

Special Meeting
Amended Ethics Code Ordinance 999
Minutes – April 9, 2014

Mayor Fred McCarthy called the meeting to order at 10:04 AM. Present were council members Jim Sundberg, Rene Neff, Margot Jerome, Thomas Gill and Bruce Allen. Also present was Deputy Clerk Cheryl Knighton.

Four members of the ethics committee have recommended that the city have a standing board. Ursula, Mary, and Christina were present.

Mayor McCarthy passed out the original Ordinance 994 the amended Ordinance 999, a list of questions, and the Guild meeting concerns.

Margot brought copy of Anne Medlock read at the last meeting, and copies of discussion from previous meeting.

Question: Should the City of Langley have a standing Ethics Board?

Discussion:

Whenever the city has hiring, there is usually someone from the public included depending on the expertise of what the position is. So if an ad hoc committee were to be formed, then someone from the public who has had experience in such a back ground could be brought in to serve on the committee.

Another alternative per Margot, is to have a standing committee, but they bring or pick the ad hoc committee. So that the neutral parties are setting up the committee. Rene agrees.

Police ethical issues could be considered a different issue. Fred pointed out the issues that the guild brought up. Some discussion on the difference between the Guild, the Civil Service and the Ethics Commission. Ursula asked what kind of a board are the council recommending. Their intent is the board be an advisory board only. Christina agrees that it should be advisory and not administrative. It should be defined what the prevue is of the complaint brought forward. She pointed out that the people who make the complaint should exhaust all other avenues, and make sure they understand what the policies of the city are and all laws pertaining to the complaint. Possibly sign a form stating they have read all policies and law pertaining to ethical conduct.

Margot asked how does the commission feel about any of them being on the standing board, and would they feel they could appoint a core board to be added? Have a core and then adding a side committee who has expertise in the issue. Is Langley large enough to have a standing board? Ursula would be willing to help select a board. Keep the

framework that we have for our boards and commissions and use the same for the Ethics Board.

Is it practical to have a board that does not have a conflict of interest in a small community? Possibly look at Snoqualmie's Ethics Board, who uses an ethics examiner so to speak. Ursula feels strongly about the council being trained in ethics if there is no board.

Rene agrees.....

Fred feels there needs to be procedures put in place including ethics training. There needs to be guide/test giving regularly yearly possibly that council, supervisors and employees must take and pass.

Rene wonders if the city should have a "trail" Ethics Board. After a year or two, revisit to see if time was well spent.

The board could be responsible for the training. Who is responsible for the training? What are the consequences of a complaint.

Christina thinks that the "appearance" of an Ethics Board will be important to the community. More of a city "culture" of ethics.

Council is in agreement. Possibly change the name to the Ethics Training and Advisory Board.

Application to be on the board would be to fill out a volunteer form, list requirements in the posting, be interviewed, agree to a background check, read the ordinance and get trained. Fred asked what the committee suggests the city do as far as the ordinance.

It was decided to make the following changes to Ordinance 999 and bring back for review.

Rename the Ordinance as "Ethical Training and Advisory Board".

Put Ordinance 994 back to the original with the following changes:

- Remove 1.24.040.1, 3d

- Remove 1.24.040.4

- Remove 1.24.040.2 5 b 1

- Change 1.24.040.1 to Ethics Training and Advisory Board

- Change 1.24.040.1 3f – remove "waiver requests and decisions"

- Change 1.24.040.2, 2 remove "in the manner prescribed in this chapter"

- Change 1.24.040.6, 2 "sanctions or"

- Change 1.24.040.6

- Change 1.24.040.6, 4d remove "or sanctions"

Change 1.24.040.7 remove “sanctions and” in title
Add 1.24.040.7, 2, add “may” in line 3 after SHE and BEFORE takes
Add- Section 4 – Ethics Training and Advisory Board shall come under
review for effectiveness and usefulness in no more than 24 calendar months.

Change “Ethics Board” to “Ethics Training and Advisory Board” throughout the document.

Develop a complaint form with the following statement:

Complaints must be made in writing, shall specify the provision of the code which the complainant believes was violated, and must be signed by the complainant.

When signing the complaint, the complainant shall certify that he/she has read the Code of Ethics, believes the matter within the complaint is a fair subject of inquiry, and has exhausted all other avenues of relief available to them within our city government.

After the changes, and approval by attorney, the revised ordinance will come back to the council for review.

Fred thanked the commission and council for all of their work.

The meeting was adjourned at 12:05PM

Respectfully submitted,

Cheryl Knighton, Deputy Clerk