



Memo

To: Mayor Samuelson, City Council

From: Jeff Arango, AICP, CFM

Date: October 28, 2011

Re: Port of South Whidbey Modified Phase 1A Marina Expansion

Since the October 5, 2011 joint workshop between the City of Langley and the Port of South Whidbey there have been several follow up discussions between representatives from the City and the Port. The emphasis of these discussions has been on exploring options for creating a stronger partnership between the city and port to allow for a larger expansion of the marina than the currently proposed modified Phase 1A. Several options have been discussed in terms design and funding for the first phase of the marina expansion, but what has emerged from the meetings is clear:

1. Due to the Port granting final approval to move forward with the modified Phase 1A expansion project at the August 17, 2011 port commission meeting without any formal presentation to the city or endorsement from the Mayor or City Council, the city is in a position such that any further discussion about partnerships for a larger first phase expansion will delay the modified Phase 1A beyond the 2012 construction season.
2. The port has received new information from the Army Corps of Engineers that indicates an increased likelihood that permits will be in place to allow the modified Phase 1A expansion in 2012. According to the port the permit is eligible for an alternative permit process that is separated from the larger marina expansion permit and may be expedited. The corp permit would only be for the temporary redeployment of the breakwater.
3. The port continues to believe strongly that proceeding with the modified Phase 1A expansion is in the best interests of both the city and the port and may

be completed in 2012. The port has considered many alternative plans, including those presented by outside entities, and has rejected those plans for various reasons in favor of the current modified Phase 1A proposal.

4. Developing strong partnerships between city and the port and with other private entities will take time to establish and require putting the modified Phase 1A on hold with no guarantee of a successful outcome.
5. Creating a stronger long term partnership between the city and port and moving forward with the modified Phase 1A expansion do not need to be mutually exclusive. The port could move forward with the current expansion plan while the city and port amend the inter-local agreement to establish a strong working relationship including working together on a major update to the Boat Harbor Master Plan. According to Shannon Kinsella, a consultant to the port from Reid Middleton, it is possible to expand the current modified Phase 1A proposal with one seasonal and one year round 150' x 8' floating docks as part of the initial construction or a later expansion.
6. A major source of funding for construction of the modified Phase 1A marina expansion is grant funds through the Council of Governments (COG). According to the port, the modified Phase 1A project is consistent with the original grant agreement and doesn't require a revision.
7. The redeployment of the floating breakwater will require the port to submit a shoreline conditional use permit and shoreline substantial development permit application. The conditional use permit requires a public hearing with the hearings examiner to be considered along with the shoreline substantial development permit.

Based on the facts above the city is in a difficult position in that any further discussion about altering the modified Phase 1A expansion will ensure the project doesn't proceed for construction in 2012. The port has been planning for the marina expansion for the last four years and spent hundreds of thousands of dollars in the process that has lead to their August decision to move forward with the current plan. Since the city has had little involvement over the last several years on planning for the marina it is difficult to provide meaningful input or work towards a partnership within such a short time frame. While the city may seek to have a more significant role in the planning and development of the marina in the long

term, it is not entirely dependent on the port stopping the modified Phase 1A project.

Recommendation

Based on the information described above staff recommends the council endorse the following plan:

1. Defer to the port on making the final decision (according to the port this action was completed in August 2011) on the modified Phase 1A expansion; The port's process and timeline for construction in 2012 does not allow for substantive input from the city.
2. Request that the port consider the floating docks if an agreement can be reached with the city for funding support either as part of initial construction or at a later date.
3. Immediately beginning work on revising the inter-local agreement to form a meaningful long term partnership between the city and port to focus on the ultimate build out of the marina. Specifically, the following should be addressed in a revised inter-local agreement:
 - a. Revise the Inter-local agreement
 - b. Update the Boat Harbor Master Plan
 - c. Off-site parking for the marina
 - d. Funicular and connections between the downtown and marina
 - e. Pedestrian connection between the marina and Seawall Park
 - f. Planning and design for the uplands including public space
 - g. Grant funding for Mukilteo parking

Based on recent meetings between the city and port it appears there is consensus between the two organizations, at least at the staff level, to proceed with creating a stronger long term partnership on the planning, design and construction of a larger marina expansion.