

Langley City Council
Special Workshop April 12, 2011

Mayor Samuelson called the meeting to order at 3:02 PM. The meeting was called to be a training on Council Roles and Responsibilities. All Council Members were present. Also present were City Attorney Grant Weed who conducted the workshop and Kathleen Landel, Special Assistant to the Mayor; Jeff Arango, Planner; Challis Stringer, Director of PW; and Director of Finance/City Clerk Debbie Mahler.

Attorney Grant Weed explained that Langley operates under the “Optional Municipal Code as a code city (RCW 35A). Grant explained the different classifications of cities and forms of government. He gave a brief overview of the powers and duties of the Mayor and the powers and duties of the Council by law. The Mayor is in charge of departments and employees, has the power to hire and fire, enforce contracts, bring lawsuits and defend lawsuits against the city with council approval, presides over council meetings, break a tie vote by council subject to some limitations, has the authority to veto ordinances subject to override by a majority plus one of council; set special meetings; report to council on the administrative affairs of the city; prepare a proposed budget; and is the ceremonial head of city. Council are the legislators involved in policy making; they have the duty and authority to pass a budget; define the powers, duties and functions of employees; approve job descriptions; approve personnel ordinances; fix compensation of employees; establish working conditions; to maintain and administer retirement and pension systems; impose fines and penalties for violations of code; authority to enter into and approve contracts; purchase, sell and dispose of real and personal property of the city and leasehold interests; decide on the purpose and extent of government services; the imposition of taxes; to set fees and rates for services; adopting and setting policy; approving of claims; and to set rules of procedure for council meetings. Grant also explained the difference between ordinances and resolutions. Ordinances are law, must be followed as prescribed. A resolution is a statement of general policy without the force of law. Contracts are usually adopted by motion, can be adopted by resolution, but not usually.

Ad hoc committees – our code gives the authority for standing committees and ad hoc committees at will. The standing committees have not been used in Langley in many, many years. In recent years, the Council has not made use of committees very often. Currently committee energy is focused on ad hoc committees as needed. Grant would like committees be formed with very specific duties and procedures and specific time lines. There are guiding principals for when the open public meetings act must be followed. It is not required to follow the act if only making recommendations to Council, but if the committee is making regulations, or taking final action on an issue or holding public hearings, taking testimony, etc., it must follow the open public meetings act. A Committee can take public comments and viewpoints or not, but if they take sworn testimony then it must follow the open public meetings act, record the meeting, take minutes, give notice, etc.

Relationship of state law to city code. – As an optional municipal code city, Langley has broad authority to enact code as long as it is not in conflict with state law. The city can legislate in many areas as long as the state has not pre-empted city law or regulation. Under SEPA implementing the statutes is set by state law but gives municipalities the authority to set their own regulations and policy as long as they are not in conflict with the state statutes. This is where the city attorney must review any questions on an issue.

Executive sessions – The open public meetings act has a prescribed list of items that can be discussed in executive session. The Council must state the purpose of the executive session, estimated amount of time they will be in executive session and whether action is intended after the executive session. If executive sessions are to be called for the purpose of discussing a claim against the city or potential litigation, the city attorney must be there or present by telephone, skype, etc.

Other issues that can be discussed in executive session are to discuss the qualifications of a candidate for employment, sale or purchase of real estate, an employee performance review; and deliberation of qualifications of a candidate for council appointment.

Fran Abel asked if a council member wanted or needed to attend a meeting and act in official capacity over skype, would that need to be in code. Grant said yes, that would need to be set up in our code before we could use it.

The meeting was adjourned at 4:58 PM.

Respectfully submitted,

Debbie L. Mahler, Director of Finance/City Clerk