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## City of Langley

PAUL SAMUELSON  
Mayor

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**DATE:** May 2, 2008  
**TO:** Langley City Council  
**FROM:** Kathleen Landel, Special Assistant to the Mayor *KL*  
**SUBJECT: Board & Commission Code Change Recommendations**

The purpose of these recommended changes are to:

- Establish uniform policies for board and commissions for ease of administrative implementation and accessibility for citizens.
- Move all of the board and commission code to Chapter 2 Administration and Personnel where all human resources issues are addressed.
- Standardize structure of specific board/commission code for ease of use and understanding.

### **Recommended Actions**

**ADOPT NEW** code in Chapter 2:

- Uniform Policies for Citizen Boards and Commissions

**MOVE EXISTING** code to Chapter 2:

- Planning Advisory Committee (currently under Chapter 18.20)
- Design Review Board (currently under Chapter 18.34)
- Historic Preservation Commission (currently adopted in Historic Preservation ordinance, under Title 15)

**REVISE EXISTING** code in Chapter 2:

- Chapter 2.36 Library Board
- Chapter 2.52 City Cemetery
- Chapter 2.57 Parks and Open Space Commission (renamed from Parks and Recreation Board)

**City of Langley**

**Ordinance No. \_\_\_\_**

**AN ORDINANCE OF THE CITY OF LANGLEY adding a new Chapter to Title 2 of Langley Municipal Code entitled “Uniform Policies for Citizen Boards and Commissions”.**

**WHEREAS**, the Mayor and City Council desire to establish uniform policies for all City boards and Commissions; NOW THEREFORE,

**The City Council of the City of Langley, Washington DO ORDAIN AS FOLLOWS:**

**Section 1.** Langley Municipal Code Title 2 is hereby amended to add a new Chapter 2.34 entitled “Uniform Policies for Citizen Boards and Commissions” to read as follows:

**Purpose**

**Application.**

**Residency Requirements.**

**Appointment.**

**Term Length**

**Selection of Council Contact.**

**Selection of Chair and Co-Chair.**

**Assignment of Staff Liaison.**

**Conflict of Interest.**

**Member Removal.**

**Open Meetings.**

**Rules and Regulations.**

**Work Plan.**

**Annual Report to the Council.**

**Review and Reauthorization.**

**Purpose.**

The purpose of this chapter is to establish uniform policies for city boards and commissions and a process for review to insure that the structure is efficient and accessible to citizens.

All boards and commissions are created by the City Council (Council), as the legislative body, and are not independent or autonomous to the Council.

A. All boards and commissions of the City of Langley shall be created by an ordinance of the Council and shall contain a statement of purpose, duties, specific membership composition requirements, exceptions to the residency requirements and meeting frequency.

B. The responsibilities of citizen boards and commissions in the City of Langley shall be in two areas:

1. Advice. These boards and commissions shall advise the Council and the mayor on items related to their purpose and on such specific items as requested by the Council or Mayor.

2. Delegated Action. These boards and commissions may be authorized by city ordinance, and in some cases also pursuant to state statute, to conduct specific city business and/or may undertake specific actions as delegated to them by the Council or the Mayor in their respective roles.

**Application.**

This chapter shall apply to all citizen boards and commissions created and/or regulated by the City. The Council may, by ordinance, exempt specific standing boards and commissions from provisions of this Chapter.

**Residency Requirements.**

The majority of all boards and commission members must live within the city limits. If a board or commission member moves out of the area and impacts the majority balance, that member is no longer eligible to serve. Exceptions to these requirements must be included in the board or commission ordinance passed by the Council.

**Appointment.**

The members of all boards and commissions will be appointed by the Mayor and approved by the Council. The Mayor will provide and publicize an open application process for vacant positions. Members shall be selected without respect to political affiliation and shall serve without compensation. The Mayor may appoint a maximum of one council member to serve on an advisory board or commission.

**Term Length.**

The term length for all board and commission members shall be three (3) years. The Mayor will determine the terms of the initial appointments to ensure staggered terms so that no more than one-third of the members' terms expire each year. If a position becomes vacant mid-term, an appointment will be made to fill the rest of the term. Members in good standing may be re-appointed at the discretion of the Mayor and with the approval of the Council.

**Selection of Council Contact.**

The Council will approve a council member contact for each board and commission at the first council meeting each January. A council member appointed to an advisory board or commission will also serve as the council contact. The council contact will serve as a communication link between the board or commission and the Council.

**Selection of Chair and Co-Chair.**

The Mayor will appoint a Chair and Co-Chair for each board and commission from the members, after consultation with the members of the board or commission and the Council.

**Assignment of Staff Liaison.**

The Mayor will assign a staff person to each board and commission to provide technical expertise and staff support.

**Conflict of Interest.**

If any member has a conflict of interest or an appearance of fairness issue with a matter before the board or commission, the member shall not participate in the deliberations and the decision-making process with respect to the matter.

**Member Removal.**

Removal of a member shall be recommended by the Mayor with approval of the Council.

**Open Meetings.**

All meetings of boards and commissions are subject to the Open Public Meeting Act (RCW 42.30) where a majority (a quorum) meets and discusses business. For all board and commission meetings, the agenda, including date, time and location, will be made available to the public by

4:30 pm Friday, the week before the meeting.

**Rules and Regulations.**

The City shall establish general rules and regulations for the conduct of these boards and commissions, including the requirement that all meetings have minutes taken, a majority of the members shall constitute a quorum for the transaction of business, and a majority of those present shall be necessary to carry any motion. In addition, each board and commission may adopt such additional rules and regulations as are necessary for the conduct of its business, subject to the approval by the Council.

**Work Plan.**

Each board and commission shall develop a written work plan based on the Council's annual plan, policy development assignments and priorities identified by the board or commission and approved by the Council. The plan shall be submitted for approval on or before the Council's last meeting in December each year. The work plan shall outline the key goals and timeline, the meeting schedule and member terms expiring for the coming year.

**Annual Report to the Council.**

Each board and commission shall submit a written report on or before the Council's first meeting in March each year. The report shall summarize the activities and accomplishments for the previous calendar year (January through December) and include any general recommendations and reports as appropriate.

**Review and Reauthorization.**

Every odd numbered year, unless prohibited by state statute, the Council shall discuss and reauthorize boards and commissions of the City, as it deems appropriate.

A. A reauthorization resolution shall state the current purpose and need for the board or commission and may include termination of or in the purpose and need changes from the original ordinance.

B. The Council may determine that a board or commission is no longer needed and may choose to not reauthorize the board or commission. An ordinance repealing the original authorizing ordinance shall be placed on the Council agenda for formal action.

C. For the purpose of implementing this chapter, the review schedule should be every two years beginning in 2009 and then on each successive odd numbered year.

**Section 2. Severability.** If any section, paragraph, subsection, clause or phrase of this ordinance is held invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

**Section 3. Effective Date.** This ordinance shall be in full force and effect five (5) days after publication and posting of an approved summary thereof, consisting of the title.

**PASSED BY THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON,**  
and approved by the Mayor at a regular meeting held this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
**PAUL O. SAMUELSON, Mayor**

ATTEST:

**DEBBIE L. MAHLER**, Clerk-Treasurer

APPROVED AS TO FORM:

**GRANT K. WEED**, City Attorney

PUBLISHED: South Whidbey Record - \_\_\_\_\_

**Chapter 2.xx**  
**Planning Advisory Board**  
**DRAFT LANGUAGE – Ordinance to follow**

**Repeal from 18.20:**

18.20.040, 18.20.50, 18.20.100

(Revised 18.20.040) **Section 2.xx.010 Created.**

The City of Langley hereby creates a planning advisory board.

(Added) **Section 2.xx.020. Purpose.**

The planning advisory board shall review and recommend action on all land use issues and will ensure that the goals and intention of the comprehensive plan are reflected in the city's land use decisions.

(Revised 18.20.50) **Section 2.xx.030 Duties and Responsibilities.**

The board shall be advisory to the city council and shall have the following goals:

- (1) To review and make recommendations on all quasi-judicial actions on applications for subdivisions, variance, conditional use, and rezone.
- (2) To research, review and make recommendations on land use regulations including the zoning code, long-range plans, shoreline master program and other special projects as assigned by the council.
- (3) To carry out other responsibilities and duties as contained in RCW Chapter 35A.63. (Ord. 527, 1989) (Ord. 873, 2006)

(Revised 18.20.40) **Section 2.xx.040 Members.**

- (1) Number of Members. The board shall consist of five (5) voting members and one (1) alternate member. The alternate member shall attend meetings and participate in discussions and will vote when a regular board member is not able to attend a board meeting.
- (2) Residency. Four (4) voting members must reside either within the City of Langley or a maximum of one (1) may reside within the unincorporated Urban Growth Area (UGA), as defined by the most current adopted Comprehensive Plan map.

(Revised 18.20.100) **Section 2.xx.050 Meetings.**

The board shall meet at least once a month, or as often as feasible, in order to carry out the planning advisory board function and to minimize the delay in processing land use applications and planning documents. The board shall adopt and publish policies regarding the time, place, and frequency of meetings. If there is no business to conduct a meeting cancellation notice shall be posted in the same manner as all meeting notices. Special meetings may be held as often as the board deems necessary. Notice of special meetings must be provided in accord with the Washington State Open Public Meetings Act.

**Chapter 2.xx**  
**Design Review Board**  
**DRAFT LANGUAGE – Ordinance to follow**

**Repeal:**

18.34.020 & 18.34.110

**Change:**

Chapter 18.34 title to “Design Review”

(Revised 18.34.020) **Section 2.xx.010 Created.**

The City of Langley hereby creates a design review board.

(Added) **Section 2.xx.020 Purpose.**

The design review board shall review and take action on development applications submitted to the city for design approval as required in Chapter 18.34 Design Review, and shall have final authority for design approval unless a decision is appealed pursuant to Section 18.34.120.

(Revised 18.34.020) **Section 2.xx.030 Members.**

- (1) Number of Members. The board shall consist of five (5) voting members and one (1) alternate member. The alternate member shall attend meetings and participate in discussions and will vote when a regular board member is not able to attend a board meeting.
- (2) Residency. Two (2) voting members must reside within the City of Langley. Four (4) members may reside outside of the city limits. This exception to a majority residency requirement is allowed due to the specialized expertise required on this board.
- (3) Qualifications. The voting membership of the board shall consist of a minimum of: one (1) architect or building designer, one (1) landscape architect or landscaper, one (1) builder or developer, and one (1) Langley business owner or commercial property owner. The other two (2) members must be educated in, or have practical experience or an interest in planning or related design concepts.

(Revised 18.34.110) **Section 2.xx.040 Meetings.**

- (1) Meeting Schedule. The Board shall meet once a month, or as often as feasible, in order to carry out the design review function and to minimize the delay in processing development applications. The board shall adopt and publish policies regarding the time, place, and frequency of meetings. If there is no business to conduct a meeting cancellation notice shall be posted in the same manner as all meeting notices. Special meetings may be held as often as the board deems necessary. Notice of special meetings must be provided in accord with the Washington State Open Public Meetings Act.

**Chapter 2.xx**  
**Historic Preservation Commission**  
**DRAFT LANGUAGE – Ordinance to follow**

**Revise:**

Ordinance – under Title 15, Chapter titled: Historic Preservation, Section titled Langley Historic Commission

Remove “G. Commission Staff” since staff assistance is covered in uniform policies?

Remove all other subsections except portion of “B. Composition of the Commission, section 2 relating to CLG action – move under D?, “D. Powers & Duties”

(Revised A. Creation and Size) **Section 2.xx.010 Created.**

The City of Langley hereby creates a historic preservation commission.

(Added) **Section 2.xx.020 Purpose.**

The historic preservation commission is the review and approval body for the city in meeting the city’s historic preservation requirements. The commission shall review and take action on nominations to the Langley Register of Historic Places and on development applications that affect properties or districts on the register or identified historic resources or adjacent properties; serve as the local review board for Special Valuation, and take on other duties pursuant to Chapter 15 Historic Preservation.

(Revised B. Composition of the Commission) **Section 2.xx.050 Members.**

- (1) Number of Members. The commission shall consist of seven (7) voting members.
- (2) Residency. All members must reside within the City of Langley and/or Island County, Washington. Exceptions to the residency requirement may be granted by the Mayor and approved by the City Council in order to obtain representatives from the disciplines required in subsection 2.xx.050(3). This exception to a majority residency requirement is allowed due to the specialized expertise required on this commission.
- (3) Qualifications. All members of the commission must have a demonstrated interest and competence in historic preservation and possess qualities of impartiality and broad judgment. At least four (4) members of the commission must have experience in identifying, evaluating, and protecting historic resources and are selected from among the disciplines of architecture, architectural history, planning, building construction, conservation, landscape architecture, or related disciplines. The Mayor shall notify organizations or individuals related to these disciplines, when there are commission vacancies.

(Added) **Section 2.xx.060 Meetings.**

- (1) Meeting Schedule. The Board shall meet regularly on at least a monthly basis and shall adopt and publish policies regarding the time, place, and frequency of meetings. If there is no business to conduct a meeting cancellation notice shall be posted in the same manner as all meeting notices. Special meetings may be held as often as the commission deems necessary. Notice of special meetings must be provided in accord with the Washington State Open Public Meetings Act.

**Chapter 2.36**  
**Library Board**  
**DRAFT LANGUAGE – Ordinance to follow**

**Repeal:**

2.36.030 - replaced by 2.36.014

**(Revised) Section 2.36.010 Created.**

The City of Langley hereby creates a library board.

**(Add) Section 2.36.014 Purpose.**

The library board is advisory to the council and shall make recommendations to the council regarding all issues related to the maintenance, furnishings, landscaping, building use, library related requests, and budget for the library building.

**(Revised) Section 2.36.020 Members.**

- (1) Number of Members. The commission shall consist of no less than five (5) or more than seven (7) voting members.
- (2) Residency. Two (2) members of the board must reside within the City of. Five (5) members may reside outside of the city limits, so long as they have demonstrated an interest in the library building. This exception to a majority residency requirement is allowed due to the broad interest and patronage of the library.

**(Revised) Section 2.36.040 Meetings.**

- (1) Meeting Schedule. The Board shall meet regularly on at least a quarterly basis and shall adopt and publish policies regarding the time, place, and frequency of meetings. If there is no business to conduct a meeting cancellation notice shall be posted in the same manner as all meeting notices. Special meetings may be held as often as the commission deems necessary. Notice of special meetings must be provided in accord with the Washington State Open Public Meetings Act.

**Chapter 2.52**  
**City Cemetery**  
**DRAFT LANGUAGE – Ordinance to follow**

**No change:**

2.52.040 – 2.52.120

(Revised) **Section 2.52.010 Cemetery Board - Created.**

The City of Langley hereby creates a cemetery board.

(Add) **Section 2.52.014 Cemetery Board – Purpose.**

The cemetery board is advisory to the council and shall make recommendations to the council regarding the operating, maintaining, improving and funding of the Langley-Woodman Cemetery.

(Revised) **Section 2.52.020 Cemetery Board – Members.**

- (1) Number of Members. The commission shall consist of no less than three (3) or more than seven (7) voting members.
- (2) Residency. Two (2) members of the board must reside within the City of Langley. Five (5) members may reside outside of the city limits, so long as they have demonstrated an interest in the Langley-Woodman Cemetery. This exception to a majority residency requirement is allowed due to the broad interest and patronage of the cemetery.

(Revised) **Section 2.52.030 Cemetery Board – Meetings.**

- (1) Meeting Schedule. The Board shall meet regularly on at least a monthly basis and shall adopt and publish policies regarding the time, place, and frequency of meetings. If there is no business to conduct a meeting cancellation notice shall be posted in the same manner as all meeting notices. Special meetings may be held as often as the commission deems necessary. Notice of special meetings must be provided in accord with the Washington State Open Public Meetings Act.

**Chapter 2.57**  
**Parks and Open Space Commission**  
**DRAFT LANGUAGE – Ordinance to follow**

**Revise:**  
2.57.010 – 2.57.060 & 2.57.080

**Repeal? Move?**  
2.57.070 & 2.57.090

(Revised) **Section 2.57.010 Created.**

The City of Langley hereby creates a parks and open space commission.

(Revised) **Section 2.57.020 Purpose.**

The Parks and Open Space Commission shall advise and make recommendations regarding the park and open space assets within the City. The commission works to enhance the health and well-being of residents, businesses and visitors through the City's responsible, innovative and cost effective development and stewardship of open space, active use parks, passive enjoyment areas, and natural places

(Revised) **Section 2.57.030 Duties and Responsibilities.**

The commission shall be advisory to the City Council and shall have the following goals:

- (1) To develop a comprehensive park plan;
- (2) To articulate tools and strategies for the acquisition and maintenance of land and/or facilities;
- (3) To advise the development, design and use of park, playfield, open space and trail facilities;
- (4) To propose interlocal agreements and lease agreements to the City Council regarding park, open space and trail activities;
- (5) To propose and implement regulations governing the hours and fees for park and open space use;
- (6) To identify park and open space funding priorities as part of the annual budget and citywide capital improvement planning process; and
- (7) To perform other matters referred to the parks and open space commission by the City Council or the Mayor.

(Revised) **Section 2.57.050 Members.**

- (1) Number of Members. The commission shall consist of five (5) voting members.
- (2) Residency. Three (3) members of the parks and open space commission must reside within the City of Langley. Two (2) members may reside outside of the city limits, so long as they have specialized skills specified under section (3) Qualifications, or a maximum of one (1) may live within the unincorporated Urban Growth Area (UGA), as defined by the most current adopted Comprehensive Plan map.
- (3) Qualifications. At least two (2) members of the commission must have specialized skills related to parks development, including areas such as recreation planning, land or parks development, or landscape architecture. The remaining three (3) members on the commission do not require specialized skills related to parks and open space, but must demonstrate an interest the City of Langley's parks and open space efforts.

(Revised) **Section 2.57.060 Meetings.**

- (1) Meeting Schedule. The commission shall meet regularly on at least a monthly basis and shall adopt and publish policies regarding the time, place, and frequency of meetings. If there is no business to conduct a meeting cancellation notice shall be posted in the same manner as all meeting notices. Special meetings may be held as often as the commission deems necessary. Notice of special meetings must be provided in accord with the Washington State Open Public Meetings Act.