

**CITY OF LANGLEY DRAFT COUNCIL AGENDA**

**Monday, July 15, 2019 5:30 PM**

1. **CALL TO ORDER**
  - a. Flag Salute
  - b. Roll Call
2. **APPROVAL OF AGENDA**
3. **CONSENT AGENDA (See below)**
  - a. Council Meeting Minutes of 7-1-19.....1-3
  - b. Approval of payroll warrants Nos. 38368-38372 and direct deposit run (6/16/19) in the amount of \$43,759.33 and Nos. 38442-38448 and direct deposit run, (6/30/19) in the amount of \$45,036.25.....4-5
  - c. Confirmation of the Mayor's appointment of Don Lauer as Chief of Police
4. **RECOGNITION/APPRECIATION**
5. **COMMISSION AND BOARD REPORTS/PRESENTATIONS**
6. **CITIZEN COMMENTS \***
7. **UNFINISHED BUSINESS**
  - a. Request for special meeting to consider 1<sup>st</sup> reading of Short-term rental ord.....6
8. **STAFF REPORTS**
  - a. Community Planning
  - b. Public Works
  - c. Police
  - d. Finance
9. **MAYOR'S REPORT**
10. **NEW BUSINESS**
  - a. Review and approval of proposed Shoreline Master Plan scope of work and draft request for proposal.....7-13
11. **COUNCIL REPORTS**
12. **DISCUSSION ITEMS**
13. **ADJOURNMENT**

**\*Citizen Comments:** We welcome comments on subjects of concern or interest that are not on the agenda. Please state your name and address so this can be recorded, and limit your comments to 5 minutes. Questions will be answered immediately if the answer is brief, and the information is available. Otherwise, answers will be provided as soon as possible. Thank you for participating! **If reasonable accommodation of a disability is needed please contact Debbie Mahler at (360) 221-4246 at least 48 hours prior to this meeting.**

**Statement regarding Potential Conflicts of Interest** - Officials, employees, consultants, volunteers and vendors are obliged to withdraw from any involvement in a matter where there is a conflict or perceived conflict, even if they feel certain they can act impartially. If a conflict, or potential conflict exists, the affected party shall declare so at the first public meeting when the matter is being considered. And shall withdraw from the meeting or future meetings for the duration of the discussion of the issue.

Langley is a Civility First City

Council Meeting Minutes  
July 1, 2019, 5:30 PM

Mayor Callison called the meeting to order at 5:30 PM. Present were Council Members Christy Korrow, Bruce Allen, Ursula Shoudy, Dominique Emerson by phone and Peter Morton. Also present were Planning Director Brigid Reynolds, Public Works Director Stan Berryman, Police Chief Don Lauer and Finance Director/Clerk Debbie Mahler. The Mayor led the flag salute.

**MOTION:** To approve the agenda. Motion - Allen, 2<sup>nd</sup> - Morton. Motion was approved.

**MOTION:** To approve the consent agenda. Motion - Allen, 2<sup>nd</sup> - Shoudy. Motion was approved.

**CONSENT AGENDA**

Approval of council meeting minutes of 6-17-19

Approval of claims warrants Nos. 383 – 383 , and EFTs in the amount of \$53,604.55

Amplified Music Permit – Machine Shop July 20<sup>th</sup> & August 31<sup>st</sup>

**RECOGNITION/APPRECIATION**

Shelly Rempa, HUB program manager was honored with a Mayor's Excellence Award for her service to the youth at the HUB, a drop in center for adolescence that provides meals, mentoring, and nurturing. Bruce Allen stated that Shelly is the best thing for the HUB and the kids and she is wonderful.

**COMMISSION AND BOARD REPORTS/PRESENTATIONS**

Langley Library Report – Librarian Vicky Welfare reported that the library's new print program is working now and people can get up to 70 pages of free printing per month. Summer reading has 84 kids signed up and they have had great attendance at kids summer programs. Tuesday July 9<sup>th</sup> Jeremiah Joinder will be available to discuss community resources for families and children. Wednesday July 10<sup>th</sup> is reading with Rover, a read aloud to a loving canine listener program that helps kids strengthen reading skills and improve reading confidence. July 11, Finding common ground through music by Barbara Dunn, Peter native American flutist who will explore the role music can play in navigating divisiveness and conflict.

Greg Banks, Island County Prosecutor explained that he is responsible for prosecution of all felonies within the County and contracts to prosecute the City's misdemeanors – crimes in which the perpetrator can't be sentenced to more than a year in county jail. Cities can adopt their own city criminal code or adopt state criminal codes by reference, which Langley has. The Legislature passed a law that cities will pay for their own prosecutor or pay the county prosecutor to prosecute misdemeanors for the cities. Eight years ago Langley and Coupeville contracted with the county prosecutor. Our contract gives a yearly accelerator, but it does not keep up with the cost to prosecute. Greg came up with an average cost of district court cases of \$404. We currently pay \$228. Coupeville signed a new contract last March and are paying the updated costs. The old contract is terminating in 120 days. The new rate would be \$379.85.

**MOTION:** To approve the new contract and rate effective January 1, 2020. Motion – Korrow, 2<sup>nd</sup> – Shoudy.

**MOTION:** To amend the prior motion to have the contract and rate take effect at the termination date (October) of the existing contract. Motion – Korrow, 2<sup>nd</sup> – Shoudy. Motion carried with all in agreement.

Lori Cavender of Ryan’s House – Lori is the Founder and executive director of Ryan’s House and she reported that she started Ryan’s House out of her home and traveled to all the cities on the Island and met with homeless kids to help them get services and give them soup. She created a host home program for homeless teens. She also helped to create home host legislative in 2016 passed by legislature. She had a drop-in center in Freeland with no running water or bathroom. Then she was able to get the old Countryside Inn property in Coupeville with 22 rooms and showers, etc. She stated that there is still far too many homeless kids on South Whidbey. She doesn’t have full funding for a space down here to serve south end kids. Ryan’s House served 21 underage youth last year and found 74 nights of host homes. She helps kids get jobs, get to work, school, etc. She has applied for a Goosefoot grant and are also asking City for funding. Would like \$10,000 from City to get a location in Langley so kids can access services. She will put her request in writing to be considered in the budget process.

**CITIZEN COMMENTS**

There were no comments at this time.

**MAYOR’S REPORT**

Mayor Callison reported that on the 26<sup>th</sup> of June he attended the Council of Governments and met with Commissioner St. Clair regarding our Rural County Economic Development Grant request and also toured the Island Transit facility. The Langley street dance is Saturday, July 13<sup>th</sup> and will feature Western Heroes and the Nathaniel Talbot Trio. At the Langley Main Street annual meeting Mayor Callison recognized Bernita Sanstad and Janet Ploof as outstanding volunteers and proclaimed the day “Janita Ploofstad Day”.

**UNFINISHED BUSINESS**

*Ordinance 1056*

**MOTION:** To adopt Ordinance No. 1056 providing for submission to the voters, a proposition authorizing the City to issue \$4,000,000 of GO bonds for construction of a City-wide water management utility improvements payable from annual excess property tax levies. Motion - Morton, 2<sup>nd</sup> - Allen. Motion carried unanimously.

*Resolution 798 Designating a Creative District*

**MOTION:** To adopt Resolution No. 798 Designating a Creative District within the City of Langley. Motion - Morton, 2<sup>nd</sup> - Shoudy. Motion passed without opposition.

*Staff Report from Finance office* – Debbie Mahler presented a report on the recent developments in her office and the progress in transferring business licensing to the state. A budget calendar for 2020 was

distributed and dates for budget workshops were discussed. Revenue graphs were distributed. The first budget workshop was scheduled for Friday 9<sup>th</sup> of August 9 am to 12 pm.

*Discussion of draft short-term rental ordinance* – Brigid Reynolds explained that council comments will go to PAB (planning advisory board) tomorrow and reviewed. A public hearing will be held by PAB and then the final draft ordinance will come to city council for approval. The ordinance will create a licensing system, set a grace period after code adoption for those operating illegally and will give them until January 1<sup>st</sup> to get their licenses. It will also establish consistent rules for all types of STRs. Walt Blackford feels without a cap on the number of STRs that people will feel it is a right and not a privilege and the number will continue to grow. Walt had several other comments and questions.

## **NEW BUSINESS**

### *Ordinance No. 1057*

**MOTION:** To bring to a first waive 1st reading and adopt, Ordinance No. 1057 Amending LMC 15.04 Building Code and creating a new chapter 15.05 entitled International Property Maintenance Code. Motion - Dominique, 2<sup>nd</sup> - Allen. Motion was approved with all in favor.

### Fee Schedule Resolution

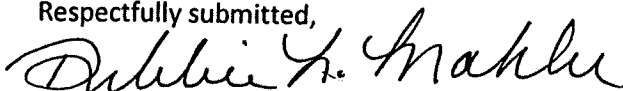
**MOTION:** To bring to a waive first reading and adopt, Resolution No. 799 Amending the Municipal Code Fee Schedule regarding building code fees. Motion - Allen, 2<sup>nd</sup> - Emerson. Motion passed unanimously.

## **COUNCIL REPORTS**

Peter Morton attended a Representative Rick Larson Coffee at the library in Coupeville, where house legislative issues were discussed and airplane noise and mitigation of noise for homes. There was lots of Q & A, etc. Peter asked about energy and innovative climate legislation in this State. Parks and Open Space and Langley Arts Council are going to have a joint meeting of the chairs concerning budget proposals from commissions. The "Wishing Whale" – Arts committee have raised almost half the cost of the 12 foot sculpture already.

The meeting was adjourned at 7:36 PM.

Respectfully submitted,



Debbie L. Mahler, Director of Finance/Clerk

# Payroll Register

June 15 2019

(7)

<u>38368</u>	Durr, Robert J.	2019 - June - 1st meeting	6/10/2019	\$1,659.09
<u>38369</u>	Liggitt, Charles E.	2019 - June - 1st meeting	6/20/2019	\$2,335.15
<u>38370</u>	Milligan, Robert T.	2019 - June - 1st meeting	6/21/2019	\$193.93
<u>38371</u>	Shoudy, Mason O.	2019 - June - 1st meeting		\$1,840.54
<u>38372</u>	CITY OF LANGLEY	2019 - June - 1st meeting	6/19/2019	\$12,007.17
<b>Direct Deposit Run -</b>				
Payroll Vendor				
TC 06/19/2019 PR-DCP STATE TREASURER				
TC 06/20/2019 PR - DSHS WA State Support Registry				
<b>\$43,759.33</b>				

<b>Direct Deposit Run -</b>				
Payroll Vendor				
Baldwin, Darlene	ACH Pay - 4469	2019 - June - 1st meeting		<b>\$24,435.42</b>
Berryman, Stan K.	ACH Pay - 4470	Posting Run - 6/17/2019 - 6/15 PR		\$1,393.75
Callison, Timothy J.	ACH Pay - 4471	Posting Run - 6/17/2019 - 6/15 PR		\$2,367.03
Durr, Robert J.	ACH Pay - 4472	Posting Run - 6/17/2019 - 6/15 PR		\$1,601.16
Grove, Timothy J.	ACH Pay - 4473	Posting Run - 6/17/2019 - 6/15 PR		\$1,937.77
Hamilton, Bryan E.	ACH Pay - 4474	Posting Run - 6/17/2019 - 6/15 PR		\$1,683.07
Happel, Roberta	ACH Pay - 4475	Posting Run - 6/17/2019 - 6/15 PR		\$1,141.73
Herzberg, Robert	ACH Pay - 4476	Posting Run - 6/17/2019 - 6/15 PR		\$1,044.99
Hughes, Rose	ACH Pay - 4477	Posting Run - 6/17/2019 - 6/15 PR		\$388.38
Lauer Jr., Donald E	ACH Pay - 4478	Posting Run - 6/17/2019 - 6/15 PR		\$1,496.10
Mahler, Debbie L.	ACH Pay - 4480	Posting Run - 6/17/2019 - 6/15 PR		\$2,219.83
Needham, Jillian	ACH Pay - 4482	Posting Run - 6/17/2019 - 6/15 PR		\$2,480.54
Perry, Randi M.	ACH Pay - 4483	Posting Run - 6/17/2019 - 6/15 PR		\$1,244.23
Reynolds, Brigid M	ACH Pay - 4484	Posting Run - 6/17/2019 - 6/15 PR		\$1,844.29
Wierzbowski, Joseph W.	ACH Pay - 4486	Posting Run - 6/17/2019 - 6/15 PR		\$2,073.62
				<b>\$1,518.93</b>
				<b>\$24,435.42</b>

# Payroll Register

June 30 2019

(15)

<u>38442</u>	Liggitt, Charles E.	2019 - June - 2nd meeting	\$2,086.29
<u>38443</u>	Shoudy, Mason O.	2019 - June - 2nd meeting	\$1,676.51
<u>38444</u>	AFLAC WORLDWIDE HEADQTRS	2019 - June - 2nd meeting	\$286.86
<u>38445</u>	CITY OF LANGLEY	2019 - June - 2nd meeting	\$11,299.64
<u>38446</u>	National Fraternal Order of Police	2019 - June - 2nd meeting	\$220.50
<u>38447</u>	DEPT OF LABOR & INDUST.	2019 - June - 2nd meeting	\$4,737.77
<u>38448</u>	EMPLOYMENT SECURITY DEPT	2019 - June - 2nd meeting	\$536.74
	<b>Payroll Vendor</b>	<b>2019 - June - 2nd meeting</b>	<b>\$24,191.94</b>
			<b>\$45,036.25</b>

<b>Direct Deposit Run -</b>	<b>Payroll Vendor</b>	<b>2019 - June - 2nd meeting</b>	<b>\$24,191.94</b>
Baldwin, Darlene	ACH Pay - 4487	Posting Run - 6/30/3019 PR	\$1,227.59
Berryman, Stan K.	ACH Pay - 4488	Posting Run - 6/30/3019 PR	\$2,367.03
Callison, Timothy J.	ACH Pay - 4489	Posting Run - 6/30/3019 PR	\$1,601.16
Durr, Robert J.	ACH Pay - 4490	Posting Run - 6/30/3019 PR	\$1,738.07
Grove, Timothy J.	ACH Pay - 4491	Posting Run - 6/30/3019 PR	\$1,786.35
Hamilton, Bryan E.	ACH Pay - 4492	Posting Run - 6/30/3019 PR	\$1,141.73
Happel, Roberta	ACH Pay - 4493	Posting Run - 6/30/3019 PR	\$1,113.68
Herzberg, Robert	ACH Pay - 4494	Posting Run - 6/30/3019 PR	\$388.38
Hughes, Rose	ACH Pay - 4495	Posting Run - 6/30/3019 PR	\$1,599.87
Lauer Jr., Donald E	ACH Pay - 4496	Posting Run - 6/30/3019 PR	\$2,063.51
Mahler, Debbie L.	ACH Pay - 4498	Posting Run - 6/30/3019 PR	\$2,480.54
Needham, Jillian	ACH Pay - 4499	Posting Run - 6/30/3019 PR	\$1,244.23
Perry, Randi M.	ACH Pay - 4500	Posting Run - 6/30/3019 PR	\$1,743.19
Reynolds, Brigid M	ACH Pay - 4501	Posting Run - 6/30/3019 PR	\$2,073.62
Wierzbowski, Joseph W.	ACH Pay - 4503	Posting Run - 6/30/3019 PR	\$1,622.99
			<b>\$24,191.94</b>



---

**Staff Report**

**To:** Council  
**From:** Brigid Reynolds, Director of Community Planning  
**Meeting Date:** July 15, 2019

---

**Purpose**

To request that Council hold a special meeting to consider giving the Short-term Rental ordinance and code amendments first reading.

**Background/Discussion**

A public hearing is scheduled for July 16, 2019 at the Langley United Methodist Church. As required by the Municipal Code this hearing is held by the Planning Advisory Board.

In order that the code may be given the required readings and considered for adoption in a timely manner staff requests Council hold a special meeting to consider 1<sup>st</sup> reading. Staff recommends Monday July 29<sup>th</sup> at 5:30 pm. This would enable the code to be considered for 2<sup>nd</sup> reading and adoption at the August 5<sup>th</sup> Council meeting. Should the code be adopted, applications could be accepted the following day.

If a special meeting can't be held the code would not be considered for 2<sup>nd</sup> reading and adoption until August 19<sup>th</sup>.

Staff discussed this scheduling with PAB at its July 3<sup>rd</sup> meeting and PAB supported a July 29<sup>th</sup> special Council meeting.

**Recommendation**

That Council schedule a special meeting on Monday July 29<sup>th</sup> at 5:30 to consider the results of PAB's July 16<sup>th</sup> public hearing, PAB's findings of facts, STR ordinance and code amendments.



---

## Staff Report

**To:** Council  
**From:** Brigid Reynolds, Director of Community Planning  
**Meeting Date:** July 15, 2019

---

### Purpose

To review and approve the proposed Shoreline Master Plan scope of work and draft request for proposal.

### Background/Discussion

The City last updated its Shoreline Master Plan in 2013. RCW XX requires the City to undertake a periodic review of its plan by June 30, 2020. Department of Ecology provides guidelines for the review and given the City's SMP was adopted six years ago it's reasonably up to date. In addition to minor housekeeping issues there are two significant issues that need to be addressed in this review: sea level rise and the alignment of the SMP with the LMC's Critical Area code (Ch. 16). Chapter 16 is very out of date and needs to be updated. A public participation process is also required to be developed and will be presented to Council. A list of stakeholders is included in the attachments.

The Department of Ecology has indicated the City will receive a maximum of a \$10,000 grant for this review but the grants have not yet been announced. Staff would like to get the scope of work and RFP approved so we can advertise the RFP as soon as the grants are announced.

Staff presented the draft scope of work to the PAB at its July 3<sup>rd</sup> meeting and discussed its role as the advisory committee to the process. Following that meeting staff feels that a separate ad hoc advisory committee should be established for the process and would report to the PAB and Council. A call for interested community members will be made in the near future. The ad hoc committee make up will range in numbers from 6 to 10 people in order to make it more manageable. As noted above a public participation plan is required and community meetings will be held to receive broader community input.

### Recommendation

To approve the proposed Shoreline Master Plan scope of work and draft request for proposal.





City of  
Langley Washington

## REQUEST FOR PROPOSALS

### Periodic Update of **The City of Langley's Shoreline Master Program**

*Proposals to be delivered in person or via US Mail:*

*City of Langley  
Attn: Brigid Reynolds  
PO BOX 366  
Langley, WA 98260*

*Contact: Brigid Reynolds, MCIP,  
MCP, RPP  
Planning Director  
360-221-4246  
112 Second St  
Langley WA, 98260*

*Deadline: Day of the Week, Month, 2019 at 5:00 PM*

Notice is hereby given that the City of Langley, Washington is seeking submittal of proposals from service providers qualified to provide consulting and research services in preparing an update to the City's Shoreline Master Program including sea level rise projections, critical area regulations, and flood damage prevention (if necessary).

#### **Background**

In 2013, the City completed and the Department of Ecology approved the City's Shoreline Master Program (SMP). The City is now preparing for the State required periodic review of the SMP due on or before June 30, 2020.

Furthermore, city staff is aware of readability, formatting, gaps, and organizational issues with the current SMP that we would like to address with this periodic update to make the document more user friendly.

The City's Shoreline Master Program can be found on the City's website. A map depicting the Shoreline Environmental Designations can be found on page 21. Title 16 of the Langley Municipal Code details the Critical Area regulations required by GMA.

#### **Scope of Work**

The consultant will work with city staff as well as local, State and Federal agencies to prepare background information, review recommendations, and prepare the environmental review, necessary amendments to the SMP, as well as amendments to the associated Critical Area Regulations as needed, and other associated development regulations that reference or regulate the city's shoreline jurisdictions for presentation to the Planning Advisory Board and City Council. Public participation shall be incorporated as necessary throughout the SMP process. The City of Langley may use the joint review process for amending the SMP as allowed for under WAC 173-26-104.

THE CONSULTANT SELECTED SHALL DEMONSTRATE HOW THEY WILL PROVIDE THE FOLLOWING:

- Assist staff throughout the process to coordinate and consult with Ecology to provide them opportunities to review draft deliverables and provide comments.
- Develop a Public Participation Plan in consultation with city staff that encourages public involvement in the SMP periodic review consistent with WAC 173-26-090 throughout the course of the SMP periodic review process.
- Work with staff to prepare outreach and informational documents with graphics as needed, public notices that inform the public of the periodic review of the SMP, and seek their input and involvement, including coordination of notice for the public hearing and comment period with Ecology pursuant to WAC 173-26-104.
- Consult with and solicit the comments of any persons, groups, federal, state, regional, or local agency, and tribes, having interests or responsibilities relating to the city's shorelines or any special expertise with respect to any environmental impact to the city's shoreline jurisdiction. The consultation process should include adjacent local governments (i.e. Island County) with jurisdiction over common shorelines of the state (i.e. Saratoga Passage).
- Review the city's SMP, chapter 90.58 RCW, and Ecology's rules and determine if amendments are needed to the city's SMP to maintain compliance. Staff has reviewed and completed Ecology's checklist to assist in this review and documents SMP changes that need to be made to address new statutory or regulatory changes. There are a couple of areas where the consultant will work with staff to confirm what amendments are necessary.
- Determine if any new information or improved data is available since the last update of the SMP in 2013 and add as necessary.
- Address sea level rise as detailed in Appendix A of the SMP Handbook by utilizing the most current and accurate relative projections as per WAC 173-26-201(2)(a).
- Staff has noted specific areas within the SMP where improvement and clarification of the regulations would be beneficial including: nonconforming use and development standards for proposed reductions to the required shoreline buffer (e.g. restoration of shoreline habitat); trigger for drainage improvements; mooring buoys as a 'minor' conditional use; ghost shrimp harvesting;
- Review the Comprehensive Plan and development regulations (LMC Title 15, 16, 17, and 18) to determine if they are consistent with the SMP and if any amendments are necessary to city code and the Comprehensive Plan. Provide a consistency analysis to support any recommended changes to the SMP or the Langley Municipal Code.
- Review the critical area and flood damage prevention regulations for consistency with GMA critical area regulations and flood damage prevention regulations. Staff has completed a preliminary review of the City's critical area regulations that will help guide this part of the process. The flood damage prevention regulations were updated in 2017 so this should require minimal review.
- Evaluate shoreline permits issued since 2013 and relate to the city's cumulative impacts

- analysis and monitoring program to determine if any amendments are warranted.
- Draft proposed amendments to the SMP, critical area regulations, and flood damage prevention regulations. Amendments to the SMP should incorporate corrections to typos and reorganization to make it easier to navigate and apply. Ideally, the SMP update will include the codification of the SMP regulations into the Langley Municipal Code along with necessary goals, policies, and background information of the SMP.
- SEPA review and documentation of the proposed amendments. Prepare the SEPA Checklist and Threshold Determination.
- Technical and scientific support in communications with Ecology and other State agencies.
- Technical and scientific support during Planning Advisory Board and City Council deliberations.
- Prepare a summary responding to all comments received during the public comment period, at any public meeting/open house, the Planning Commission hearing, and any City Council hearings, prior to Council adoption of the draft SMP.

### **Submittal of Proposals and Budgets**

Consultants should submit 3 hard copies and an electronic copy (flash drive) of their proposal by 5:00 PM by Day of the week, Month Day, 2019, to the City of Langley. The consultant is solely responsible for ensuring that proposals are delivered on time via email, mail, courier, or in person. Proposals received after the due date and time may not be accepted and discarded. Faxed proposals will not be accepted. Each proposal must be limited to fifteen (15) one-sided pages and shall include:

1. Names of project team members, their related experience specific to Washington State GMA, Shoreline Management Act, Shoreline Master Program Guidelines, and understanding of the city's SMP, Comprehensive Plan, critical area and flood damage prevention regulations and their expected roles in this project. List the anticipated percentage of time the project manager will have available for this project. Please identify the portions of the project anticipated to be performed by sub-consultants and who they are.
2. Three references from jurisdictions with similar projects performed by the firm/team under a similar scope of work and budget.
3. Proposed approach and methodology to the scope of work, a suggested work program outline, time schedule, deliverables and budget for all phases. Insights or suggestions from the consultant team on the structure or strategy for the periodic update of the SMP are welcome.
4. All deliverables and actions called for or proposed with deliverables, corresponding at a minimum, to the scope of work outlined above, with a breakdown of estimated hours and assigned personnel in each work task and phase, and costs associated with each task.
5. A description of quality control process and review to assure adequate level of service, cohesive work documents, and successful project completion and management.

The proposal and all materials submitted with the proposal shall become the property of the City, and will be subject to Public Record Requests. Any proprietary information submitted with the proposal must be clearly identified and a request to keep such information confidential must be submitted. The issuance of this RFP constitutes an invitation to submit a proposal. The City is under no obligation to select any of the responding consultants. This RFP may be withdrawn by the City for any reason, and the City shall have no liability for any costs incurred in preparing a proposal.

### **BUDGET**

The City of Langley has earmarked \$10,000 from Ecology for the purpose of this update. The final dollar amount, tasks, and schedule will be negotiated with the selected firm/team as part of the final contract for this periodic update. If the city is unable to negotiate a satisfactory contract with the firm selected,

negotiation with that firm will terminate and the city may select another firm.

The consultant teams proposed budget total should include all expenses and materials to deliver the work products. The city of Langley will not be liable for any costs incurred by the consultant in preparation of a proposal submitted in response to this RFP, in conduct of a presentation or other activities related to responding to this RFP. No costs chargeable for work under the proposed contract may be incurred before receipt of either a fully executed contract with the city or specific written authorization from the City of Langley.

### **Consultant Selection**

Proposals will be considered only from firms that can demonstrate having a broad background and extensive experience and capacity with planning and environmental review in Washington State, and which specifically address the following criteria:

- Ability to demonstrate an understanding of the city's needs and special challenges for this periodic update of the SMP.
- Degree of interest and responsiveness shown in undertaking the project.
- Overall quality of the response including creativity of the written proposal describing the approach and methodologies the consultant will use. Demonstration of past ability of completing similar projects and meeting deadlines, including references.
- Current workload of firm and key personnel.
- Qualifications and experience of key staff and sub-consultants who will participate in the project on state and local planning issues and policies including but not limited to the Growth Management Act, Shoreline Management Act and Langley's Comprehensive Plan, SMP, critical area regulations, and flood damage prevention regulations.

### **INTERVIEWS & SELECTION**

Each complete proposal received prior to 5:00 PM on Day of the week, Month Day, 2019, will be reviewed by city staff and ranked against the other proposals based on the criteria listed above.

### **General Assumptions**

The scope of work contained in this document is predicated upon the following provisions, assumptions, and conditions that should be part of any proposal and budget submitted by a consultant. The purpose of this list is to enumerate and describe mutual expectations and understandings required of all parties to this scope of work in order to complete each phase of this project on time and within budget.

1. The city may eliminate any task and associated contract hours/fees at any point throughout the contract period and will provide written notification of the task elimination to the consultant. Consultants will be paid for any task and associated contract hours/fees incurred prior to notification of cancellation.
2. All work products, including records, files, documents, plans, computer disks, magnetic media or material which may be produced or modified by the consultant or sub-consultant while performing work shall belong to the City of Langley. Digital copies of any data collected by the consultant or sub-consultants shall be provided to the City of Langley.
3. All consultant deliverables shall be prepared in MS Word format. All spreadsheets and graphs shall be prepared in MS Excel format. All maps and graphs shall be produced in color where appropriate. Digital copies of draft and final deliverables shall be provided in both MS Word and PDF file formats as requested by city staff. Digital versions shall include all graphics, tables and appendices in suitable form

for publishing on the city website.

4. Unless otherwise agreed upon, the city is responsible for document reproduction and distribution of all review and final drafts.
5. The consultant will have primary responsibility for coordinating, reviewing, and editing information obtained from their team members to ensure that the individual sections of the work submitted are prepared as part of one cohesive framework and/or document consistent in style and content.
6. The city will provide all available government documents, studies, maps, GIS data layers, and mapping and other technical information pertaining to the 2013 SMP based on the consultant's data request. Any documents provided in hardcopy shall be returned to the city as appropriate upon completion of the contract.
7. The city will consolidate all internal city staff review comments on draft review documents and provide a single, complete set of comments to the consultant's project manager for revisions.
8. The consultant will provide project updates and other information suitable for posting on the city's website. The city is responsible for website updates of available project materials.
9. The city will establish an ad-hoc advisory committee to assist with this process. Planning Advisory Board typically meets on the first Wednesday of the month at 3:00pm; the City Council typically meets on the first and third Monday of the month starting at 5:30pm. The newspaper of record for the city is the South Whidbey Record. Staff reports and/or any associated attachments (e.g. draft or final documents, ancillary material, supporting memos) are due to the city two weeks before the associated planning commission or city council meeting. This information must be taken into consideration when scheduling project milestones and legal noticing.
10. City staff will be responsible for distribution of meeting notices, public meeting room arrangements, and other logistics for public meetings and hearings.
11. Consultants who are awarded a City of Langley contract must obtain a City of Langley business license if required pursuant to LMC 5.04.030 Business License Acquisition. This shall be the responsibility of the firm to pursue and complete if required.

## Questions and Submittals

Questions concerning this RFP and the submittal of proposals should be directed to:

Brigid Reynolds, MCIP, MCP, RPP

Director of Planning

360-221-4246

[planning@langleywa.org](mailto:planning@langleywa.org)

## Shoreline Master Plan List of Stakeholders

### State Government Stakeholders

- Washington State – Department of Ecology
- Washington State – Department of Natural Resources
- Washington State – Department of Fish and Wildlife

- Recreational Fishermen

### Other Stakeholders

- Commercial Fishermen

### Other Governmental Stakeholders

- Port District of South Whidbey Island
- Island County

### Tribal Agencies

- Tulalip Tribe
- Swinomish Tribe
- Stillaguamish Tribe

### Community Stakeholders

- Langley Residents and the General South Whidbey Community
- Property Owners along the Shoreline
- City of Langley City Council
  - Parks and Open Space Commission
  - Historic Preservation Commission
  - Planning Advisory Board
  - Design Review Board

### Business Stakeholders

- Nichols Brothers Boat Builders
- Langley Business Owners (especially those business owners and property owners located within the Shoreline Environment)
- Langley Chamber of Commerce

### Environmental Groups

- Whidbey Watershed Stewards
- ORCA Network
- Beachwatchers
- Whidbey Environmental Action Network
- Langley Critical Areas Alliance

### Recreational Groups

- Boaters
- Scuba Divers
- Crabbers