



**CITY OF LANGLEY**

**DRAFT- SPECIAL COUNCIL MEETING AGENDA**

**Monday, November 25, 2024, 3:30 pm**  
**City Hall, 112 Second Street, Langley, WA 98260**

**And via Zoom:**

<https://us02web.zoom.us/j/85016739615?pwd=hmD9ouWjXMUdgXZ1j92U5TNdXAENA4.1>

Webinar ID: 850 1673 9615

Passcode: 378405

**Note: A potential quorum of all commissions may be in attendance at this meeting.**

**1. CALL TO ORDER**

- a. Opening Words/Minute of Silence
- b. Roll Call

**2. PUBLIC COMMENT \* (10 minutes)**

**3. DISCUSSION (60 minutes)**

- a. Commissions
  - i. Proposal to Reconcile Commissions, Councilmember Carlson, p. 3
  - ii. Commission Responses
    - Cemetery Commission, p. 8
    - Climate Crisis Action Commission, p. 9
    - Dismantling Systemic Racism Commission, p. 10
    - Historic Preservation Commission, p. 11
    - Planning Advisory Board, p. 12
    - Parks and Open Space Commission, p. 13
- b. Draft Ethics Ordinance, Councilmember Salerno, p. 18

**4. COUNCIL REPORTS (15 minutes)**

- a. Councilmember Chris Carlson, p. 30
- b. Councilmember Gail Fleming, p. 32
- c. Councilmember Rhonda Salerno, p. 33

**5. ADJOURN**

**\*Public Comment:** We welcome requests to comment on subjects that are not on the agenda or requests to comment on a particular agenda item at the time the item is being discussed. The purpose of a public comment is to allow the public to inform the Council of your views. We appreciate and welcome your comments, but please note that we will not be entering into dialogue at this time. Please limit your comments to no more than three minutes and address subjects, not individuals, in an orderly and courteous manner. Please state your name, where you reside, and the subject of your comment. **Thank you for participating! If reasonable accommodation for a disability is needed, please contact us at (360) 221-4246 at least 48 hours prior to this meeting.**



**To:** Langley City Council Members  
**From:** Chris Carlson, Council Member Position #3  
**Date:** 11/25/2024  
**Topic:** Proposal to Reconcile Commissions  
**Number of pages:** 5

**Introduction/Summary:**

The purpose of this memo is to put forward a proposal for updating the city's council advisory commissions that reconciles them with:

- the intent of council advisory commissions in the Langley Municipal Code
- the council's needs for civic engagement and subject-matter expertise
- the city's operational capacity to provide the appropriate level of direction, oversight and support of commission activities
- the legal risk profile of having a high ratio of volunteer "officials" who are subject to OPMA and PRA, in relation to staff and technology to support compliance

The council and mayor have committed to a laser-focus in 2025 on core city services and getting the city back on a solid financial footing. The priorities identified at our 10/28/24 workshop were:

- Comprehensive Plan (including related planning and public engagement)
  - Agroforestry planning and education
  - Economic development
  - Solar plus storage implementation
  - Transportation projects for potential Transportation Benefit District
  - Add policy support for development impact fees
  - Sewer system evaluation, modeling and plant capacity analysis
  - Sewer rate and participation fee study
- Langley Infrastructure Project (LIP)
- Public Safety
  - Emergency management planning/preparation for core city services
  - Special event permitting and support
- Day to day core service delivery
  - Continued focus on housing

- Rationalizing commissions
- Code cleanup analysis
- Service inventory development (explicit list of services)
- RFQ selection for on-call/consulting support
- Review and update of city procurement policies

Based on these 2025 priorities for council and staff, I believe it's important that we focus our limited time and resources on council commissions that directly support these priorities. While all our council commissions do great work for the city, we must not lose the forest for the trees. Making changes to our commissions does not invalidate their good work. Changes are necessary however to ensure we're responsibly managing the city's time, resources, and risks.

Since our last discussion on this topic at the 9/23/24 council meeting, the city also received a management letter from the State Auditor's Office identifying the below instances of council commission non-compliance with the OPMA in 2021 & 2022. In the audit exit conference, the SAO representatives conveyed that Langley's number of OPMA-covered commissions was exceedingly rare, especially for such a small municipality.

- Documentation issues in 103 instances, including incomplete attendee names, time and date errors, and incomplete documentation of actions taken
- Thirty-five instances in which the City did not approve meeting minutes or make them publicly available
- Eleven instances in which the City made meeting minutes available to the public between 90 and 323 days after the meeting
- Three instances in which the City did not advertise a special meeting when a quorum of Council members attended a Public Works Advisory Commission meeting

A revised council commission structure in 2025 can still ensure that subject-matter expertise and diverse perspectives continue to be represented in our work toward 2025 priorities. Community dialogue, volunteerism and activism can still flourish without processes that carry the burden of formality associated with official council commissions. As the city's capacity and priorities change in the future, council can and should revisit and adjust commissions when it's determined to be appropriate and in alignment with current priorities.

### **Council Action Request:**

1. Retain council advisory commissions in 2025 that are required by state statute or correspond to and directly support 2025 council priorities:
  - Civil Service (required)
  - Planning Advisory (required)
  - Historic Preservation (required)
  - Finance & Personnel Legislative (fiscal stability priorities)

- Public Works Advisory (LIP & comprehensive plan priorities)
2. Consider transitioning commissions with less alignment to the 2025 priorities to city-endorsed interest groups.
    - a. Publish a calendar on the city website of interest group meetings/events.
    - b. Encourage people to sign up for a new volunteer roster that is drawn from when ad hoc advisory committees are needed.
    - c. Designate seats for interest group representation on the appropriate active city commissions.

*Commissions to consider for transitioning to interest groups for 2025:*

- Parks & Open Spaces
  - Climate Crisis Action
  - Dismantling Systemic Racism
3. Replace the following commissions with administrative processes:
    - Ethics
    - Lodging Tax Advisory
  4. Transition the Design Review Board and Cemetery Commission to ad hoc mayoral committees and consider longer-term changes to the LMCs related to design review.
  5. Remove the applicability of OPMA from all city commissions and replace it with reasonable city guidelines that the city has the capacity to support and ensures continued public transparency.
  6. Develop administrative processes for the regular collection of public records from commissioners and a process for offboarding commissioners when they cease volunteering for the city to collect all potential public records in their possession.
  7. When the city eventually transitions to Office 365, consider the cost and logistics of providing all commissioners with email and limited network access for any correspondence or records created during their service to the city.

**Statement as to action's importance:**

If the city does not right-size its commissions to align them with the city's present capacity, we are:

- Over-extending limited council, mayor and staff time that could be spent focusing on 2025 priorities -- improving the city's financial position and ensuring our ability to deliver core public services.
- Doing a disservice to our volunteers by not supporting and engaging them in ways that respects their time.

- Creating a significant legal and financial risk for the city by not sufficiently managing commission-generated public records and meeting compliance with the OPMA.
- Ignoring an area of non-compliance identified by the State Auditor’s Office in their September 2024 management letter.

By enacting this proposal, the council will also realize new positive benefits:

- Ensuring diverse subject-matter expertise and perspectives are represented on the commissions that are contributing to the city’s 2025 priorities.
- Civically engaged community members can be directed toward alternate pathways to city involvement that don’t require PRA and OPMA constraints and overhead. The city-endorsed special interest groups will enable us to create a “bigger tent” that anyone can participate in with a low barrier to entry. The city will also have the opportunity to develop a larger roster of volunteers who can be called upon when city needs are identified.

### **Timeline for Action:**

#### **By 12/31/24:**

- Decisions are made regarding Actions #1 and #2, with initial communications sent to all commissioners.
- Commissions that are transitioning to special interest groups in 2025 will cease meeting after their December 2024 regular meetings with a report to council on the status of any work in flight for council and staff review.

#### **In the first quarter of 2025:**

- A review of the city’s ordinances will be conducted in consultation with the City Attorney to determine whether any ordinances or resolutions are necessary to formalize these changes in the Langley Municipal Code.
- Action #2 follow-up steps are implemented to support city-endorsed interest groups:
  - Interest group calendar published on city website
  - Volunteer rosters established
  - New seats are opened on 2025 commissions for interest group representation
- Actions #3-6 are implemented.

### **Financial and Staff Time Implications:**

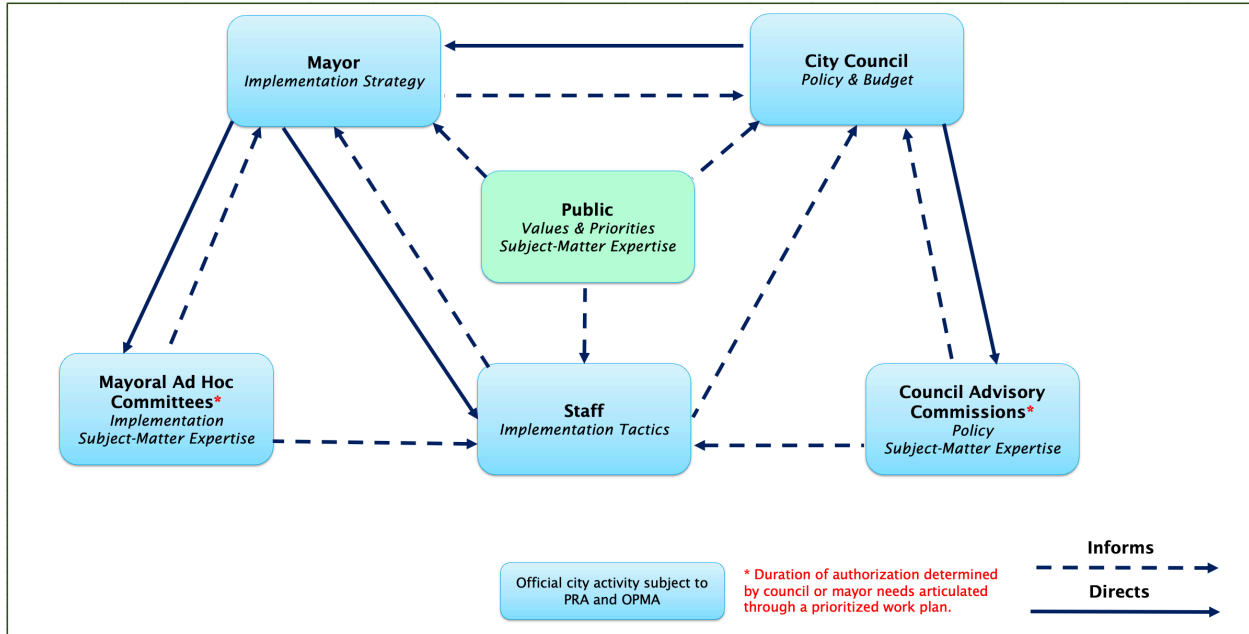
Streamlining commissions and removing the applicability of OPMA for commissions represents a significant reduction in staff time, enabling the city to allocate those resources to other core public services.

### **Options for Action:**

- 1) Adopt my proposal
- 2) Amend my proposal
- 3) Adopt an entirely different proposal
- 4) Make no decisions at this time

**List all Attachments:**

**City Relationship Model**



*City-endorsed interest groups are represented within the Public stakeholder box*

## Report to Langley City Council from The Langley Woodmen Cemetery Commission

Submitted by Romeo R James Enslow, Chair

19 Dec 2023

In response to your query:

A. Purpose: To facilitate the funding and operation of the Langley Woodmen Cemetery, in concert with the City and the Friends of the Langley Woodmen Cemetery.

B. Matters to advise on: Establish policies and procedures for the operation of the cemetery. Design and implement a yearly budget. Designate, price, and site new burial plots. With L.P.W. maintain the drives, the solid waste, and the watering facilities. Lawn mowing is contracted out. Plan for, design, and budget for new facilities at the cemetery, including researching, and applying for grants.

C. Justification: The Langley Woodmen Cemetery Commission is comprised of seven people who each love the cemetery in their own way. Some members have been on board for more than ten or even twenty years. The commission performs the function, arguably the most important, of oversight and big picture vision on what the cemetery needs, and provides continuity of purpose, over time, in the face of city staffing changes.

We are the people on the ground. Literally. With our partners, the city and The Friends of The Langley Woodmen Cemetery, we are able to maintain the ambience that is the highly personalized, welcoming place that it is. In fact, LWC is a destination for many walkers.

Projects for 2024:

- Design, survey, and establish more green burial plots.
- Establish the hazard status of damaged large trees in the old section.
- Budget for 2025
- Select, purchase, and install benches at the cemetery.
- Design, order, and install interpretive signage at the Ash Garden and main entrance.
- Update brochure and price sheet.
- Rehabilitation or replacement of kiosk at main entrance.
- Establish a mechanism for perpetual limited monument cleaning.

Thank you for your support.

Cheers,

RRJE



MEMORANDUM

To: Langley City Council  
From: Climate Crisis Action Commission (CCAC)  
Re: Reconciling Commissions  
Date: Nov. 21, 2024

**We are writing in response to the Reconciling Commissions memo dated 9/23/2024, to request and recommend that the Langley City Council retain the Climate Crisis Action Commission.**

We have thought about our relationship to the Council. While it is true that we have had difficulty finding time to report to Council as a formal group, were concerned that if we were more informal, there would be even less communication with Council on this critical issue of human-caused climate change. Moreover, the memo states that the Council is too busy, so they need use the CCAC to continue to think about this issue and tell them whenever we're ready to present recommendations, as we have done in the past. As for the observation that it is hard to provide meaningful input to commissions, we don't necessarily need more input than we already have.

**We offer these ideas to improve the situation:**

- 1) We could, at Council request, take on a newly focused mission. For example, the CCAC could focus time and energy on raising funds for new staff capacity to implement climate projects and provide accountability. Our members have experience and success with this.
- 2) We request and recommend adding a climate seat to surviving commissions. Not only would this increase coordination and decrease the duplication of efforts across commissions, but it would more explicitly fulfill a provision in the climate emergency declaration. We already have a CCAC member on the PWAC; we recommend that a CCAC member sit on the PAB.
- 3) In order to address some of the concerns regarding legal risk of commissions, we recommend that the Langley City Council remove the OPMA requirement from advisory commissions. This would reduce the legal risk and allow for the redirection of the city's operational resources to other purposes, while allowing the CCAC membership to meet outside of City hours.

The City of Langley acknowledges that we are in a climate emergency, yet it is too easy to do nothing. We wouldn't want to disband without having a better solution; we owe it to the youth who demanded City action and created this Commission, as their future depends on our present day actions. To our knowledge, we are the only commission with a youth representative. The CCAC is also an example for neighboring local governments, including the County. The climate emergency is a long emergency, and it requires a holistic, intersectional, and inclusive view. To meaningfully address it, we need the Climate Crisis Action Commission, and we need other commissions to follow through with the climate emergency resolution text stating that climate be a part of their work, and we need outside advocacy groups.

A climate justice and Just Transition lens and approach improves outcomes for the City and its residents on all measures of well-being, including but not limited to food, housing, transportation, emergency preparedness, and more.



Dear Council,

We write to you in response to the memo Councilmember Carlson presented to council on 9/23/24 (per his email to commissions on 9/26/24). Our commission was troubled by the language of the email which insinuated that some commissions, including the DSR, may not be a priority for the City.

We urge all council members to read Resolution 811 ([ATTACHED HERE](#)) which formed the DSR Commission in 2020.

Resolution 811 acknowledges that the City of Langley contributes to systemic racism and that the formation and existence of the DSR Commission serve as a mechanism to combat the presence of systemic racism within the greater community. Anti-racism work is life-long; therefore, the City of Langley's goals to dismantle systemic racism are tied to the existence of this commission.

There are multiple items in Resolution 811 that require the DSR's specific and ongoing attention, for example:

- a) Advising the city on Langley's Public Safety Program, including the Langley Police Department;
- b) Examining existing and missing city policies and practices that contribute to systemic racism and injustice;
- c) Amplifying the voices and concerns of Langley residents and members of the greater community impacted by the systemic racism of current city policies and practices.

Understanding the current staffing challenges, we can work with the City Council to reduce the burden on staff. We note that in Chapter 2.34, the Uniform Policies for Citizen Commissions of the Langley Municipal Code, there is no mention of annual meetings of the Council with each commission, nor that staff and council liaisons must attend all commission meetings. We are willing to help identify other ways to ensure focused and open communication to commission liaisons to minimize the amount of time they must dedicate to being present at commission meetings.

The relevance of the DSR Commission has been enormous for the community and democracy throughout the past four years and our work has barely begun. We appreciate the support of Langley's leadership and look forward to your continued commitment to justice and growth.

Sincerely,

The DSR Commission

**From:** [gail.fleming](#)  
**To:** [Langley City Council](#); [Kennedy Horstman](#)  
**Subject:** HPC AND DRB  
**Date:** Thursday, November 14, 2024 7:18:59 AM

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Council and Mayor,

Debra Waterman is out of town and asked me to send this on.

gail

Kennedy,

Wanted to let you know that the four members of the HPC agree it would be in the best interest of our Commission not to merge with the DRB.

We understand the City is trying to cut down on staff time for Commissions but since we have changed our meetings to every other month, we're hoping that will help.

Respectfully,  
Debra Waterman  
Interim chair of the HPC

Sent from my iPhone

## Memo

Date: October 7, 2024

To: Councilmember Carlson

From: Greg Easton, Chair Langley Planning Advisory Board

Subject: PAB Input on Commission Right Sizing

The Planning Advisory Board (PAB) met on October 2 and discussed the issue of the appropriate structure for city commissions and the role of citizen participation. We acknowledge the challenges that the commission structure presents in terms of staff commitment and administration of public records. As a statutorily mandated commission, the role and structure of the PAB are not subject to change. However, PAB members did express several points regarding commissions and citizen participation in general.

1. We agree that commission activities be conducted in a way that respects the time contributed by members. However, PAB members are willing to commit the time to consider any issue that relates to land use and community planning. We believe there are instances where the Council takes on such issues without asking for our input.
2. PAB members do not see any responsibilities of other existing boards that we could or should take on ourselves. Generally, the expertise and interests of members of those other boards do not necessarily align with those of the PAB.
3. Regarding any additional restructuring of boards unrelated to the PAB mandates, our members do not claim to know enough about those boards to offer suggestions.

Thanks again for the opportunity to contribute to the Council's discussion of these issues.

**To:** Langley City Council Members  
**From:** Parks and Open Space Commission  
**Date:** November 13, 2024  
**Topic:** Reconciling Commissions

## DISCUSSION

The memo titled “Reconciling Commissions” (09/23/2024) articulates a narrow vision of the role of commissions that does not comport with practice. As a result, the memo understates the contributions of commission and erroneously implies that the cost of commissions outweighs their benefits.

The Parks and Open Space Commission (POSC) is not simply a conduit for public input and expert advice to the city council. It performs real work that results in improvements in governance and quality of life in Langley. Without that work, the city would either need to forgo such projects or find the funds to commit city staff time and hire consultants to do the work.

POSC does require staff time, but that time is not simply to support the commission, it is time necessary so that POSC can support the staff and elected officials. Elected officials, city staff and commissions are all members of the same team. That team can function only if the team members communicate. Such communications occur largely at commission meetings. The amount of time staff spends at commission meetings returns substantial dividends. The benefits greatly outweigh the costs.

A review of some of the work of POSC over the past couple years demonstrates how commissions help the city at significant cost savings.

<b>POSC Project</b>	<b>Financial &amp; Staff Time Implications</b>
Researched and drafted new provisions for enforcement of the city tree ordinance.	Required moderate amount of staff time. Avoided consultant and attorney fees in drafting ordinance. New provisions simplify enforcement and incentivize compliance.
Arranged for and oversaw evaluation of forest at Langley Natural Area and Langley WWTP. Will oversee development of forest management plan.	Required minimal staff time. Forest evaluation and management plan developed at no cost to city.
Developed plan for making Park Avenue Viewpoint accessible to the public. Consulted with neighbors. Drafted Shoreline Master Plan permit application.	Greatly reduced the amount of staff time needed to develop Viewpoint plan, consult with public, and comply with Shoreline Master Plan.

Obtained cooperation of private property owners for development of the Outer Loop Trail. Cleared nearly one mile of trail corridor near and through Langley Natural Area.	Staff walked and approved the corridor.
Researched and refined legal tool for city to obtain access to remove fish passage barriers on private land.	Required no staff time. Limited attorney fees to the time necessary to review memo.
Initiated contact with and provided guidance to Department of Natural Resources City for completion of Langley Tree Inventory.	Required minimal staff time. Evaluation and future tree management recommendations developed at no cost to city.

Similar contributions have been made by other commissions. It is unlikely that such contributions could be made by ad hoc commissions. By providing continuity, the existing commissions can develop a wholistic view of the relevant subject area. Many projects overlap or are related. Individual projects typically take a long time and are more efficiently tackled simultaneously so that a more active project can be pursued while another project is less active. A piecemeal approach by ad hoc commissions would not accomplish as much and would likely require more staff time.

Commission members receive training in the requirements of the Public Records Act and Open Public Meetings Act. POSC has responded successfully to PRA requests after each commission member collected relevant documents and forwarded them to city staff. While it’s possible to imagine risks under the PRA, any risks have been well managed and, in the absence of evidence to the contrary, small. POSC would welcome suggestions on how to make PRA compliance less burdensome.

*Cost summary.* City professional staff were present for about one half of POSC meetings (i.e., about 12 hours a year). City support staff emailed meeting packages, posted minutes and set up Zoom for each meeting.

*Benefit Summary.* POSC volunteers contributed several hundred hours of work that resulted in meaningful progress in expanding recreational opportunities and protecting the environment. POSC also provided comments and advice regarding staff-led projects (e.g., parks, open space and trails elements of Comprehensive Plan; adjustment of the Potential Growth Area).

Commissions perform valuable work for the city. The value of that work far exceeds its cost. Nevertheless, the city could take steps to more efficiently utilize commissions. The following recommendations suggest some steps the city might take.

## RECOMMENDATIONS

### **Evaluate whether a commission is necessary.**

A commission is *not* necessary if the city answers “no” to the following questions:

- Is the subject matter and workplan addressed by the commission important to the city?
- Could the city council or staff use assistance to properly address the subject matter?
- Can the city obtain the needed assistance at a reasonable cost from another organization?
- Can the assistance needed be provided by members of a commission?

### **Improve the application/appointment process.**

Use the Volunteer Application form to obtain more detailed information about applicants that will make applicant interviews shorter and perhaps less frequent. For example:

- What issues within the commission’s purview do you believe are most important?
- What measures to address those issues should the commission consider?
- What do you consider to be three (3) major assets that would qualify you for selection to this commission?
- What experience or special knowledge pertaining to area(s) of interest do you have?
- Can you commit to serving for three years, barring unforeseen circumstances?

### **Closely coordinate staff and commission efforts.**

Staff-led projects need commission support while commission-led projects need staff support. Without ongoing communication, needs can easily outstrip resources. Effective communication requires:

- Commissions and staff should clearly articulate their needs of one another and applicable deadlines.
- Before each commission meeting, the commission chair and assigned staff should discuss how to structure the agenda to efficiently use staff time.

### **Regularly evaluate each commission’s performance.**

Clearly define the duties/expectations of commission members (e.g., attend meetings, come prepared, take the lead on a project). The duties should be included in the Commission Administration Manual or, perhaps, an “appointment agreement” signed by each new commission member.



Commissions and assigned staff should conduct an annual self-evaluation to identify processes that could be improved and specific corrective measures that could be implemented.

The mayor and council should alert each commission to potential problems whenever they arise.

**Possible Resource**

[Creating and Maintaining Effective Local Government Citizen Advisory Committees with Downloadable Model Policy and Tracking Forms | Center for Public Leadership and Governance \(unc.edu\)](#)



THE CITY OF  
**LANGLEY**

**To:** Langley City Council

**From:** \_\_ Rhonda Salerno, Council member, Position 2 \_\_\_\_

**Date:** \_\_ 25 November 2024 \_\_\_\_

**Topic:** \_\_ Draft Ethics Ordinance \_\_\_\_\_ **Num. of pages:** \_13\_ \_\_\_\_

**Introduction/Summary:** Council has discussed making changes in how Ethics complaints are addressed in our ordinances to avoid the need for an Ethics commission, which is currently not populated. The City of Langley has a robust Ethics code currently, in need of some more current and inclusive language and the correction of gender-biased vocabulary. The attached draft of current code has highlighted corrections and additions, as well as removal of sections where an Ethics Commission is referenced.

**Council Action Request:** Please read over the draft and be prepared to discuss the changes listed. Move to go forward with the changes in the Ethics Code.

**Timeline for Action:** A.S.A.P.

**Financial Implications:** When a final document has been passed by Council, our city attorney will need to approve the intent of the changes to be sure they are acceptable. Cost of Code Publishing is another consideration.

**List all attachments:** This Memo and the Draft Ethics Code

## **Chapter 1.25 CODE OF ETHICS**

Sections:

[1.25.010 Preamble.](#)

[1.25.020 Purpose.](#)

[1.25.030 Values.](#)

[1.25.040 Definitions.](#)

[1.25.050 Principles of conduct.](#)

[1.25.060 Administrative provisions.](#)

[1.25.070 Review of ethics training and advisory board and the current code of ethics.](#)

### **1.25.010 Preamble.**

We are agents of the collective will in whom the city has put its trust and confidence. We as officials, employees, consultants, volunteers and vendors are entrusted with and responsible for the property, resources and reputation of the city.

As such:

- A. We are obligated to make decisions and implement policies free of coercive or other improper influences.
- B. We are advocates for our constituents and recognize the diverse lives and livelihoods that reside together in our village.
- C. We are committed to generating a place of hospitality for diverse sexual, economic, ethnic and religious expressions of self and family. We refuse the mental habit of casting difference in negative value.
- D. We speak generously of and build trust between city officials and staff, whether volunteers or employees, and every citizen **member of the public** in our community.
- E. We use our positions in the best interests of the city rather than for personal interests, whether they be our own interests or those of our family, friends, or business associates.
- F. We do not treat any citizen **member of the public** preferentially. To perpetuate public trust we avoid even the appearance of impropriety.
- G. We acknowledge our obligation to the city of Langley's code of ethics and the underlying values and principles set forth in this document. (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1028 § 2, 2016)

### **1.25.020 Purpose.**

The purposes of this code of ethics are as follows:

- A. To establish standards of ethical conduct for Langley officials, employees, consultants, volunteers and vendors and those who do business with the city;
- B. To provide clear guidance with respect to such standards by clarifying which acts meet ethical standards and which do not;
- C. To promote public confidence in the integrity of Langley's governance and administration;
- D. To provide for the consideration of potential ethical problems before they arise;
- E. To minimize unwarranted suspicion and to enhance the accountability of our city's government; and
- F. To provide for the fair and effective administration of this code.

This code is enacted pursuant to RCW [35A.11.020](#) and is not intended to authorize any conduct prohibited by Chapters [42.23](#) (Code of Ethics for Municipal Officers – Contract Interests), [42.52](#) (Ethics in Public Service), and [42.36](#) RCW (Appearance of Fairness Doctrine) and RCW [42.41.050](#) (Local Government Employee Whistleblower Protection Act). In the event of conflict between this code and any applicable state or federal laws and regulations, the stricter interpretation is to be applied.

Actions taken on behalf of the city of Langley by city officials, employees, consultants, volunteers, or vendors that result in a conviction or a fine are considered to be unethical. **In such cases, ethics advisory opinions decisions will not be rendered until legal processes are concluded.** (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1028 § 2, 2016)

### **1.25.030 Values.**

This code is built on a set of core values that structure ethical practice and interaction between city officials, employees, consultants, vendors and the Langley citizens **members of the public** they represent.

**Stewardship** – As stewards of our shared commons, we honor the history, culture and future of the citizens **member of the public** who call our community home. We yield our own private interests to act wholeheartedly on behalf of the greater civic environment.

**Transparency** – In pursuit of transparency we adhere to clear, accurate, honest and open communication principles. All opinions, views and responses are treated with a level of sensitivity that assures both openness and a responsible level of confidentiality.

**Fairness** – All individuals and ideas are welcome and treated equitably and without prejudice. We strive to achieve a fair distribution of benefits, resources and burdens to all those that we represent.

**Diligence** – As public servants, we employ the best skills and care in serving the citizens **members of the public** of our community. It is our duty to leave no stone unturned in the pursuit of actions and decisions that will produce the most desirable results for all.

**Integrity** – Our daily actions are based on a solid habit of honesty. We perform our duties in an open and responsible manner. To do otherwise would be a dereliction of our duty and a breach of trust. (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1028 § 2, 2016)

### **1.25.040 Definitions.**

“Advisory committee **commission**” means a committee, board, commission or other similar city entity that does not have the authority to enact, administer, interpret or execute city laws, but does provide advice or recommendations to a city entity that does have such authority.

“Board” means the ethics training and advisory board.

“City entity” means the Langley city council and any department, office, agency, advisory board, commission, district, administration, division, bureau, committee, or subcommittee of the city, regardless as to whether the entity in question is permanent or temporary, whether its members are employed, contracted or volunteer, how its members were elected or appointed, and whether or not they have formal voting rights.

“Confidential information” means any information to which the city of Langley is entitled by law and has determined to keep confidential, subject to the provisions of the Public Records Act (Chapter [42.56](#) RCW), the Open Public Meetings Act (Chapter [42.30](#) RCW), or other applicable state or federal government law or rule.

“Consultant(s)” means an independent person, proprietorship, partnership, corporation or other similar entity retained by the city of Langley to perform an administrative function or to which a city function may have been outsourced, whether on a temporary or permanent basis. This includes any person advising a city official, and in a position to influence a city decision or action, or have access to confidential information.

“Customer” or “client” means any person or entity that has been supplied goods or services during the previous 12 months by either the official, employee or consultant or ~~his or her~~ **their** outside employer or business; provided, that ~~his or her~~ **their** position in the outside employer or business is such that ~~he or she~~ **they** can reasonably be expected to have knowledge of or influence over the transaction.

“Disclosure” means that city of Langley officials, employees, consultants, volunteers or vendors have a duty to disclose nonconfidential information on request and in accordance with current rules and guidelines pursuant to its own laws and rules or those of any state or federal government including those set forth in the Public Records Act. ~~He or she~~ **They** must do so in a reasonable and timely manner under the circumstances existing at the time.

“Discrimination” refers to differential treatment, conduct or statements based on the protected categories including a person’s sex, sexual identity, gender, race, color, disability, age, national origin, ethnicity or ancestry, religious beliefs, military status, marital status and/or appearance.

“Domestic partner” means an adult who is not married to or in a civil union with an official, employee or consultant but who lives with ~~him or her~~ **them** and shares a common domestic life.

“Elected official(s)” means any official who holds office as a consequence of an election and includes officials appointed to fill any vacancies in elected offices that may occur pending the next general election.

“Employee(s)” means any person employed by the city and subject to the personnel policies of the city, whether temporary or permanent and whether full-time or part-time.

“Ethics” means principles of conduct established in this chapter that govern behavior of an individual or profession.

“Family” means the spouse, child or stepchild, brother or sister, parent or stepparent, niece or nephew, uncle or aunt, and grandparent or grandchild of an official, employee or consultant or their spouse. “Family” includes a domestic partner and any person claimed as a dependent on their latest federal income tax return.

“Financial benefit” means any money, service, license, permit, contract, authorization, loan, discount, travel, entertainment, hospitality, gratuity, or any promise of any of these, or anything else of value. “Financial interest” is a relationship to something such that a direct or indirect financial benefit has been, will be, or might be received as a result. “Financial benefit” does not include a campaign contribution to a candidate equal to or less than \$100.00 to that candidate in any election cycle.

“Gift” means anything that any person transfers to an official, employee or consultant on any basis other than a legal obligation to do so. It includes, but is not limited to, cash, gifts of any kind, paid outings, paid travel, tickets to concerts and sporting events, and any other forms of gifts, gratuities, honoraria or favors. Exceptions include:

1. The gift is based upon a preexisting personal or family relationship with the government employee, so long as the gift is motivated by the relationship (like a birthday present to your sister).
2. The gift is valued at \$20.00 or less, so long as the gift is not cash, and the employee accepts no more than \$50.00 in gifts, in the aggregate, from the same outside source in a calendar year.
3. The gift consists of modest refreshments, such as juice and bagels at a seminar, and not as part of a meal.

“Governed by the code” means any elected official, employee, consultant, volunteer or vendor of the city of Langley.

“Harassment” consists of patterns of behavior, including but not limited to actions, gestures, jokes, innuendos, symbols, unwanted and unwelcomed deeds, that demean, humiliate or insult others. One’s elected office or position of employment can give one authority or power over another, and harassment may include leveraging this power on behalf of one’s own desires, views or intentions. “Harassment” may also refer to calling out the subtle power of the majority to insist that “this is the way we do it.” While bullying and intimidation constitute obvious, large-scale harassing conduct, harassment also includes micro-aggressive actions, like teasing, undermining the credibility of another or repeatedly using metaphors or colloquialisms that call unnecessary attention to and may demean another’s physical bearing or sexual, racial or gender identity. Refusal to accommodate may not only relate to an employer who does not make workspace adjustments, but to co-workers who gather in an inaccessible, thus exclusionary, space. Harassment can take place not only in the physical presence of each other but via phone and email as well as in the creation of one’s work space – e.g., the visual display of derogatory posters, slogans.

“Ministerial acts” means an action performed in a prescribed manner without the exercise of substantial judgment or substantial discretion as to the propriety of the act. Nonexhaustive examples of ministerial acts include the issuance of a dog license by a city clerk, the reading of water meters, and the issuing of related invoices.

“Municipal officer” and “officer” shall each include all elected and appointed officers of a municipality, together with all deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of the powers or functions of a municipal officer.

“Official(s)” means elected officials and any other official of the city other than an employee or consultant, whether paid or unpaid and whether temporary or permanent. It includes all the members of every city entity including advisory committees commissions (see “Advisory committees commissions”) and volunteers.

“Outside employer or business” means a corporation, partnership, sole proprietorship, or other employer other than the city, whether for profit or nonprofit, public sector or private sector, to which an official, employee or consultant is related in one or more of the following ways: (1) he or she they receives compensation, whether actual or deferred, for services rendered or goods sold or produced, and (2) he or she they has have an ownership interest, whether direct or indirect, including options or contingent rights of any kind excluding, in the case of a public corporation, an ownership interest of less than one

percent of the outstanding stock. For the purposes of this definition, “compensation” does not include reimbursement for approved out-of-pocket expenses such as travel expenses. “Person” means any individual, corporation, firm, association or other form of business association, regardless of status as for profit or nonprofit.

“Personal benefit” means benefits other than those that are directly financially advantageous. A “personal interest” means a relationship to something such that a personal benefit has been, will be, or might be obtained by certain action or inaction with respect to it.

“Public domain” means property and information that is available and/or accessible to the public.

“Recusal” means to publicly state the reason for recusal and to withdraw (see “Withdraw”) as an active participant over a particular proceeding because of one’s conflict of interest as described in Section [1.25.050](#).

“Related party” means, in relation to an official, employee or consultant, the following persons:

1. A member of ~~his or her~~ **their** family;
2. Any person with whom ~~he or she has~~ **they have** a regular and close personal relationship;
3. Any person with whom ~~he or she has~~ **they have** a financial or business relationship, including but not limited to:
  - a. An outside employer or business of ~~his or hers~~ **theirs**, or of ~~his or her~~ **their** spouse or domestic partner;
  - b. An employee of ~~his or her~~ **their** outside employer or business;
  - c. A customer or client of ~~his or her~~ **their** outside employer or business; or
  - d. A debtor or creditor of ~~himself or herself~~ **theirs**, or of ~~his or her~~ **their** spouse or domestic partner;
4. A person or entity from whom an elected official has received an election campaign contribution during the past election cycle, either directly or indirectly through a campaign committee of any kind that, in the aggregate, exceeds \$100.00. For the purpose of this clause, donations from a person or entity include donations from any related family member or business;
5. A nongovernmental civic group, union, social, charitable, or religious organization of which ~~he or she or his or her~~ **they or their** spouse or domestic partner is an officer or director.

“Retaliatory action” means:

1. Any adverse change in a city employee’s employment status, or the terms and conditions of employment including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand, unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal, or any other disciplinary action; or
2. Hostile actions by another employee towards an employee that are condoned or encouraged by a supervisor or senior manager or official.

“Vendor” means any person or business supplying products or services to the city as part of an approved contract or purchase order.

“Volunteer” means a ~~citizen committee~~ **an advisory commission** member appointed by the mayor and confirmed by the city council.

“Withdraw” means to physically remove oneself from the discussion room and to refrain from any participation in discussions relating to matters where an official, employee, consultant, volunteer or vendor has disclosed a conflict of interest and has officially recused themselves from the matter. (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1028 § 2, 2016)

### **1.25.050 Principles of conduct.**

Consistent with the purpose and values set forth in this code of ethics, the following principles of conduct are established for all city of Langley officials, employees, consultants, volunteers and vendors:

A. Conflicts of Interest. Conflicts of interest, in which a person has a duty to more than one person or organization, could bring about actions or decisions by city of Langley officials, employees, consultants, volunteers, and vendors that are not in the best interests of the city, its **members of the public** and entities. It is thus imperative that any party governed by this code declare immediately any situation in which they, or persons or entities closely related to them, stand to receive personal or financial gain. It is particularly important to earn and keep the trust of city **members of the public** by preventing conflicts from occurring and disclosing conflicts when they do arise. Specifically:

1. Officials, employees, consultants, volunteers and vendors shall avoid all actual or perceived conflicts of interest. These arise when they use their official position or office to take or fail to take any action, or influence others to take or fail to take any action, in a manner which they know, or have reason to believe, will result in a personal or financial benefit to ~~himself or herself~~ **themselves** or to a related party as distinct from general benefits that are shared with all or a substantial segment of the city’s population.

2. Officials, employees, consultants, volunteers shall not hire or appoint; attempt to influence the hiring or appointment; or supervise any person who is a member of their family.

3. Officials, employees, consultants, volunteers and vendors are obliged to withdraw from any involvement in a matter where there is a conflict or perceived conflict, even if they feel certain they can act impartially.

4. The performance of purely ministerial acts does not give rise to conflicts of interest.

5. Specific actions regarding actual or perceived conflict of interests that must be taken by city officials governed by this code are as follows:

a. Officials shall declare, at the first public meeting when the matter is being considered, any actual or apparent personal or financial conflict of interest, pertaining to any ordinance, resolution, contract, proceeding or other action pending before a city entity in which they participate. The disclosure shall be recorded in the minutes of the meeting.

b. Officials who have disclosed a conflict of interest that may result in a personal or financial benefit for themselves or a related party shall withdraw from the meeting for the duration of the discussion of the issue that has given rise to the conflict of interest.

c. Officials may be challenged and requested to withdraw from participation in a matter, for the reason that ~~he or she has~~ **they have** a conflict of interest, by:

(1) Another member of a city entity;



(2) A party to the current matter; or

(3) Anyone else who may be affected by a decision relating to the matter.

d. If, following a request, an official decides not to withdraw, a decision as to whether or not to require withdrawal shall be taken by:

(1) A vote of the unchallenged members of a city entity where he or she is they are a member of, or scheduled to appear before, the entity;

(2) A vote of the unchallenged members of the city council where a council member is the person who is requested to withdraw;

(3) A vote of the city council where the mayor is the person who is requested to withdraw; or

(4) A decision of the mayor in all other cases.

e. If withdrawal as a result of a declaration of a conflict of interest or of a challenge and request for withdrawal results in the lack of a quorum or the failure to obtain a majority vote in a city entity, the situation will be resolved as follows:

(1) Postponement of the decision until a sufficient number of nonconflicted members can attend or the mayor appoints additional nonconflicted members.

(2) Replacement of the conflicted member by an alternate member if available.

f. Officials, employees, consultants, volunteers and vendors, who are in positions requiring judgment and discretionary decision-making and who experience a conflict of interest in a matter before them, shall report that conflict of interest to their supervisor immediately, in writing, and shall not take any action on the matter. The supervisor shall make arrangements for another employee or consultant to address the matter at hand. The employee or consultant with the conflict of interest shall not provide information, hold conversations, participate in meetings or portions of meetings about the matter or in any way participate in its resolution.

g. An official, employee, consultant, volunteer or vendor who has withdrawn or has been required to withdraw from a matter shall not be replaced by a related party or by any other official, employee or consultant (volunteer or vendor) over whom he or she is they are in a position to exercise any supervisory authority.

#### B. Confidentiality.

1. Other than those areas which are proscribed by state (or federal) law to be considered confidential, all information coming to the city of Langley and its employees will be considered to be in the public domain and available to all citizens members of the public. Ethical considerations regarding confidentiality for all city of Langley officials, employees, consultants, volunteers or vendors are extremely critical to maintain public trust. Those governed by the code shall not:

a. Make use of information acquired through his or her their official position for the personal or financial benefit of himself or herself themselves or of a related party;

b. Disclose confidential information; or

c. Refuse to disclose, or obstruct the disclosure of information, which the city is required to disclose pursuant to its own laws and rules or those of the state.

2. Even though most information coming before the city is within the public domain, the management of information coming before officials, employees, consultants, volunteers or vendors in an official capacity must be handled with extreme sensitivity.

a. Courtesy and consideration under the circumstances existing at the time in dealing with the public must be shown by all governed by this Code in carrying out official responsibilities; and

b. Actions which deny the dignity of individuals or conduct which is disrespectful to others under the circumstances existing at the time must be avoided.

C. Improper Influence. Officials, employees and consultants are entrusted with and responsible for the property, resources and reputation of the city. They are obligated to make decisions and implement policies free of coercive or other improper influence. Any exchange of gifts or favors may be interpreted as exerting improper influence on the behavior of representatives of the city of Langley and shall be governed by the following guidelines:

1. To avoid the appearance of improper influence, an official, employee, consultant, volunteer or vendor and ~~his or her~~ **their** spouse or domestic partner shall not, directly or indirectly, solicit or accept a gift from any person or entity that has any of the following relationships with a city entity where ~~he or she is~~ **they are** in a position to exert any influence:

- a. Has sought a financial benefit from the city entity within the past 12 months;
- b. Is currently seeking a financial benefit from the city entity; or
- c. Seeks a financial benefit from the city entity within 12 months of the date of a gift.

2. A person or entity may not give or seek to give a gift to any official, employee, consultant, volunteer or vendor, or to ~~his or her~~ **their** spouse or domestic partner, who is in a position to exert any influence over a city entity with which they have any of the following relationships:

- a. Have sought a financial benefit from the city entity within the past 12 months;
- b. Is currently seeking a financial benefit from the city entity; or
- c. Seeks a financial benefit from the city entity within 12 months of the date of a gift.

3. This section is not intended to prohibit officials, employees, consultants, volunteers and vendors from exchanging minor gifts with their personal friends or family in the course of ordinary social interaction; provided, that those persons do not have business before the city, or their business is with a city entity where the official, employee or consultant is not advising on or participating in the decision-making process, or has previously withdrawn from participation in the matter.

4. This section is not intended to prevent any person from making gifts of property, money, or services to the city as a whole; provided, that such gifts are unconditional in nature; and further provided, that gifts to the city valued in excess of \$20.00 must be approved by the city council.

D. Misuse of Public Resources. Employees, elected officials, consultants and contracted vendors recognize their responsibility to conserve and/or judiciously deploy public resources, making every effort to use official time and city property for and on behalf of the city alone.

1. An official, employee, consultant, volunteer or vendor shall not use or lend, or permit others to use or lend, any city funds, property, or staff for the personal or financial benefit of ~~himself or herself~~ **themselves** or of a related party. This includes, but is not limited to, city funds, office space, supplies, stationery, postage, telephones, equipment and vehicles.

2. Travel and other expense reimbursements shall be for official business only and only for the employee, official, consultant, volunteer or vendor directly involved.

3. The work hours of a city employee should not be requisitioned for an official's electoral or personal life.

4. Persons employed by or elected to city governance consequently will not use or lend, or permit others to use or lend, any public resource. Public resources include, but are not limited to, city funds, office space and supplies, telephones, computers and internet access, equipment and vehicles as well as one's own or another city employee's work hours.

5. Officials, employees, consultants, volunteers and vendors may use any city resources that are generally available to the public, provided this use is on the same terms and conditions as those applicable to the public.

6. Officials, employees, consultants, volunteers and vendors may use city resources when, in the conduct of official business, they are used in a minor way for personal convenience; provided, that this use is according to the city's written policies or has been authorized by the mayor.

7. The use of nonpublic information gained by working for the city – e.g., property sales, redrawing of city boundaries, etc. – should not be used to further one's own personal financial or business ventures or shared with another who could gain fiscal benefit.

8. A public employee, elected official or contracted consultant or vendor may not use his or her **their** signature solely to validate any contract, financial disbursement or any other legal, financial or legislative documents where two signatures are required for validation.

9. Computers and internet access will not be used for political and/or charitable activities or for anything other than de minimis personal use. A de minimis use policy authorizes minimal personal (not business) usage (in terms of frequency and/or duration of occasion), which has little or no impact on public expenses and does not impinge upon human work hours. In the same way that phones can be used by an employee, elected official or contracted individual for a short personal message, so may computers. However, use of internet access for dating services, pornography, on-line education, gambling or religious devotions would constitute misuse of not only public equipment but of work hours.

E. Representation of Private Interests. Officials, employees, consultants, volunteers and vendors must exercise caution when representing the interests of the city and/or themselves. Specifically:

1. Officials, employees, consultants, volunteers and vendors shall not represent any private interests in matters before any city entity. They may, however, appear before a city entity on their own behalf or on behalf of the city.

2. Officials, employees, consultants, volunteers and vendors who appear before the meeting of any city entity as a private citizen **member of the public**, and not in an official capacity, must comply with subsection (A) of this section.

3. Officials, employees, consultants, volunteers will not use their official titles or office ~~stationary~~ **stationery** outside of the necessary work of the city.

4. Officials, employees, consultants, volunteers or vendors will not attempt to persuade any citizen **member of the public** to use a personally preferred vendor or contractor.

5. Officials, employees, consultants, volunteers and vendors who publicly disseminate information relating to the city (e.g., social media, blogs) are strongly encouraged to disclose in such dissemination his or her **their** relationship to the city, and that the views expressed in such dissemination are his or her **theirs** individually and not those of the city, unless authorized by the mayor to act on behalf of the city. Such disclosure will further the important public policy of distinguishing between the actions of individuals who may have some official relationship with the city and the official actions of the city itself. If any such public dissemination is in response to criticism or other communication directed at or regarding his or her **their** official role, the official, employee or consultant is strongly encouraged to respond only in his or her **their** official role.

6. An elected official may always represent his or her **their** constituents in matters of public advocacy, provided no element of additional compensation from the constituent is involved.

7. Unpaid volunteer members of a city entity may represent persons and entities before, and appear before, any city entity other than their own, subject to compliance with subsection (A) of this section.

F. Disclosure. City of Langley officials, employees, consultants, volunteers or vendors have a duty to disclose nonconfidential information on request and in accordance with current rules and guidelines pursuant to its own laws and rules or those of any state or federal government including those set forth in the Public Records Act. They must do so in a reasonable and timely manner under the circumstances existing at the time.

G. Workplace Harassment and Discrimination. The city of Langley flourishes when its elected officials, employees, contractors and/or vendors can anticipate and do comparably offer civil dignity in our human-to-human exchanges. The city seeks to be a workplace, a political organism and civic arena in which persons can appropriately expect to work and to live free from discrimination and unlawful harassment. As such:

1. Officials, employees, consultants, volunteers and vendors shall not use their position to harass, intimidate or discriminate against any co-worker or member of the public based upon a person's sex, sexual identity, race, nationality, age, appearance, religious or ideological beliefs.

2. It is unethical for an official, employee, consultant, volunteer or vendor to disregard any complaints of harassment or discrimination that may have been reported to them, unless they have promptly and in writing referred such complaints to a more appropriate investigatory body.

3. No official, employee, consultant, volunteer or vendor shall take any kind of retaliatory action against any employee because that employee has made a complaint of harassment. (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1028 § 2, 2016)

#### **1.25.060 Administrative provisions.**

Ethics complaints and violations shall be directed to the mayor, who will consult with city attorneys for advice on to how to proceed. If the complaints or violations involve the mayor, the mayor pro tempore will consult with the city attorneys for advice on to how to proceed. Final actions, if required, shall be put to the city council for approval.

~~A. Ethics Training and Advisory Board.~~

1. An ethics training and advisory board of not less than three members, appointed by the mayor and confirmed by the city council, is hereby created. Each member shall serve for a three-year term which shall be staggered so that at least one member is appointed each year. A simple majority of the members of the board shall constitute a quorum.

2. All members of the board shall have their primary residence on Whidbey Island south of Classic Road and a majority shall be residents of the city of Langley. No member of the board shall be an official, employee or consultant of the city in any other capacity. Board members shall not receive any remuneration from the city but may be entitled to reimbursement of out-of-pocket expenses on the same basis as volunteer members of other city agencies.

3. Selection of members to the city of Langley ethics training and advisory board and chair appointment shall be in accordance with provisions of Chapter [2.34](#).

4. As an added provision to Chapter [2.34](#), an ethics training and advisory board selection committee shall be appointed by the mayor and include the mayor, the chief of police and one city council member. Candidates must be able to pass a background check requested by the Langley police department. Automatic disqualifiers include:

a. Any prior felony convictions.

b. Any crime committed that would require someone to register as a sex offender.

c. Any crime of moral turpitude.

d. Anyone currently under court ordered supervision for any crime.

e. Any misdemeanor committed within the previous five years.

f. Anyone who is currently the respondent in any domestic violence related court order.

g. Anyone who is currently prohibited by federal or state law from possessing a firearm.

5. The functions of the board shall be to:

a. Provide an ethics orientation and training program for officials related to this ethics code;

b. To the extent requested by the mayor, provide such educational and training resources as may be necessary so that officials, employees, consultants, volunteers and vendors understand their responsibilities and required conduct under this ethics code;

c. Provide advisory opinions about the application of the code at the request of officials, employees, consultants, volunteers, vendors and citizens.

B. Advisory Opinions. If an official, employee, consultant, volunteer, vendor or citizen has any doubt as to whether or not a proposed course of action is in opposition to this code of ethics, they may ask the ethics training and advisory board for an advisory opinion on the matter. Advisory opinions are non-legally binding opinions and educational in nature only. They may not be used as defense against a legal challenge to the situations described in the advisory opinion. The process for requesting an advisory opinion of the ethics training and advisory board follows:

1. Informal discussions with members of the ethics board regarding ethical dilemmas will not be entertained.

2. Advisory opinions will only be rendered after a completed advisory opinion request form as provided on the city's website is sent to the city clerk. The request must be based on the circumstances of the ethical dilemma in relation to the current code of ethics (this chapter) and specifically cite relevant provisions in the principles of conduct (Section [1.25.050](#)).

3. All requests for advisory opinions will be forwarded by the city clerk to the ethics and training advisory board for their review and opinion.
4. Request forms will be reviewed by the chairman or a designated board member for completeness. An incomplete form will be returned to the sender stating the reasons for its return. Board members will not assist in filling out advisory request forms.
5. Complete advisory request forms will be reviewed at the next scheduled ethics board meeting when they will be either accepted or rejected by the board.
6. For each accepted request, the board will endeavor to produce a draft opinion within 30 days from the date of the board's decision to accept the advisory request. The board may take additional time as the circumstances may reasonably warrant. The request must be based on the circumstance of the ethical dilemma in relation to the current code of ethics (this chapter).
7. All draft advisory opinions rendered by the ethics board will be forwarded to the city council for review, comment, and final acceptance.
8. All advisory opinions will become a matter of public record and may be used as instructional case studies to emphasize various principles of the code of ethics. (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1030 § 1, 2016; Ord. 1028 § 2, 2016)

**1.25.070 Review of ethics training and advisory board and the current code of ethics:**  
The ethics training and advisory board and this code of ethics shall come under review annually for effectiveness and prevalence. (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1028 § 2, 2016)

**The Langley Municipal Code is current through Ordinance 1115, passed August 5, 2024.**

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

City Website: <https://www.langleywa.org/>

City Telephone: (360) 221-4246

Codification services provided by [General Code](#)



**To:** Langley City Council Members

**From:** \_\_\_\_\_ Rhonda Salerno, Council member, Position 2 \_\_\_\_\_

**Date:** \_\_25 November 2024\_\_\_\_\_

**Topic:** \_\_Commission Reports for DRB, LTAC & Cemetery Commissions\_\_

**Number of pages (including this one):** \_\_2\_\_

### **DRB Report**

The Design Review Board has met 3 times this year to conduct business.

- 1) Feb. 21<sup>st</sup> for 30 minutes, to review a mural at Whale Bell Park and moving the Butterfly wings to the side of the Old Firehall Building and to approve a new location approval process for moving art.
- 2) June 18<sup>th</sup> for 14 minutes to review modifications to a retaining wall on 1<sup>st</sup> Street.
- 3) Oct. 15<sup>th</sup> to approve signage on 2<sup>nd</sup> Street. (No minutes have been posted, as of yet)
- 4) There was also a hybrid meeting with DRB and the Historic Preservation Commission held by the Mayor on Commission collaboration on September 30<sup>th</sup>. (No minutes have been posted for this meeting.)

### **LTAC Report**

The Lodging Tax Advisory Commission met 2 times this year to conduct business.

- 1) October 23<sup>rd</sup> to review applications for Lodging tax funding and stack rank member score sheets.
- 2) October 30<sup>th</sup> to ranking numbers and make recommendation to Council.

### **Cemetery Commission Report**

The Cemetery Commission has met every month this year with one meeting on site.

Actions that Cemetery Commission have been working on this year:

- 1) Design, survey and establish an additional green burial area for 28 new plots
- 2) Establish hazard status of large and damaged trees in the old section
- 3) Design, order and install interpretive signage at the Ash Garden and Main Entrance
- 4) Update brochure and price sheet
- 5) Update policies and procedures for cemetery
- 6) Rehabilitate kiosk at Main Entrance
- 7) Repair and restore American legion plaque
- 8) Establish a mechanism for perpetual limited monument cleaning with owner permission and systematic assessment of graves that are obscured (bushes grown over, etc.) and create a legacy protocol
- 9) Assess fence on north side of cemetery
- 10) Create Spreadsheet to track activities - regular assessment of cemetery on annual work plan
- 11) Coordinate Plot buyback – review of LMC code, assessment of plot, including metal detection, backhoe access without damage, valuation of plot
- 12) Manage a volunteer to help prune the boxwood
- 13) Wrote and was awarded DAHP (Department of Archaeology and Historic Preservation) Grant totaling \$12,900 and attended training for its use
- 14) Installed DAHP required sign acknowledging funding source
- 15) Coordinate the selection, purchase, location and installation of benches and tool shed to be purchased by grant
- 16) Work with resident for donation of bench
- 17) Identify sunken green burial graves that need to be filled in and determine how to proceed
- 18) Review of Tree inventory from DNR to avoid hiring arborist
- 19) Recruit tree trimmers
- 20) Coordinate re-orientation of contested placement of monument by adjacent owner
- 21) Work with Public Works regarding bench purchase and installation
- 22) Contact Public Works regarding installation of Tool Shed
- 23) Request a meeting with Council to understand responsibility of tree trimming and installation of benches and tool shed and to understand the cemetery budget





**To:** Langley City Council Members  
**From:** Chris Carlson, Council Member Position #3  
**Date:** 11/25/2024  
**Topic:** Council Member Monthly Report  
**Number of pages:** 2

**Summary:**

FPLC:

- Presented memos to the FPLC related to total compensation analysis and Transportation Benefit Districts.
- The FPLC voted unanimously to recommend council create a Transportation Benefit District and enact a 0.1% sales tax to fund street light electricity, street maintenance and grant matching funds. I am planning to present details to council in December.
- I received some feedback on my total compensation analysis from the FPLC, and will present updated findings to council in December.
- Director Beech provided a detailed report on the status of her financial system reconciliation and clean-up, which she spoke to briefly during her staff report at the 11/18 council meeting.

DSR:

- Director Penny facilitated a productive discussion regarding the Comprehensive Plan Land Use Element Vision Statement, with several suggestions being provided by commissioners.
- Commissioners asked whether the council would like to prioritize a discussion with the DSR regarding legislative priorities and advocacy prior to the start of the next legislative session in January. They already have an excellent presentation on a proposed process.

CCAC: Next meeting is on 11/21 at 4:00pm, after this report is filed. Will provide report verbally at workshop.

Joint Commission Workshop on Climate Element: Listened to the workshop facilitated by Director Penny and consultants at Peak Sustainability. The commissioners engaged in a wonderfully thoughtful discussion on the draft climate priorities that will make the new element stronger, tailored to Langley, and more comprehensive.

Library Remodel Tour: Received a walkthrough of the site with Mayor Horstman and representatives from Senator Murray's and Congressman Larsen's offices. Walls are up, painted, carpet installed, stairs to the new lower-level, and much more. It retains the best of the original space while adding so much more functional space, light, and sustainability!

Chamber of Commerce:

- Representatives from Habitat for Humanity of Island County gave an informative presentation on their organization and answered questions regarding the planned Heron Park townhomes.
- I reported out on passage of the Public Safety Sales Tax and anticipated effective date of April 1, 2025. I also explained the drivers of planned utility rate increases in 2025 and solicited question/feedback.

**From:** [gail.fleming](#)  
**To:** [Kristen Abraham](#); [Kennedy Horstman](#)  
**Cc:** [Langley City Council](#)  
**Subject:** Fleming Council Report for 11/25 meeting  
**Date:** Wednesday, November 20, 2024 3:37:47 PM

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- 1) I went on an extremely inspiring tour of the library remodel. When finished, it will be a wonderful asset for our community. I'm especially excited about the new meeting room for groups.
- 2) Parks and Open Space continues to work on updating its Comp Plan element. There was discussion about the new trail through the Coles Road Natural Area. Also discussion about the future of the commission. A vote was taken on the final version of the response to Councilmember Carlson's memo.
- 3) I attended the Joint Commission Meeting, which featured the presentation by Peak Sustainability. There was a lively discussion offering topics to be added to the Climate Element, as well as what should be prioritized.
- 4) HPC did not meet in November, as they have decided to meet every other month. They have narrowed their mission to seeking out historic buildings for the register - focusing on First and Second Streets for now.