



**CITY OF LANGLEY  
DRAFT REGULAR COUNCIL AGENDA**

**Monday December 18, 2023 @ 5:30 P.M.**

**City Hall Council Chambers - 112 Second Street, Langley, WA 98260  
And via Zoom:**

<https://us02web.zoom.us/j/84942834088?pwd=YjdpM1dRSVI3Qmt6ZHAraGc0Vkdwdz09>

Webinar ID: **849 4283 4088** // Passcode: **283347**

International numbers available: <https://us02web.zoom.us/j/84942834088?pwd=YjdpM1dRSVI3Qmt6ZHAraGc0Vkdwdz09>

1. **CALL TO ORDER** – 5 minutes
  - a. Opening Words/Minute of Silence
  - b. Roll Call
2. **CONSENT AGENDA** (The CONSENT AGENDA consists of routine items that normally do not require further Council discussion.) – 2 minutes
  - a. Approval of Commission Meeting Minutes posted since previous Council Meeting
3. **APPROVAL OF AGENDA** – 3 minutes
4. **APPROVAL OF MINUTES** – 3 minutes
  - b. Approval of 12/11/23 Special City Council meeting minutes; pp. 3-5
5. **PUBLIC COMMENT PERIOD\* - 30 minutes**
6. **PRESENTATION/GUEST SPEAKER/COMMISSION REPORTS** – 10 minutes  
Animal Welfare Ordinance Presentation - Nathan Goodman; pp. 6-9
7. **MAYOR'S REPORT** – 10 minutes
8. **PUBLIC HEARING**  
  
2nd Reading of Ordinance for 2024 Budget: (memo) Finance Director Wanda Grone - 10 Minutes; pp. 10-13
9. **STAFF REPORTS & CHAMBER REPORT (2nd Meeting of the Month)**
  - a. Mark Rentfrow, City Administrator
  - b. Wanda Grone, Finance Director; pp. 14-15

- c. Randi Perry, Public Works Director

**10. COUNCIL REPORTS – 15 minutes**

- a. Councilmember Harolynne Bobis
- b. Councilmember Rhonda Salerno
- c. Councilmember Thomas Gill
- d. Councilmember Craig Cyr
- e. Councilmember Gail Fleming

**11. 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 address subjects, not individuals, in an orderly and courteous manner. 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 for a disability is needed, please contact us at (360) 221-4246 at least 48 hours prior to this meeting.**



**CITY OF LANGLEY**  
**City Council Special Meeting Minutes**  
**Monday, December 11, 2023**

1. **CALL TO ORDER** – Meeting called to order at 5:30 pm by Mayor Kennedy Horstman
  - a. Opening Words/Minute of Silence
  - b. Roll Call

City officials in attendance: Mayor Kennedy Horstman, Councilmember Harolynne Bobis, Councilmember Thomas Gill, Councilmember Craig Cyr, Councilmember Gail Fleming.
  - c. Staff in attendance: Meredith Penny, Director of Community Planning; Randi Perry, Director of Public Works; Mark Rentfrow, City Administrator; Tavier Wasser, Chief of Police
  
2. **CONSENT AGENDA** – (The CONSENT AGENDA consists of routine items that normally do not require further Council discussion.)
  - a. Renew lease with Langley Chamber of Commerce; pp.
  - b. Approval of Cary Peterson to the Cemetery Commission; pp.
  - c. Approval of Romeo James to the Cemetery Commission; pp.
  - d. Approval of Emi Gunn to the Parks and Open Space Commission; pp.

**Motion made to adopt Consent Agenda.**

Motion: Councilmember Craig Cyr  
2nd: Councilmember Harolynne Bobis

**Motion passed 4 to zero.**

Councilmember Rhonda Salerno arrived at: 5:35 PM

3. **APPROVAL OF AGENDA** –

Mayor Horstman moved item 7 (ORDINANCES/RESOLUTIONS) to item 8 to be discussed after NEW BUSINESS since members of the audience were present to provide public comment.

**Motion made to approve Agenda as amended.**

Motion: Councilmember Craig Cyr  
2nd: Councilmember Thomas Gill

**Motion passed 4 to zero.** Councilmember Rhonda Salerno abstained as she was not present for the discussion.

#### 4. **APPROVAL OF MINUTES**

Approval of Council Meeting Minutes of 12/4/23

**Motion made to approve Minutes of 12/4/2023 Council Meeting.**

Motion: Councilmember Thomas Gill

2nd: Councilmember Harolynne Bobis

**Motion passed unanimously.**

#### 5. **PUBLIC COMMENT PERIOD\***

No Public Comments were made during this time.

#### 6. ~~MAYOR'S REPORT – 10 minutes~~

#### 7. **NEW BUSINESS**

510 Cascade Avenue Sewer Easement Relinquishment Request, Planning Director Meredith Penny

- Director Penny presented a memo which gave an overview of the 510 Cascade easement issue and the options for actions that Council could take.

#### **PUBLIC COMMENT**

- Deanna Nollette, owner of the 510 Cascade Property, delivered remarks describing her experience working with the City and the actions she and her husband have taken over the past several years to develop the property.
- Tim Callison, Former Mayor of Langley delivered remarks expressing support for the owners of the 510 Cascade property and their efforts to develop the parcel.
- Karen Swegler delivered remarks expressing support for the owners of the 510 Cascade property and their efforts to develop the parcel.

#### **Council Discussion**

- Councilmembers discussed the options in the memo presented by Director Penny.
- As part of the Council conversation, legal counsel was consulted about the necessity of compensation for the City of Langley to relinquish the easement and that the boundary of the easement can be redrawn on the plat if the size remains equal.

**Motion made to approve Option 2B as stated in Staff memo:**

**2B: “Approve the relocation of the sewer easement (and associated city sewer infrastructure) on the property to accommodate a different site design. The developer would need to propose an alternative location”**

Motion: Councilmember Rhonda Salerno  
2<sup>nd</sup>: Councilmember Gail Fleming

Discussion occurred.

**Motion made to Call the Question.**

Motion: Councilmember Harolynne Bobis

**Motion Failed 2-3** (Councilmember Bobis, and Salerno in favor, Councilmembers Fleming, Gill, and Cyr against)

Discussion continued.

**Motion made to Table Discussion.**

Motion: Councilmember Craig Cyr

**Motion Fails with no second.**

Re-reading of original motion by Councilmember Salerno

**Motion Passed 3-0.** Councilmember Salerno, Councilmember Fleming and Councilmember Gill voted in favor. Councilmember Bobis abstained based on a lack of information from the applicant and no direct recommendation from the Planning and Public Works Directors. Councilmember Cyr abstained based on a desire to continue the discussion at a future meeting with input from the applicant.

## **8. ORDINANCES/RESOLUTIONS**

Resolution for Interlocal Agreement with the Town of Coupeville for Building Permit Plan Review and Inspection Services; Meredith Penny, Director of Community Planning

**Motion made to approve the resolution to continue the interlocal agreement with Town of Coupeville.**

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

**Motion passed unanimously.**

## **9. ADJOURN** - Meeting adjourned by Mayor Horstman at 6:45pm



**To:** Langley City Council Members

**From:** \_\_Rhonda Salerno\_\_\_\_\_

**Date:** \_\_December 18, 2023\_\_\_\_\_

**Topic:** \_Animal Welfare Ordinance\_\_\_\_\_ **Number of pages:** \_4 (including this one) \_

**Introduction/Summary:**

See Attached Background Document

**Council Action Request:** Review Ordinance prior to meeting and be prepared with questions for discussion about how to move forward on this action.

**Timeline for Action:** TBD

**Financial Implications:** Due to budgetary restraints, the city attorney will be contacted for review in the new year.

**Staff Time Implications:** Director Penny's review

**List all Attachments:** This Memo, Background Document, Proposed Ordinance

## **Background on proposed Wildlife Ordinance for the City of Langley**

Wildlife is an important part of the natural setting that defines the City of Langley's identity. On July 3, 2023, the Council authorized a task force to explore the possibility of enacting an ordinance to manage conflicts that arise between people and wildlife in our city.

The proposed ordinance can be summarized as **"no harm, no feed"**: people may not trap, poison, or otherwise harm wildlife unless the animals pose an imminent threat to safety or property other than residential landscaping, and may not feed or otherwise attract wildlife except birds.

This effort grew out of work by the Highlands at Langley which adopted a similar "no harm, no feed" rule on June 21, 2023. The Highlands rule was motivated by "Langley bunnies", which at the time were abundant in our neighborhood and elsewhere in the City.

As we worked to extend the rule to the City, we learned that different wildlife issues are paramount in other neighborhoods, notably excessive feeding of deer. We also recognized the legitimate interests of homeowners, businesses, and farmers to protect property and crops.

The proposed ordinance seeks to accommodate these interests appropriately while at the same time reflecting the importance of wildlife to the Langley way of life.

## CHAPTER ~~XXXX~~ WILDLIFE

### Definitions

For purposes of this chapter, the terms “wild animal” and “wildlife” are used interchangeably to mean non-human mammals and birds that live in a wild state and are not controlled by humans. This includes feral domestic animals.

### Harming of wildlife restricted

It is unlawful to kill or harm wild animals. It is unlawful to trap, set traps or other devices, poison, or place poison with intent to kill or harm, except under the following conditions.

1. The animal poses an imminent threat to human safety or the safety of animals under human control including livestock and pets;
2. The animal poses an imminent threat to commercial crops or other commercial farming activities;
3. The animal poses an imminent threat to personal or real property except residential landscaping.

### Feeding of wildlife restricted

It is unlawful to feed or otherwise attract wild animals except birds. Under extreme environmental conditions in which the animals are facing starvation or severe deprivation, it is acceptable to facilitate natural foraging, for example clearing snow or ice to expose vegetation.

### Exceptions

- A. This chapter does not apply to an animal control officer, veterinarian, peace officer, town employee, federal or state wildlife official, certified pest control employee, or property owner who is authorized by a local, state, or federal government to treat, manage, capture, trap, hunt or remove wild animals and who is acting within the scope of the person’s authority.
- B. Nothing in this chapter shall limit protection of endangered, protected, or other classified wildlife per **WAC 220-440-060** or permit use of control measures (including traps and poisons) prohibited under state law **RCW 77.15.194, RCW 77.15.196, RCW 77.36.030** and other applicable laws and regulations.

### Violation – Penalty

Violation of or failure to comply with any of the provisions of this chapter shall be subject to a civil penalty as set forth in Chapter 1.14. When violations are of a



continuing nature, the penalty shall increase each day of the violation as set forth in Section 1.14.050(E). (Ord. 1055 § 1, 2019; Ord. 1053 § 1, 2019; Ord. 832, 2003; Ord. 430, 1984)

# City of Langley

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P.O. Box 366  
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(360) 221-4246  
[www.langleywa.org](http://www.langleywa.org)



Krista "Kennedy" Horstman  
Mayor  
Fax (360) 221-4265

## Staff Report

To: Langley City Council  
From: Wanda J. Grone, Finance Director  
Re: 2024 Budget  
Meeting Date: December 18, 2023

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Pursuant to the initial hearing on October 30, 2023 in compliance with RCW 35A.33.070, the updated budget is hereby presented for your consideration. The 2024 ad valorem tax levy was approved by Council November 6 (Resolution #838) and thereafter accepted with the 2024 bond levy by the Board of Island County Commissioners and Island County Assessor's Office on November 21 in accordance with RCW 35A.33.135, RCW 84.52.020, and RCW 84.52.025.

Revisions were made after the initial hearing and balances thereby adjusted. To the best of my knowledge, the estimates of revenues and expenditures are accurate and the document presented is compliant with Washington State statutes. RCW 35A.33.075 requires that totals of estimated revenues and appropriations for each separate fund and the aggregate totals for all such funds combined be set forth in summary form.

RCW 35A.33.075 requires that the final budget as adopted be transmitted to the state auditor, and to the association of Washington cities.

**DRAFT ORDINANCE NO. 1113**

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF LANGLEY, WASHINGTON, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024.

WHEREAS, the City of Langley, Washington completed and placed on file with the City Clerk a proposed budget and estimate of the amount of moneys required to meet the public expenses, bond retirement and interest, reserve funds, and expenses of government of the City for the fiscal year ending December 31, 2024; and

WHEREAS, a notice was published that the City Council would meet on December 18, 2023 at 5:30 p.m., in the council chambers of city hall for the purpose of making and adopting a budget for said fiscal year and giving taxpayers within the limits of the City an opportunity to be heard in a public hearing upon said budget; and

WHEREAS, the City Council did hold a public hearing at that time and place and did then consider the matter of the proposed budget for the fiscal year 2024; and

WHEREAS, the proposed budget does not exceed the lawful limit of taxation allowed by law to be levied on the property within the City for the purposes set forth in the budget, and the estimated expenditures set forth in the budget being all necessary to carry on the government of the City for the fiscal year 2024 and being sufficient to meet the various needs of the City during that period;

NOW THEREFORE, the City Council of the City of Langley Washington, does ordain as follows:<sup>1</sup>

**SECTION 1.** The budget for the City of Langley, Washington for the year 2024 is hereby adopted at the fund level in its final form and content as set forth in the comprehensive budget document, City of Langley 2024 Budget, copies of which are on file in the Office of the City Clerk.

**SECTION 2.** Estimated resources, including fund balances for each separate fund of the City of Langley Washington, for the year 2024 are set forth in summary form below, and are hereby appropriated for expenditure at the fund level during the year 2024 as set forth in the City of Langley 2024 Budget

<b>Fund</b>	<b>Estimated Beginning Fund Balance</b>	<b>Estimated Revenues</b>	<b>Appropriations/ Expenditures</b>	<b>Estimated Ending Fund Balance</b>
General Fund (Current Expense)	\$ 136,632.00	\$ 2,109,266.00	\$ 2,229,594.00	\$ 16,304.00
Street Fund	\$ 289,385.00	\$ 712,502.00	\$ 807,434.00	\$ 194,453.00
Cemetery Fund	\$ 54,778.00	\$ 21,500.00	\$ 60,709.00	\$ 15,569.00
Tourism Fund	\$ 145,463.00	\$ 220,000.00	\$ 278,686.00	\$ 86,777.00
LIP Bond Fund	\$ 330,762.00	\$ 315,000.00	\$ 151,888.00	\$ 493,875.00
Capital Reserve Fund	\$ 580,629.00	\$ 116,500.00	\$ 75,000.00	\$ 622,129.00
Water improvement Project Fund	\$ 3,995,188.00	\$ 5,922,814.00	\$ 5,922,814.00	\$ 3,995,188.00
Water Fund	\$ 1,695,058.00	\$ 966,968.00	\$ 1,000,002.00	\$ 1,662,024.00
Sewer Fund	\$ 1,201,435.00	\$ 1,027,640.00	\$ 1,040,555.00	\$ 1,188,520.00
Stormwater Fund	\$ 619,850.00	\$ 346,822.00	\$ 352,087.00	\$ 614,584.00
Water Capital Reserve Fund	\$ 2,378,255.00	\$ 583,256.00	\$ 1,308,869.00	\$ 1,652,642.00
Stormwater Capital Reserve Fund	\$ 688,218.00	\$ 195,000.00	\$ 50,000.00	\$ 833,218.00
Sewer Expansion and Improvement Fund	\$ 1,547,144.00	\$ 631,880.00	\$ 267,690.00	\$ 1,911,334.00
Public Works Vehicle Reserve Fund	\$ 91,458.00	\$ 37,100.00	\$ 30,000.00	\$ 98,558.00
<b>Total All Funds</b>	<b>\$ 13,754,255.00</b>	<b>\$ 13,206,248.00</b>	<b>\$ 13,575,328.00</b>	<b>\$13,385,175.00</b>

SECTION 3. The City Clerk is directed to transmit a certified copy of the budget hereby adopted to the State Auditors' Office<sup>2</sup> and to the Municipal Research and Services Center (MRSC).

SECTION 4. Effective Date. This ordinance shall be in full force and take on January 1, 2024.

Passed by the City Council of Langley Washington, at a regular meeting thereof this 18th day of December, 2023.

\_\_\_\_\_  
Mayor (or Chair)

Approved as to form:

\_\_\_\_\_  
City (or Town) Attorney

Attest:

\_\_\_\_\_  
Clerk

# City of Langley

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Krista "Kennedy" Horstman  
Mayor  
Fax (360) 221-4265

## Staff Report

To: Langley City Council  
From: Wanda J. Grone, Finance Director  
Re: Work Plan  
Meeting Date: December 18, 2023

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### Repeated from December 4 – initial budget hearing for tonight's second hearing:

Pursuant to the initial hearing on October 30, 2023 in compliance with RCW 35A.33.070, the updated budget is hereby presented for your consideration. The 2024 ad valorem tax levy was approved by Council November 6 (Resolution #838) and thereafter accepted with the 2024 bond levy by the Board of Island County Commissioners and Island County Assessor's Office on November 21 in accordance with RCW 35A.33.135, RCW 84.52.020, and RCW 84.52.025.

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RCW 35A.33.075 requires that the final budget as adopted be transmitted to the state auditor, and to the association of Washington cities.

### Work Plan Progress:

- Budget figures have been analyzed further and cash flow analysis has been undertaken. Alternatives to handle a possible general fund cash shortage in February and March have been identified.
- Possible savings measures are being discussed and if enacted by the end of the first Quarter of 2024's activities to reflect changes, a budget amendment will be prepared.
- November draft financials were issued to the Finance & Personnel Legislative Committee (FPLC) and staff, which will help better estimate year-end fund balances.
- Accounting Clerk Allison Gubata and I took a State Auditor's Office CASH BARS Manual training webinar on November 16 to learn of changes to the manual effective January 1, 2023, and the basics of annual report filing.

- I met with the State Auditor's Office via Teams to meet the members of the audit team and discuss the schedule for the audit, as well as to identify their areas of audit concentration and risk assessments. The 2021-2022 audit will start around January 8, 2024.
- We had three responses to the RFP for Financial Management Software replacement and have identified the two systems that best fit the City's needs. Demonstrations are scheduled for December 13 and January 4. Regarding the City's ability to pay for new financial/accounting software, I am preparing analyses to propose various financing options.
- I published a legal notice of an RFP for Arbitrage Compliance Services in connection with the 2020 issue of the Langley Infrastructure Project (LIP) Bonds. The deadline for responses to be submitted is December 22 and I am already receiving submissions. A choice of consultant will be made, and the contract brought before Council in early January.
- The Langley Chamber lease is due for renewal January 1, 2024; an appropriate increase was proposed and the lease was delivered to the Chamber at the beginning of December. I understand it was approved at the December 11 Council meeting.
- The Island County Prosecuting Attorney's Office has notified the City of an increase of 3.5% for handling prosecution services for 2024 as per its agreement and is asking to have discussions in 2024 about renewing the interlocal agreement effective in 2025.