain terms and conditions;

NOW, THEREFORE, the parties hereby agree as follows:

1. **Scope of Services.** Contractor shall perform those services described on **Exhibit A** attached hereto, which is incorporated by this reference as if fully set forth. In performing such services, Contractor shall at all times comply with all federal, state, and local statutes, rules, and ordinances applicable to the performance of such services and the handling of any funds used in connection therewith. To the extent that any term or provision of this Agreement conflicts with any term or provision of Exhibit A or any other exhibit hereto, the terms of this Agreement shall control.
2. **Compensation and Method of Payment.** Contractor will invoice the City monthly based upon the rate set forth in Exhibit A. Contractor shall be paid a total amount not to exceed nine thousand Dollars (\$9,450.00) without written modification of this Agreement signed by the City. The City shall pay Contractor for services rendered under this Agreement within ten (10) days after City Council voucher approval. Contractor agrees to complete and return the attached **Exhibit B** (Taxpayer Identification Number) to the City prior to or along with the first invoice.
3. **Duration of Agreement.** This Agreement shall be in full force and effect for a period commencing July 3, 2023 and ending December 31, 2023, unless earlier terminated in accordance with Section 9 herein or extended by written amendment in accordance with Section 12 herein.
4. **Independent Contractor.** The City and Contractor agree that Contractor is an independent contractor with respect to the services provided pursuant to this Agreement. Nothing in this Agreement shall be considered to create an employer-employee relationship between the parties hereto. Neither Contractor nor any of Contractor’s employees shall be entitled, by virtue of the services provided under this Agreement, to any benefits afforded to City employees. The City shall not be responsible for paying, withholding, or otherwise deducting any customary state or federal payroll deductions, including but not limited to FICA, FUTA,

state industrial insurance, state workers' compensation, or for otherwise assuming the duties of an employer with respect to Contractor or Contractor's employees.

5. **Indemnification.** Contractor shall indemnify, defend, and hold harmless the City, its officers, officials, employees and volunteers from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of Contractor in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the City, its officers, officials, employees, and volunteers, the Contractor's liability hereunder shall be only to the extent of the Contractor's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Contractor's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

6. **Insurance.** Contractor shall procure and maintain for the duration of this Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by Contractor, its agents, representatives, or employees. Contractor's maintenance of insurance as required by this Agreement shall not be construed to limit Contractor's liability to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

A. **Scope of Required Insurance.** Contractor shall maintain insurance of the types and coverage described below:

1. The requirement for **automobile liability insurance** has been waived for this particular contract, provided the contractor shall never use a vehicle in furtherance of their contractual services for the City.
2. **Commercial general liability insurance**, written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate, which shall be at least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors, stop gap liability, personal injury and advertising injury. The City shall be named as an additional insured under Contractor's Commercial General Liability insurance policy with respect to the work performed for the City, using an additional insured endorsement at least as broad as ISO CG 20 26.
3. **Workers' compensation coverage** as required by the Industrial Insurance laws of the State of Washington.

- B. Additional Insurance Provisions. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII. Contractor's automobile liability and commercial general liability insurance policies are to contain, or be endorsed to contain, that they shall be primary insurance as respects the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of Contractor's insurance and shall not contribute with it. Contractor shall provide the City with written notice of any policy cancellation within two (2) business days of Contractor's receipt of such notice.
- C. Certificates of Insurance. Within fifteen (15) days of the execution of this Agreement, Contractor shall deliver original certificates and a copy of amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance coverage required by this Section 6.
- D. Failure to Maintain Insurance. Contractor's failure to maintain insurance as required shall constitute a material breach of this Agreement, upon which the City may, after giving five (5) business days' notice to the Contractor to correct the breach, immediately terminate this Agreement or, at its sole discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due Contractor from the City.
- E. Full Availability of Contractor Limits. If Contractor maintains higher insurance limits than the minimums shown above, the City shall be insured for the full available limits of Commercial General and excess or umbrella liability maintained by Contractor, irrespective of whether such limits maintained by Contractor are greater than those required by this Agreement or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by Contractor.

**7. Taxes, Licenses and Permits.**

- A. Contractor shall procure and maintain a City business license in accordance with applicable City code prior to beginning work under this Agreement. Contractor assumes responsibility for and ensures that all contractors, subcontractors and suppliers shall also obtain a City business license.
- B. Contractor acknowledges that it is responsible for the payment of all charges and taxes applicable to the services performed under this Agreement, including taxes and fees assessed pursuant to applicable City code, and Contractor agrees to comply with all applicable laws regarding the reporting of income and maintenance of records, and with all other requirements and obligations imposed pursuant to applicable law. If the City does not receive, or is assessed, made liable, or responsible in any manner for such charges or taxes, Contractor shall reimburse and hold the City harmless from such costs, including attorneys' fees. Contractor shall also require all contractors, subcontractors and suppliers to pay all charges and taxes in accordance with this Section 7.



- C. In the event Contractor fails to pay any taxes, assessments, penalties, or fees imposed by the City or any other governmental body, then Contractor authorizes the City to deduct and withhold and/or pay over to the appropriate governmental body those unpaid amounts upon demand by the governmental body. This provision shall, at a minimum, apply to taxes and fees imposed by City ordinance. Any such payments shall be deducted from the Contractor's total compensation.
8. **Audits and Inspections.** The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review, or audit by law during the term of this Agreement. The City shall have the right to conduct an audit of Contractor's financial statement and condition and to a copy of the results of any such audit or other examination performed by or on behalf of Contractor.
9. **Termination.** This Agreement may be terminated by the City at any time upon seven (7) days' written notice; provided, that if Contractor's insurance coverage is canceled for any reason, the City shall have the right to terminate this Agreement as provided in Subsection 6(D) herein.
10. **Discrimination Prohibited.** Contractor shall comply with all Equal Employment Opportunity regulations and shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Contractor on the basis of race, color, religion, creed, sex, age, national origin, marital status or the presence of any sensory, mental or physical handicap.
11. **Assignment and Subcontract.** Contractor shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of the City.
12. **Entire Agreement; Modification.** This Agreement contains the entire agreement between the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind any of the parties hereto. Proposed changes which are mutually agreed upon shall be incorporated by written amendments or addenda signed by both parties.
13. **Notices.** Notices required hereunder shall be delivered via first class U.S. mail to the addresses below:

To the City of Langley:      City Clerk  
   City of Langley  
   P.O. Box 366  
   Langley, WA 98260

To Contractor: Director  
Compass Rose Planning Services Ltd  
1319 Smith Road, 495  
Crofton, BC V0R 1R0  
Canada

**14. Security.** Contractor will protect confidential information provided by the City pursuant to this Agreement by adhering to policies governing physical, electronic, and managerial safeguards against unauthorized access to an unauthorized disclosure of confidential information. Security standards shall meet or exceed Washington State Office of the Chief Information Officer Standard No. 141.10. Only authorized employees of the Contractor shall have access to the City's confidential information, and only for the purposes specified in this Agreement. Contractor shall, within 24 hours of discovery, report to the City any use, access to or disclosure of the City's confidential information not previously authorized by the City.

**15. Applicable Law; Venue; Attorneys' Fees.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be properly and exclusively in Island County, Washington. The prevailing party in any such action shall be entitled to its costs of suit, including attorneys' fees and expert witness fees.

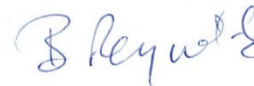
BY THEIR SIGNATURES BELOW, the authorized agents of the parties enter into this Agreement as of the day and year first written above.

**CITY OF LANGLEY**

**CONTRACTOR**

By: \_\_\_\_\_

By:



Scott Chaplin, Mayor

Brigid Reynolds, Director

**Attest/Authenticated:**

\_\_\_\_\_  
Darlene Baldwin, Interim Clerk

**EXHIBIT A:  
SCOPE OF SERVICES**

Contractor shall furnish and perform services including, but not limited to, the description of work and indicated below:

**Fairground Overlay and Related Code Amendments**

The following details the scope of work to prepare two ordinances and five related code amendments to permit multi-family housing use in the Fairgrounds Overlay (Ch. 18.10).

<b>Task</b>	<b>Estimated Number of Hours</b>
<b>Phase I – Initial Review</b>	
<ul style="list-style-type: none"> <li>• Review application and proposed additional code amendments</li> </ul>	<b>2</b>
<ul style="list-style-type: none"> <li>• Application to amend the following: <ul style="list-style-type: none"> <li>○ Fairgrounds Overlay (Ch. 18.10)</li> <li>○ P1 (Public Use) zone district (Ch. 18.19)</li> <li>○ Land Uses (Ch. 18.09)</li> <li>○ Definitions (Sec. 18.01.040) for secondary use</li> <li>○ Performance Standards – Multi-family (Ch. 18.25) related to open space</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• Determine completeness of application and prepare draft letter to applicant for signature by the Director of Planning.</li> </ul>	<b>2</b>
<ul style="list-style-type: none"> <li>• Prepare Notice of Development Application for publishing and distribution by the Director of Planning</li> </ul>	<b>2</b>
<ul style="list-style-type: none"> <li>• Identify additional information required. The initial review has identified the following information as outstanding <ul style="list-style-type: none"> <li>○ The list of names and addresses of owners and residents of properties within 500 feet of the subject properties and pre-stamped envelopes for the same.</li> </ul> </li> </ul>	<b>3</b>
<ul style="list-style-type: none"> <li>• Present application to the PAB and Council for confirmation to move forward with drafting code amendments</li> </ul>	<b>10</b>
<ul style="list-style-type: none"> <li>• Present proposed amendments to PAB and Council for initial input before noticing</li> </ul>	<b>10</b>
<ul style="list-style-type: none"> <li>• Prepare SEPA determination and notice of 14-day public comment period <ul style="list-style-type: none"> <li>○ Director of Planning to sign, publish and distribute the SEPA determination.</li> </ul> </li> </ul>	<b>5</b>

<ul style="list-style-type: none"> <li>• Prepare referral documents to be sent to applicable agencies to include but not limited to the following. Additional agencies to be determined by the Director of Planning and referrals to be sent by the Director of Planning. <ul style="list-style-type: none"> <li>○ Island County</li> <li>○ Island County Fair</li> <li>○ South Whidbey School District</li> <li>○ Langley Creates Steering Committee</li> <li>○ South Whidbey Community Center</li> <li>○ City of Langley internal referrals</li> <li>○ Director of Planning to send to Department of Commerce for 60 day or expedited review</li> <li>○ Director Planning to send for legal review</li> </ul> </li> </ul>	<b>2</b>
<b>Phase II – Prepare Draft Ordinance and Staff Report</b>	
<ul style="list-style-type: none"> <li>• Director of Planning will receive all public comments and forward them to the Consultant. The Consultant will maintain a public comment matrix.</li> </ul>	<b>8</b>
<ul style="list-style-type: none"> <li>• Prepare draft ordinance and staff report, incorporating public, agency, PAB, and Council comments</li> </ul>	<b>20</b>
<ul style="list-style-type: none"> <li>• Incorporate any changes into final draft ordinance and staff report</li> </ul>	<b>5</b>
<ul style="list-style-type: none"> <li>• Prepare PAB public hearing notice <ul style="list-style-type: none"> <li>○ Director of Planning to publish and mail public hearing notice</li> </ul> </li> </ul>	<b>2</b>
<b>Phase III - Adoption</b>	
<ul style="list-style-type: none"> <li>• Prepare Findings of Fact</li> </ul>	<b>6</b>
<ul style="list-style-type: none"> <li>• Present ordinance and code amendments to PAB at public hearing</li> </ul>	<b>5</b>
<ul style="list-style-type: none"> <li>• Present to Council for 1<sup>st</sup> and 2<sup>nd</sup> reading</li> </ul>	<b>8</b>
<ul style="list-style-type: none"> <li>• Director of Planning to submit approved ordinance and code amendments to the Department of Commerce</li> </ul>	
Contingency for Additional Inquiries	<b>5</b>
<b>Total</b>	<b>105</b>

### Compensation

The estimated number of hours to complete this scope of work is 105 hours at an hourly rate of \$90/hour for a total estimated project cost of \$9,450.

As detailed above, the scope of work includes seven meetings - three PAB meetings including the public hearing and four Council meetings. Meeting attendance will be remote.

Any additional meetings will be billed at an hourly rate of \$90/hour.

**EXHIBIT B:  
TAXPAYER IDENTIFICATION NUMBER**

CITY OF LANGLEY  
P.O. Box 366  
112 Second Street  
Langley, WA 98260  
Tel: (360) 221-4246

In order for you to receive reimbursement from the City of Langley, we must have either a Taxpayer Identification Number or a Social Security Number. The Internal Revenue Code requires a Form 1099 for payments to every person or organization other than a corporation for services performed in the course of trade or business. Further, the law requires us to withhold 20% on reportable amounts paid to unincorporated persons who have not supplied us with their correct Tax Identification Number or Social Security Number.

Please complete the following information request form and return it to the City of Langley before or along the submittal of the first billing voucher.

Please check the appropriate category:

Corporation                       Partnership                       Government Agency  
 Individual/Sole Proprietor                       Other (please explain)

EIN # 98-1651569

TIN#:    \_\_\_\_ - \_\_\_\_ - \_\_\_\_

SS#:    \_\_\_\_ - \_\_\_\_ - \_\_\_\_

Print Name: Brigid Reynolds,

Print Title: Director\_\_\_\_\_

Business Name: Compass Rose Planning Services Ltd.

Business Address: 1319 Smith Road, PO Box 495, Crofton, BC V0R 1R0

112 Second Street  
P.O. Box 366  
Langley, WA 98260  
(360) 221-4246  
Fax (360) 221-4265



Scott Chaplin, Mayor  
mayor@langleywa.org

From: Scott Chaplin, Mayor, City of Langley

Date: June 30, 2023

**Re: Outbreak of disease in local rabbit population**

As I am sure you are all aware, there has been a significant die-off of the local feral rabbit population that could effect pet rabbits and maybe even wild rabbits. In the 1.4 acre Highlands neighborhood alone 20 carcasses were reported over a period of 3 days, which would come to about 500 on a per acre basis city wide.

The City has received a flood of inquiries about this issue and there is a bit of a catch 22 situation. The State recommends double-bagging them and putting them in the trash, but Island Disposal cannot accept carcasses of any kind because they are considered a hazardous waste by the state and none of their collection containers are certified for hazardous wastes. If a container is found to have carcasses it will be left unemptied at the curb.

The Coupeville transfer stations has no restriction on disposing of small animal carcasses. I am inquiring with the Governor's office about a temporary lift of the restriction against animal carcasses in regular trash containers

A group of local citizens is very concerned about this issue and the general issue about human wildlife interactions. Please find attached their request to launch an ad hoc committee to develop some educational and policy guidance. I support the creation of such an ad hoc committee.

Also, please find attached some information that Langley Police Officer Nick Hathaway forwarded to me on this issue.

## Proposal from Highlands Neighborhood

### **Living Harmoniously with Wildlife in the City of Langley**

We ask the Council to authorize an ad hoc committee or similar mechanism to advise the City Council on policy matters related to living with wildlife in the City of Langley.

#### **Background**

The Highlands at Langley has adopted rules regarding the treatment of wildlife, including feral domestic rabbits, in our neighborhood. The gist is “no feed, no harm”: residents may not feed wildlife other than birds, and may not trap, poison, or otherwise harm wildlife except for rodents that infest homes. The Highlands also published guidance on deterring wildlife from damaging yards and gardens. We include below the wildlife rules adapted by the Highlands.

We believe that similar rules and guidance would be appropriate for other residential and commercial areas of the City, while recognizing that different rules should apply to agricultural and rural areas.

The Highlands rules are temporary pending adoption of a City policy on the matter or initiation of a process to establish such policy.

#### **Wildlife Rules Adopted by the Highlands**

- A. Wildlife is defined for this purpose as wild mammals and birds including but not limited to wild indigenous rabbits, feral domestic rabbits, deer, coyote, squirrels, skunks, raccoons and all birds.
- B. Residents shall not shoot, slingshot, poison or otherwise harm wildlife.
- C. Residents shall not feed wildlife, except birds.
- D. Bird feeders are permitted if they have features that mitigate attraction of rodents such as the use of trays or baffles.
- E. In the event an unresolvable conflict concerning wildlife arises between Highland community members, the Wildlife subcommittee should be contacted by the parties. Recommendations for resolution by the subcommittee shall be given to the board for final decision.
- F. Our local feral domestic rabbits may at times constitute a nuisance, their encroachment onto Highlands’s property may require intervention. Upon property owner approval, intervention may be done by professional rabbit rescue organizations and/or trained Highland wildlife subcommittee members. These trained subcommittee members shall educate and engage “best practice” preventative measures and/or relocate rabbits to adoption organizations for population control. See “Living with Wildlife; Rabbits” <https://wdfw.wa.gov/species-habitats/living/species-facts/rabbits#> for further discussion.
- G. Highland residents are not permitted to trap wildlife except mice, rats and voles.



United States Department of Agriculture

Animal and Plant  
Health Inspection  
Service

June 2020

# Factsheet

## Rabbit Hemorrhagic Disease

Rabbit hemorrhagic disease is a fatal disease in rabbits and is classified as a foreign animal disease in the United States. In February 2020, animal health officials detected rabbit hemorrhagic disease virus serotype 2 (RHDV2) for the third time in the United States, since 2018. Since that detection, RHDV2 has spread to multiple states across the Southwest. **RHDV2 does not impact human health.**

### Cases of RHDV2 in North America

RHDV2 is highly contagious and, unlike other rabbit hemorrhagic disease viruses, it affects both domestic and wild rabbits. Many times, the only signs of the disease are sudden death and blood stained noses caused by internal bleeding. Infected rabbits may also develop a fever, be hesitant to eat, or show respiratory or nervous signs.

In February 2020, RHDV2 was detected in a domestic rabbit in New York City. The virus was quickly identified, isolated and eradicated. There does not appear to be an epidemiological link, but the disease was later confirmed in a rabbit in New Mexico in March 2020. Since then, RHDV2 has continued to spread in New Mexico and across multiple states, including Arizona, California, Colorado, Nevada, and Texas.



*Photo Courtesy of Canva*

### How RHDV2 Spreads

The RHDV2 virus is very resistant to extreme temperatures. It can be spread through direct contact or exposure to an infected rabbit's excretions or blood. The virus can also survive and spread from carcasses, food, water, and any contaminated materials. People can spread the virus indirectly by carrying it on their clothing and shoes.

### Protect Your Rabbits with Biosecurity

A vaccine for RHDV2 is not currently licensed in the U.S. Instead, it is up to you as the owner to protect your rabbits by practicing good biosecurity. Biosecurity means taking simple steps every day to keep germs away from your animals. These actions will significantly reduce the chance of RHDV2 or other contagious diseases affecting your rabbits.

Follow these recommended biosecurity practices:

- Do not allow pet or wild rabbits to have contact with your rabbits or gain entry to the facility or home.
- Do not allow visitors in rabbitries or let them handle pet rabbits without protective clothing (including coveralls, shoe covers, hair covering, and gloves).
- Always wash hands with warm soapy water before entering your rabbit area, after removing protective clothing and before leaving the rabbit area.



- Do not introduce new rabbits from unknown or untrusted sources. Do not add rabbits to your rabbitry from animal shelters or other types of rescue operations.
- If you bring outside rabbits into your facility or home, keep them separated from your existing rabbits for at least 30 days. Use separate equipment for newly acquired or sick rabbits to avoid spreading disease.
- Sanitize all equipment and cages moved on or off premises before they are returned to the rabbitry. We recommend disinfecting with 10% bleach or 10% sodium hydroxide mixed with water.
- Establish a working relationship with a veterinarian to review biosecurity practices for identification and closure of possible gaps.

If you are a breeder or grower who purchases live rabbits, even if you have existing biosecurity measures in place, you should review your practices and take steps to address potential gaps.

### **Other Steps to Prevent Disease Spread**

The goal is to prevent this disease from impacting domestic and wild rabbit populations.

To minimize the risk, here are some actions you can take to help:

- If you live near or visit an area where this disease was confirmed, do not touch any dead wild rabbits you may see. You may contact your local veterinarian, state and federal animal health officials to learn if RHDV2 has been detected in your area.
- If you see multiple dead wild rabbits, report it to state wildlife officials.
- If you own domestic rabbits, do not release them into the wild. If your rabbits appear ill or die suddenly, contact your veterinarian.
- If you volunteer at animal shelters or wildlife rescue facilities, be aware that this disease has been found in wild rabbits. If rabbits appear ill or die suddenly, contact the facility's veterinarian.
- Anyone working with rabbits should always practice good biosecurity. This includes basic steps like washing your hands before and after working with rabbits and not sharing equipment with other owners.
- The virus is hardy and you need to be careful about how you dispose of a rabbit that has died. A carcass could be a means of spread of the virus. Contact your veterinarian or state or federal animal health officials for guidance.

### **Report Suspicious Cases**

Rabbit owners who have questions about this disease should contact their veterinarians.

When found, this disease must be reported to the World Organization for Animal Health.

Veterinarians should immediately contact the USDA APHIS Area Veterinarian in Charge of your state and/or the state veterinarian if a case is suspected.

### **For more information, contact the emerging issues team at:**

U.S. Department of Agriculture

Animal and Plant Health Inspection Service

Veterinary Services

2150 Centre Avenue, Building B Fort Collins, CO 80526-8117

[vs.ceah@usda.gov](mailto:vs.ceah@usda.gov) or (970) 494-7200

You can also visit the Center for Epidemiology and Animal Health website to learn more.



## RHDV2 Response Plan Guidance

Developed by the NASAHO RHDV2 Subcommittee 6/26/20

### **Euthanasia and Fallow Period**

#### **1. Indoor Facility Euthanasia**

*Responsibility of State vs Owner TBD by State*

- a. Premises Quarantine Issued
- b. Euthanize all domestic rabbits on site ([AVMA guidance](#))
- c. Disposal (see guidance)
- d. [C&D](#) (see guidance)
- e. Fallow Period with minimum of 30 days\* after C&D prior to restocking
- f. Biosecurity (see guidance)
- g. Consider vaccination of incoming rabbits (see guidance)

#### **2. Outdoor Facility Euthanasia**

*Responsibility of State vs Owner TBD by State*

- a. Premises Quarantine Issued
- b. Euthanize all domestic rabbits on site ([AVMA guidance](#))
- c. Disposal (see guidance)
- d. [C&D](#) (see guidance)
- e. Fallow Period with a minimum 60 days\* after C&D prior to restocking
- f. Biosecurity (see guidance)
- g. Consider vaccination of incoming rabbits (see guidance)

### **No Euthanasia and Quarantine**

#### **3. Indoor Facility Quarantine with No Euthanasia**

*State or accredited veterinarian oversight*

- a. Premises Quarantine Issued for 90 days\* after last mortality
- b. Disposal of dead rabbits (see guidance)
- c. [C&D](#) (see guidance)
- d. Biosecurity (see guidance)
- e. Consider vaccination of surviving and incoming rabbits (see guidance)

#### **4. Outdoor Facility Quarantine with No Euthanasia**

*State or accredited veterinarian oversight*

- a. Premises Quarantine Issued for 120 days\* after last mortality
- b. Disposal of dead rabbits (see guidance)
- c. [C&D](#) (see guidance)

- d. Biosecurity (see guidance)
- e. Consider vaccination of surviving and incoming rabbits (see guidance)

***\*Recommended time periods may be extended based on biosecurity plan and identified gaps. Fallow period begins after proper disposal and C&D completed. Quarantine period starts after last reported mortality\****

***\*USDA FADPreP document out of date.***

**Guidance Documents (included in the RHDV folder):**

1. Humane Euthanasia and Humane Depopulation ([AVMA guidance](#))
2. Disposal Guidance
  - a. Double bagging and deep burial, incineration, double bag and landfill
  - b. How to, how deep, best practices
3. [Cleaning & Disinfection Guidance](#)
  - a. Hyperlink to USDA C and D guidance
  - b. Might need to review and add specific guidance for indoor (define) vs outdoor systems
4. Biosecurity Guidance
  - a. General Biosecurity
  - b. Guidance specific for Shows and Fairs
5. Quarantine/ Control Area Guidance (see FAQ)
  - a. State Specific
6. Vaccination guidance
  - a. Guidance based approval process to access unapproved vaccine
  - b. Additional information in the FAQ regarding a domestic product.
7. Hunter/ Wild Rabbit Guidance (DFW guidance)
  - a. To be developed

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Scott Chaplin, Mayor  
mayor@langleywa.org

From: Scott Chaplin, Mayor, City of Langley

Date: June 30, 2023

**Re: Ethics Commission**

With regards to a request from David Price a few months ago for an opinion from the Langley Ethics Training and Advisory Commission regarding Ms. Morascini, in drafting its opinion, the Ethics Commission acted beyond its purview and should not have issued an opinion on Ms. Morascini's participation with the Whidbey Camano Tourism Committee because she was not subject to or bound to the City's ethics policies under Chapter 1.25 LMC. Rather, at the time, she was participating with the Tourism Committee in her role as Chamber Director, not as a city official or representative. The city, as with most cities, has had an ongoing relationship with our local chamber for decades; and we have similar relationships with other organizations such as the Main Street Association, Langley Creates, and other non-profits.

In retrospect, it was very confusing to everyone regarding what type of entity the Tourism Committee was, and opinions varied widely. I do not blame the members of the Ethics Commission. While they were well intentioned and of impeccable integrity, the procedures they were operating under were systemically unfair and problematic and did not follow the intent and spirit of the city's code for the Commission to be an educational and informational advisory body, not a punitive body.

My own review of the situation has led me to the conclusion that the Ethics Commission's findings were completely off base and not factually accurate. My experience working with Ms. Morascini over the past couple of years is that, while we don't always agree, she is a tireless, highly competent professional and the notion that she had hoped to make some small financial gain in an unethical manner is completely ludicrous.

My response to Mr. Price was in no way a threat and my discussing the situation with our legal team predated his sending the Ethics Commission's draft opinion to the City Council a few days ago. I am putting the matter of re-establishing an Ethics Commission on the Council agenda for this meeting and the city attorney will be present to better explain the reasons behind my sending the draft opinion back to the Ethics Commission.

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Scott Chaplin, Mayor  
mayor@langleywa.org

From: Scott Chaplin, Mayor, City of Langley

Date: June 30, 2023

**Re: Flag Protocol and the Pledge of Allegiance (2 pages plus attachments)**

**Flag Flying Protocol:**

I would like the Council to consider adopting a municipal protocol for how flags are displayed similar to policies set by many other communities across the United States. To date, the City of Langley has only loosely followed national and State protocol guidelines, and has not been flying of the POW/MIA Flag as mandated by the Washington State RCW.

Municipal flag protocol varies greatly across the US. Some communities simply rely on proclamations from the US President or Governors of their states. As with many civil rights and environmental issues, the Federal Government, and in many cases, state governments, set minimum standards and local governments are free to adopt further standards. The United States is not a top-down system of government and many of the most important changes in the progress of the country have come from individual local government agencies setting precedents and other communities adopting them. I have attached for the benefit of this discussion sample policies from the City of Eden Prairie and the City of Lacy, WA. Lacy's protocol includes provisions for the flying of Pride, Juneteenth and the flags of local tribes (contingent on Tribal Council approval).

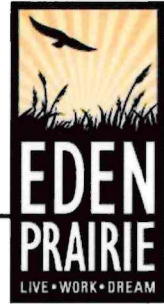
In my opinion, Langley should purchase and fly the POW/MIA flag as mandated by the RCW; purchase Pride and Juneteenth flags, and adopt a protocol that specifies situations for the lowering of the flag to half-mast if a local police officer/sheriff's deputy/emergency service provider dies, there is a mass shooting in the state, if a current member of staff or city volunteer dies; and perhaps other situations. There are other aspects of flag flying protocol that should be addressed, but rather than trying to come up with a draft of my own, I would like as much council, staff and community input as possible.

### **Pledge of Allegiance (POA):**

I do not support the recitation of Francis Bellamy's Pledge of Allegiance. The pledge has a very problematic birth and history (see attached article below from the *Smithsonian Magazine*). The pledge began as a racist attempt to divide people. In the words of the **extreme racist and xenophobe Bellamy**, traditional (American) values were being undermined by "**every alien immigrant of inferior race**," and that pledging allegiance would ensure "that the distinctive principles of true Americanism will not perish as long as free, public education endures." During the very divisive McCarthy witch hunt era of the 1950s, the words "under God" were inserted to create a litmus test between loyal Americans and "Godless communists." But the Flag of the United States represents all US Citizens, and thus requiring any religious terms and references to "God" goes against the principles of the separation of church and state, and freedom of religion. A pledge should be something that all those who support the American Flag can get behind. As written, the POA excludes those, such as Hindus and others who believe in multiple gods as well as those, such as Buddhists and atheists who do not believe in the concept of god at all.

I fully support the right for any who chooses to do so, to stand out in front of the flag at City Hall and recite any pledge or recitation they chose either before a meeting or at any time, that is what Freedom is truly about. As linguist George Lakoff pointing out in his book "Whose "Freedom"" definitions of words such as freedom vary greatly depending on political ideology, so we must stick to broad interpretations of those words when dealing with public policy issues. I am hoping that this community can agree that forcing people to recite or endure a recitation they don't support goes against the principles of Freedom and Democracy.

## Flag Protocol Policy



### *Purpose*

It shall be the policy of the City of Eden Prairie to raise, lower and display U.S. flags on city property in accordance with proper flag etiquette.

### *Policy*

- A. Flying the Flag at Half-Staff
  1. On Memorial Day, all city flags shall be lowered to half-staff prior to sunrise. The City Hall flag shall be formally lowered to half-staff at sunrise. All flags shall be raised to full staff at noon.
  2. The City shall adhere to all Presidential and Minnesota Gubernatorial Proclamations including:
    - a. Lowering flags to half-staff on the day of interment when a public safety officer is killed in the line of duty in Minnesota.
    - b. Lowering flags to half-staff on the day of interment when a Minnesota military service person is killed in action.
  3. Flags shall be lowered to half-staff from the time of notification of death until sunset on the day of interment for the following occasions:
    - a. A City of Eden Prairie Public Safety Officer killed in the line of duty.
    - b. A military service person with an Eden Prairie residence killed in action.
  4. Flags shall be lowered to half-staff as dictated by Mayoral proclamation for other important occasions such as the death of a sitting city official.
- B. Procedure
  1. The Governor's Office shall notify Eden Prairie Telecommunications of any proclamation from the Governor regarding the lowering of flags to half-staff.
  2. Eden Prairie Telecommunications shall page the Eden Prairie Police Reserve Color Detail.
  3. The Color Detail shall verify that the request to lower the flag falls under the requirements of city protocol for municipal flag lowering.
  4. Once verified, the Color Detail shall respond to all city flag locations to lower each flag to half-staff in a timely manner.
  5. Eden Prairie Police Reserves shall be in full dress uniform when raising and lowering the flag.
  6. A member of the Color Detail shall notify the Office of the City Manager upon completion of the flag lowering.

11/01/2005

RESOLUTION 1120

CITY OF LACEY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LACEY RELATING TO THE CITY COUNCIL'S FLAG POLICY.

**WHEREAS**, on June 9, 2011, the Lacey City Council adopted the Council Policies and Procedures manual to standardize the process for implementing current and new Council practices, procedures, and policies; and

**WHEREAS**, on July 25, 2022, the Commission on Equity recommended updates to Section 5.12, Flag Policy, to the Lacey City Council to increase community inclusivity and create a more welcoming community.

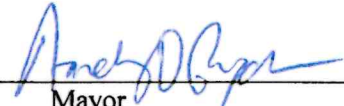
**WHEREAS**, the City Council has reviewed the recommended updates to the Flag Policy and finds the proposed changes to improve community inclusivity and create a more welcoming community will be in the public interest.

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Chapter 5.12 of the Council Policies and Procedures Manual, Flag Policy, shall be amended as set forth in **Exhibit A**.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON,  
this 15<sup>th</sup> day of September, 2022.

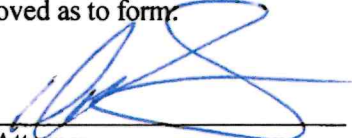
CITY COUNCIL

By   
Mayor

Attest:

  
City Clerk

Approved as to form.

  
City Attorney

Resolution No. 1120



## **5.12 Flag Policy**

The purpose of the policy is to establish guidelines in order to ensure that the flags are used only for government speech and that they reflect the views, values, and goals of the city. The City's flagpoles are not intended to serve as a forum for free expression by the public. The City will not display a ceremonial flag based on a request from a third party, nor will the City use its flagpoles to sponsor the expression of a third party.

Flags shall be displayed in conformance with Federal and State laws and policies, as stated in the Federal "The Flag" publication of the Congress, Title 4, Chapter, 1 of the United States Code, and the State of Washington Revised Code of Washington 35A.21.180 and RCW 1.20.017.

Based on guidance from the Washington Secretary of State, the Washington State flag should be displayed in the highest position of honor after the U.S. flag and the flags of any other nations. The Washington State flag should be displayed in a higher position of honor than the flags of other states, counties, cities, or any other entity. When the U.S., Washington State, and POW-MIA flags are flown on a single pole, the U.S. flag should be on top, followed by POW-MIA flag and then the Washington State flag. If there are two poles, the POW/MIA flag should be flown under the U.S. flag while the Washington State flag is on the other pole.

Any flag flown by the City must be purchased and owned by the City.

### **Alternatives to Displaying the City Flag:**

This policy shall apply to all City-owned locations at which the City flag is displayed, unless otherwise noted.

Location	# of Flag Poles	Flags Presented
City Hall	3	US Flag POW Flag Washington State City of Lacey
Public Works Shop (commonly referred to as “the Shop”)	1	US Flag City of Lacey
RAC	1	US Flag City of Lacey
Lacey Civic Plaza	3	US Flag POW Flag Washington State City of Lacey
Woodland Community Center	1	US Flag City of Lacey
Hawks Prairie (near Home Depot)	2	US Flag Washington State (Poles are not tall enough to fly two flags)

The City’s flagpoles are to be used exclusively by the City, where the Lacey City Council may display a commemorative flag as a form of government expression. The Lacey Council may choose to fly a different flag in place of the City flag. Any decision to fly a different flag must be made independently by the Council. The Lacey City Council may request the Commission on Equity to review and provide recommendations on flag displays. The approval to fly a flag in place of the City flag must be made by a majority of the Council at a regular Council meeting. The Lacey City Council approval will include a description of the flag to be displayed and the dates for display of the particular flag, including if the flag will be displayed on an annual basis. Flags authorized by the Lacey City Council to be displayed on an annual basis should be incorporated into this policy.

Council Approved Flags

- **Sister City Flag:** The flag of Lacey’s sister city may be flown during the visit of a sister city delegation to City Hall.
- **The Progress Pride Flag:** The Progress Pride Flag will be flown annually from June 1 to June 30, with the exception of when the Juneteenth Flag is flown (see below).

- **The Juneteenth Flag:** The Juneteenth Flag will be flown annually from June 19 to the third weekend of June or the third weekend of June to June 19 depending on which comes first, at City Hall and the Regional Athletic Complex.
- **The Nisqually Indian Tribe Flag:** The Nisqually Indian Tribe Flag will be flown annually from November 1 to November 15 provided the City annually receives consent from the Nisqually Indian Tribe.
- **Squaxin Island Tribe Flag:** The Squaxin Island Tribe Flag will be flown annually from November 16 to November 30 provided the City annually receives consent from the Squaxin Island Tribe.

<https://www.smithsonianmag.com/history/pledge-allegiance-pr-gimmick-patriotic-vow-180956332/>How the Pledge of Allegiance Went From PR Gimmick to Patriotic Vow

## Francis Bellamy had no idea how famous, and controversial, his quick ditty would become



Chicago schoolkids pledge allegiance in 1963. Bettmann / Corbis

**Amy Crawford**

Contributing Writer

September 2015

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On the morning of October 21, 1892, children at schools across the country rose to their feet, faced a newly installed American flag and, for the first time, recited 23 words written by a man that few people today can name. “I pledge allegiance to my Flag and to the Republic for which it stands—one nation indivisible—with liberty and justice for all.”

Francis Bellamy reportedly wrote the Pledge of Allegiance in two hours, but it was the culmination of nearly two years of work at the *Youth's Companion*, the country's largest circulation magazine. In a marketing gimmick, the *Companion* offered U.S. flags to readers who sold subscriptions, and now, with the looming 400th anniversary of Christopher Columbus' arrival in the New World, the magazine planned to raise the Stars and Stripes "over every Public School from the Atlantic to the Pacific" and salute it with an oath.

Bellamy, a former Baptist preacher, had irritated his Boston Brahmin flock with his socialist ideas. But as a writer and publicist at the *Companion*, he let 'em rip. In a series of speeches and editorials that were equal parts marketing, political theory and racism, he argued that Gilded Age capitalism, along with "every alien immigrant of inferior race," eroded traditional values, and that pledging allegiance would ensure "that the distinctive principles of true Americanism will not perish as long as free, public education endures."

The pledge itself would prove malleable, and by World War II many public schools required a morning recitation. In 1954, as the cold war intensified, Congress added the words "under God" to distinguish the United States from "godless Communism." One atheist, believing his kindergarten-aged daughter was coerced into proclaiming an expression of faith, protested all the way to the Supreme Court, which in 2004 determined that the plaintiff, who was not married to the child's mother, didn't have standing to bring the suit, leaving the phrase open to review. Still, three of the justices argued that "under God" did not violate the constitutional separation of church and state; Sandra Day O'Connor said it was merely "ceremonial deism."

Today, 46 states require public schools to make time for the pledge—just Vermont, Iowa, Wyoming and Hawaii do not. It's a daily order of business for the U.S. Senate and House of Representatives. And hundreds of thousands of newly minted citizens pledge allegiance each year during the U.S. naturalization ceremony. The snappy oath first printed in a 5-cent children's magazine is better known than any venerable text committed to parchment in Philadelphia.

Yet the pledge continues to have its critics, with some pointing out the irony of requiring citizens to swear fealty to a nation that prizes freedom of

thought and speech. The historian Richard J. Ellis, author of the 2005 book *To the Flag: The Unlikely History of the Pledge of Allegiance*, acknowledges that the oath is “paradoxical and puzzling,” but he also admires the aspirational quality of its spare poetry. “The appeal of Bellamy’s pledge is the statement of universal principles,” he says, “which transcends the particular biases or agendas of the people who created it.”

Bellamy did some transcending of his own. The onetime committed socialist went on to enjoy a lucrative career as a New York City advertising man, penning odes to Westinghouse and Allied Chemical and a book called *Effective Magazine Advertising*. But his favorite bit of copy remained the pledge—“this little formula,” he wrote in 1923, with an ad man’s faith in sloganeering, which “has been pounding away on the impressionable minds of children for a generation.”