MEMORANDUM

TO: Mayor Tim Callison
Members of City Council

FROM: Stan Berryman
Public Works Director

DATE: June 29, 2020

SUBJECT: Suzanne Court Water Main Easement

The 2018 Water System Plan Update includes Capital Project W-10 Suzanne Court and Al Anderson Ave.

North View Pressure Zone Transfer and Watermain: Install 200 LF of new 8" diameter watermain along Al Anderson Ave and 280 LF of 8" watermain from Suzanne Court to existing 12" transmission main. This project transfers some of the lower lying homes in the Northview subdivision from the upper pressure zone to the lower pressure zone served by gravity off the reservoir. This improvement creates another watermain loop between the reservoir and the city center. In addition, this project reduces the operational demand on the existing reservoir pump station, improves water service to directly affected homes and raises fire flow reliability to the central business district sub-system.

This project requires the city to obtain a utility easement to connect the Suzanne Court main to the transmission main. Staff has been attempting to obtain an easement over the last three years and approached several property owners without success.
Fortunately, Lot 12 was recently purchased by a new owner, Mr. Bruce Hanson, who is constructing a new home. In exchange for the city waiving water connection fees, he was agreeable to grant the city a ten-foot utility easement (easement attached). Now the project can proceed when funds are available.

STAFF RECOMMENDATION:

Approve and authorize the Mayor to execute and record the easement
EASEMENT

Grantor: Bruce Hanson
Grantee: City of Langley
831 Suzanne Court
Langley, WA 98260
Tax Parcel #: S7577-00-00012-0

For and in consideration of the waiver of City of Langley water system development charges and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Bruce Hanson ("Grantor") hereby grants and conveys to the City of Langley, ("Grantee"), for the purposes described below, a non-exclusive permanent easement ("Easement") over, under, along, across, and through the following described real property ("Property"): See Exhibit A attached hereto and made a part hereof.

Except as otherwise set forth herein, Grantee's rights shall be exercised upon that portion ("Easement Area") of the Property described as follows:

See Exhibit A-1 for legal description and Exhibit B for depiction, attached hereto and made a part hereof.

1. **Purpose.** Grantee shall have the right, privilege, and authority to use the Easement Area to construct, install, re-construct, improve, remove, alter, repair, pump, clean, operate, maintain, replace, upgrade, and extend one or more sewer lines, as well as for transmitting and receiving utility system control communications. The sewers lines and its appurtenances are collectively referred to as the "Utility Systems". The Utility Systems may include, but are not limited to:

   Pipes, vaults, manholes, handholes, conduits, cables, underground wires for the purpose of providing electrical service to the Utility Systems; fiber optic cable and other lines, cables and facilities for communications; semi-buried or ground-mounted facilities and pads, meters, fixtures, attachments, and all other appurtenances necessary or convenient to the foregoing.

2. **Additional Construction/Access.** Following the initial construction of all or a portion of its Utility Systems, Grantee may, from time to time, construct such additional facilities as it may require for such Utility Systems. Grantee shall have the right of access to the Easement Area at all times over and across the Property to enable Grantee to exercise its rights granted in this Easement.
3. **Easement Area Clearing and Maintenance.** Grantee shall have the right, but not the obligation, to cut, remove, and dispose of any and all brush, trees, or other vegetation in the Easement Area. Grantee shall have the right to cut, trim, remove, and dispose of any trees located on the Property outside the Easement Area which, in the sole opinion of Grantor, interfere with the installation, maintenance or operation of, or constitute a menace or danger to, Grantee’s Utility Systems.

4. **Grantor’s Use of the Easement Area.** Grantor reserves the right to use the Easement Area for any purpose not inconsistent with the rights herein granted; provided: i) no structure, building, or fire hazard will be erected or permitted to remain anywhere within the Easement Area; ii) that no digging will be done or permitted within the Easement Area which will change the existing grade or in any manner disturb Grantor’s Utility Systems or their solidity or unearth any portion thereof; and iii) that no blasting or discharge of any explosives will be permitted within 300 feet of Grantee’s Utility Systems.

5. **Risk of Loss or Damage.** Grantee shall be responsible, as provided by law, for any loss or damage to the Grantor to the extent caused by Grantee’s negligence in the construction, maintenance and operation of its Utility Systems within the Easement Area.

6. **Termination.** The rights, title, privileges and authority hereby granted shall continue and be in force until such time as the Grantee or its assigns shall permanently remove all of its Utility Systems from the Property or shall permanently abandon its Utility Systems, at which time all such rights, title, privileges and authority shall terminate without further action required from Grantor or Grantee.

7. **Successors and Assigns/Binding Effect.** Grantee shall have the right to assign, apportion, or otherwise transfer any or all of its rights, benefits, privileges and interests granted or conveyed by this Easement. Without limiting the generality of any of the foregoing, the rights, duties, restrictions, and obligations of Grantor and Grantee granted by this Easement, shall run with the land, shall burden the land, and shall be binding upon the Grantee and the Grantor and their respective successors, heirs, and assigns.

DATED this 5th day of June, 2020.

**GRANTOR:**

Bruce Hanson

**STATE OF WASHINGTON**

**COUNTY OF King**

On this 5th day of June, 2020, before me personally appeared

Bruce Hanson, (print name), to me known to be the
Grantee (title) of , the that executed the within and foregoing
instrument, and acknowledged that said instrument was the free and voluntary act and deed of Bruce Hanson for the uses and purposes therein mentioned, and on oath stated that Bruce Hanson was authorized to execute said instrument on behalf of Bruce Hanson.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Signature: [Signature]

Print name: Sheryll Acoba

Notary Public in and for the State of Washington
Residing at: Bellingham
My commission expires: March 6, 2022

Accepted and Approved

By: ________________________________
   Tim Callison, Mayor
   City of Langley

Date: ________________________________

Exhibit A

Insert Legal Description Parcel
WATER LINE EASEMENT EXHIBIT MAP
LOT 12, PLAT OF NORTHVIEW, DIV. NO. 1,
IN THE NW 1/4 OF THE NE 1/4 OF
SEC. 3, TWP. 29N., RNG. 3E., W.M.

LEGEND
• CONCRETE
    MONUMENT
LOT 12, 10' WATER
LINE EASEMENT,
AREA: 1,212± SQ. FT.

TAXPARCEL
57377-00-00011-0

SHEET 1 OF 2

FILE No. 10440
SCALE: 1 IN = 200 FT
APPROVED BY: JGM
DRAWN BY: TS
DATE: MARCH 29, 2020

TMI Land Surveying
P.O. Box 1011
5571 Lotto Avenue
Freeland, Washington 98249
360-331-7393 www.surveywhidbey.com
WATER LINE EASEMENT EXHIBIT MAP
LOT 12, PLAT OF NORTHVIEW, DIV. NO. 1,
IN THE NW 1/4 OF THE NE 1/4 OF
SEC. 3, TWP. 29N., RNG. 3E., W.M.

WATER LINE EASEMENT,
ARE A: 1,212 ± SQ. FT.

EXISTING UTILITY AND
DRAINAGE EASEMENTS
PER PLAT OF NORTHVIEW,
DIV NO. 1

TAXPARCEL
S7577-00-00012-0

FILE No. 10440
SCALE: 1 IN = 30 FT
APPROVED BY: JGM
DRAWN BY: TS
DATE: MARCH 29, 2020

TMI Land Surveying
P.O. Box 1011
5571 Lotto Avenue
Freeland, Washington 98249
360-331-7393 www.surveywhidbey.com
WATER LINE UTILITY EASEMENT


Containing 1,212 Square Feet, more or less.

Situate in the County of Island, State of Washington.
VOLUNTEER APPLICATION

CITY OF LANGLEY

112 Second St./PO Box 366 Langley, Washington 98260 (360) 221-4246

Position: ___________________________ Board/Department: Planning Advisory Board ___________________________ Date: 6/5/20

Name: Last ___________ First ___________ Middle ___________

Street Address: 432 B Park Ave

Mailing Address (if different): ___________________________

Email Address: eastong@e.wolfenet.com

City: Langley ___________________________ State: WA Zip: 98260 ___________________________ Daytime Phone: (206) 355-2056

Are at least 18 years old? ☑ Yes ☐ No ___________________________ If not, please specify your age: ___________________________

BACKGROUND:

Education: SCB Applied Mathematics Brown University ___________________________ MBA Finance, University of Washington ___________

Occupation(s): Land Use Economic Consultant (Retired) ___________________________

Other Volunteer Positions: Washington State Library Commission, Lake Forest Park Planning Commission, Uptown Alliance Exec, Bd

Hobbies: Biking, Kayaking, Hiking, Running ___________________________

Other applicable experience: 45 years professional experience working with Federal, State, and Local agencies on land use and economic development.

SKILLS:

List Applicable Skills: Community planning, economic development, planning, impact assessment, and development feasibility.

DESIRE:

Briefly describe why you are interested in volunteering: Recently retired in Langley after 26 years as part-time resident. Interested in working with city partners to provide for sustainable, economically viable, and physically attractive community.

Signature: ___________________________ Date: 6/5/20

Approved: ___________________________ Date: 6/25/20
Langley City Council Resolution

Commitment to Dismantling Systemic Racism

and Creating an Anti-Racist, Inclusive Community

Whereas, the founding documents of the newly created American government asserted the radical and hopeful claim that "all people are created equal"; and

Whereas, the reality from the outset is that these same documents protected and preserved slavery and the entrenched racism that condoned and supported it; and

Whereas, racism from its inception underpinned the nation's social, political, and economic systems; and

Whereas, racism in the judicial system ignored and made a mockery of the guaranteed rights of due process and due protection for Black, Indigenous and People of Color (BIPOC) under the 14th amendment; and

Whereas, historically sanctioned federal, state and local systems of racism have caused untold discrimination, suffering and abuse of Black, Indigenous, and People of Color (BIPOC), and the mentally ill, disabled, and LGBTQ+ residents; and

Whereas, the land the City of Langley is sited on is the original homeland and traditional territory of indigenous tribal peoples, including the Tulalip, Coast Salish, and Snohomish tribes; and

Whereas, the City of Langley is a municipal entity governed by residents who have largely not experienced systemic racism, injustice, and abuse; and

Whereas, the Langley City Council and Mayor see and acknowledge that Black, Indigenous, and People of Color, mentally ill, disabled, and LGBTQ+ experience ongoing systemic racism, abuse, inequity, and compromised safety; and

Whereas, the Langley City Council and Mayor acknowledge that its systems, policies, contracting, and public safety infrastructure could unknowingly contribute to the systemic racism and compromised safety experienced by BIPOC, mentally ill, disabled, and LGBTQ+ community members; and

Therefore, the Langley City Council and Mayor condemn systemic racism, bias, inequity, discrimination in all of its forms, and apologizes to Black, Indigenous, and People of Color, mentally ill, disabled, and LGBTQ+ for its past complicity; and

Therefore, the Langley City Council and Mayor recognize the need for an in-depth examination of policies and practices that contribute to systemic racism and injustice; and

DRAFTED BY LANGLEY CITY COUNCIL MEMBERS CRAIG CYR
CHRISTY KORROW, AND BIPOC RESIDENTS ON SOUTH WHIDBEY
Therefore, the Langley City Council and Mayor will convene a multi-racial, intersectional, anti-racist working group for the purpose of hearing the voices of community members impacted by policies and practices that contribute to systemic racism in the City of Langley; and

Therefore, the City of Langley will convene a series of public educational workshops for the benefit of City Council members, the Mayor, staff, volunteers, and other interested residents. These workshops will be facilitated by skilled professional BIPOC and will focus on educating on all aspects of systemic racism including microaggressions, racial inequity, and inequality with the primary goal that residents who identify as white will recognize their lived privilege and responsibility to make systemic change; and

Therefore, each department within the City of Langley shall scrutinize all internal systems, processes, documents, records, practices, patterns, etc. for bias and inequity in all its forms; and

Therefore, specifically, the City of Langley shall scrutinize in detail its public safety program, including the Langley Police Department, so as to understand the public safety needs of its Black, Indigenous, People of Color, mentally ill, disabled, and LGBTQ+, and how best to meet those needs; and

Therefore, the City of Langley will engage and inform local schools, arts organizations, the business community, non-profits, social justice organizations, churches, and other civic institutions on Whidbey Island of the City of Langley’s intent to dismantle systemic racism and invite them to join in this effort; and

Therefore, the City of Langley will endeavor to support BIPOC, mentally ill, disabled, and LGBTQ+ impacted by systemic racism and policies; and

Therefore, the Langley City Council and Mayor declare their intent to repair damage caused by discrimination and racism and transform the City of Langley into an anti-racist, multi-cultural, inclusive community, that is a place that celebrates diversity, affirms the humanity of all people, addresses historic inequity, and enables everyone to thrive.

*Fourteenth Amendment: All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

DRAFTED BY LANGLEY CITY COUNCIL MEMBERS CRAIG CYR, CHRISTY KORROW, AND BIPOC RESIDENTS ON SOUTH WHIDBEEY
# Category Activity with Vendor

**Fiscal:** 2020

**Period:** 2020 - July, 2020 - June, 2020 - May, 2020 - April, 2020 - March, 2020 - February, 2020 - January

**Category:** CARES 20-6541C-224

**Account Type:** Expenditure, Organizational, Revenue

**Transaction Type:** Budget, Credit, Debit, Investment Purchase, Investment Sale, Invoice, Payable Invoice, Receipt, Reinvested Interest, Transfer In, Transfer Out

## CARES 20-6541C-224

### 001-000-035-514-60-30-00

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*Execution Time: 19 second(s)*

*Printed by CIYOFLANGLYE13roseh on 6/30/2020 at 58:36 PM*
### CARES 20-6541C-224

#### 001-000-035-514-60-30-00

**Supplies COVID**

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CARES 20-6541C-224
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  Total CARES 20-6541C-224: $39,421.76
  Grand Total: $39,421.76
Staff Report

To: Council
From: Brigid Reynolds, Director of Community Planning
Meeting Date: July 6, 2020

Purpose
To consider giving Ordinance 1069, zoning map amendment for two properties located at the corner of Second Street and DeBruyn Avenue from Residential Mixed to RS5000.

Background/Discussion
The property owners have submitted an application to rezone the property as noted above. On July 1, 2020 the PAB held a noticed public hearing on Ordinance 1069. Attached for Council's consideration are the following:

- Ordinance no. 1069
- PAB’s findings of facts report
- Comments received prior to the public hearing
- Public hearing minutes

The PAB recommended approval of Ordinance no. 1069.

Recommendation
That Council accept the PAB’s findings of facts report and give first reading to Ordinance no. 1069 to amend the zoning for the two properties located at Second Street and DeBruyn Avenue from Residential Mixed to RS5000.
CITY OF LANGLEY

ORDINANCE NO. 1069

AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON, AMENDING THE OFFICIAL ZONING MAP TO CHANGE RM ZONE – MIXED RESIDENTIAL FOR TWO PROPERTIES LOCATED AT SECOND STREET AND DEBRUYN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, LMC Ch. 18.05 Zoning Maps provides for the adoption of the official City zoning map or maps, and any amendments thereto; and

WHEREAS, LMC Ch. 18.38.030 establishes that amendments to the zone district boundaries depicted on the zoning maps may be initiated by a petition signed by the owners of 51 percent or more of the area of the properties to be rezoned; and

WHEREAS, the City received a sufficient petition for a rezone under LMC 18.38.030 from the owners of properties located at the corner of Second Street and DeBruyn Avenue, Island County tax parcel numbers S7345-00-02020-0 and S7245-00-0219-0 (Subject Properties); and

WHEREAS, the zoning map amendments set forth herein are deemed to be consistent with the City of Langley’s Comprehensive Plan as the land use designations established in map LU-10 of the Comprehensive Plan are residential; and

WHEREAS, the subject properties to this zoning map amendment are located where City water and sewer services exist thereby making efficient use of existing infrastructure; and

WHEREAS, the proposed rezone is within the public interest and is consistent with the City of Langley’s Comprehensive Plan; and

WHEREAS, the City’s SEPA Responsible Official issued a Determination of Nonsignificance (DNS) on June 2, 2020, following review of the proposed code amendments, application submittals and environmental checklist; and

WHEREAS, in accordance with RCW 36.70A.106, the City submitted its zoning map amendments to the Department of Commerce for review on June 2, 2020, and received confirmation from the Department of Commerce on June 2, 2020, of receipt of an expedited notice of review; and

WHEREAS, after due and proper notice, the Planning Advisory Board (PAB) held a public hearing on July 1, 2020, to accept public comments on the proposed zoning map amendments; and
WHEREAS, the PAB considered the staff report and public comment received prior to issuing its findings of fact and recommendation to the City Council; and

WHEREAS, on July 1, 2020, the PAB issued written Findings of Fact and Recommendation ("Recommendation"), attached hereto as Exhibit A, wherein the PAB recommended that the City Council adopt the proposed amendments; and

WHEREAS, on XXXX, 2020, the City Council in an open public meeting reviewed and supported the Recommendation of the PAB;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings of Facts. The City Council adopts and incorporates the foregoing recitals as its findings and conclusions, and further adopts the PAB Recommendation attached as Exhibit A, as if set forth fully herein.

Section 2. Official Zoning Map Amendments - RM Zone – Mixed Residential to RS5000 Zone – Residential. The City Council authorizes the amendment of the City of Langley official Zoning Map in the form attached hereto as Exhibit B, the purpose of which is to change the zoning designation of RM Zone - Mixed Residential to (RS5000) Zone - Residential for the Subject Properties identified above.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five days from the date of publication.


CITY OF LANGLEY

__________________________
Tim Callison, Mayor
APPROVED AS TO FORM

______________________________
Michael R. Kenyon, City Attorney

ATTEST

______________________________
Monica Felici, City Clerk
EXHIBIT A

City of Langley Planning Department

Staff Report

To: Planning Advisory Board
From: Brigid Reynolds, Director of Community Planning
Meeting Date: July 1, 2020

Purpose
To receive public testimony and consider the findings of facts and conclusions of law for Ordinance No. 1069, Zoning Map Amendment for two properties located at the corners of Second Street and DeBruyn Avenue.

Background
The two subject properties total 16,679 SF in area. They are located within the Residential Mixed (RM) zone district. The lots are undeveloped, flat and have no trees or critical areas. The property owners submitted an application to rezone the property as the regulations in the RM zone do not enable the same number of units that are permitted in the RS5000 zone district.

Comments that have been received through this process are attached to this report.

Planning Advisory Board Suggested Findings of Facts
1. Title 18 of the Langley Municipal Code (LMC) is intended to implement the Comprehensive Plan and generally service the public health, safety and welfare of the City of Langley.
2. Ch. 18.38.030.A states amendments to zone district boundaries may be initiative by petition of owners of 51 percent of the area of the properties to be rezoned.
3. A complete application to rezone the subject properties from Residential Mixed to RS5000 was received from the property owners on May 5, 2020.
4. As a result of recent amendments to the Municipal Code (Ordinance no 1051) the number of accessory dwelling units per lot were increased from one to two.
5. The regulations in the RM zone have not been amended in recent years and
6. Should the zoning amendment be approved the owners intend to submit an application to subdivide the two lots to create three lots with the intention to build a single family residence and one attached and one detached accessory dwelling unit or one duplex and one detached accessory dwelling unit on each lot.
7. At the May 6, 2020 regular meeting of the Planning Advisory Board the Director of Community Planning introduced the proposed zoning amendment.
8. The Comprehensive Plan Land Use Map LU-10 designates the subject properties as “residential”. The proposed uses are residential and consistent with the neighboring residential uses.
9. LMC 18.38.030.B. stated amendments to the zone district boundaries or classification may be made if all the following findings are made:
   a. The amendment is consistent with the purposes of the comprehensive plan;
   The amendment is consistent with intent of Comprehensive Plan and Growth Management Act Goals is to provide more diverse, affordable, denser, walkable housing in more compact urban growth areas.
   b. The amendment is consistent with the purposes of title 18 to promote health, safety and general welfare;
   The amendment is consistent with title 18 in that it will enable the construction of housing in the form of single family or duplex units as well as accessory dwelling units. The demand for small housing units in the City remains high. The subject properties are located within a 15 minute walk of the downtown core thereby reducing reliance on a vehicle.
   c. The amendment is consistent and compatible with the uses and zoning of the surrounding property;
   The surrounding properties have a mixture of uses - east and south east are single family and duplex homes; south is the Whidbey Tel utility bill and a vacant lot; west is St Hubert’s Catholic Church; north west is Generation Park; and north is the Arcade, laundromat, and upholstery store.
   d. There have been significant changes in the circumstances of the property to be rezoned or surrounding properties to warrant a change in classification;
   Prior to the adoption of the Comprehensive Plan in 2018 the properties were zoned RS7500. The previous owner requested to rezone the property to Neighborhood Business as part of the Comprehensive Plan. The properties were eventually rezoned to Mixed Residential. Once the owner/developer began to prepare development plans it became clear that the regulation was prohibitive regarding the number of units that could be constructed. Two recent ordinances approved by council: Ordinance 1054 (2019) creating R5000 lots from Second to Third between Anthes and DeBruyn and Ordinance 1051 (September 2018) which allows for up to two ADUs on all RS zones. Both ordinances came after the property was rezoned to Mixed Residential (MR). The total number of units that can be developed pursuant to the RS5000 is greater than what can be developed pursuant to the Residential Mixed zone.
   e. The property is practically and physically suited for the uses allowed in the proposed zoning classification;
   The property is practically and physically suited for the proposed single-family residence and accessory dwelling units. The subject properties total 16,679 SF and are located on the corner of Second Street and DeBruyn Ave so have 258.86 feet of street frontage. Water and sewer utilities are directly adjacent to the subject properties. The subject properties are cleared, flat and contain no trees or critical areas.
   f. The benefit or cost to the public health, safety and welfare is sufficient to warrant the action.
   There are no identifiable adverse effects to public health, safety or welfare. The primary potential benefit is workforce housing.
   The traffic generated by the proposed development will not reduce the level of service (LOS) at the nearest intersection with an established LOS (Third and DeBruyn) beyond the LOS established in the Comprehensive Plan.

10. On June 2, 2020 the City’s SEPA Responsible Official issued a final Determination of Nonsignificance (DNS).
11. In accordance with RCW 36.70A.106, the City submitted its code amendments to the Department of Commerce for an expedited review on June 2, 2020 and received confirmation from the Department of Commerce on June 2, 2020, of receipt of the required notice.

12. On June 16, 2020 a Notice of Public Hearing was posted at City Hall, the Library, the Post Office and on the City’s website. The notice was also published in the SW Record.


Conclusions of Law

Based on the above Findings of Fact, the following Conclusions of Law have been made:

1. Council has the authority to approve or deny the proposed code amendments pursuant to LMC Ch. 18.36.050.B.

2. Ch. 18.20.080 grants the Planning Advisory Board responsibility for the review and recommendation to City Council for the development for the revision of land use regulations, including the zoning code and shoreline master program.

3. The amendments are consistent with the purposes of the Comprehensive Plan as detailed in item 9 above.

4. The amendments are consistent with the purposes of Title 18, as per section 18.01.010 as detailed in item 10 above.

5. Following the open record public hearing on July 1, 2020 on the proposed code amendments, the PAB recommends that City Council adopt the findings of fact, conclusions of law, ordinance no. 1069 and related exhibits.

6. Any finding of fact deemed to be a conclusion of law is hereby adopted as such.

7. Any conclusion of law deemed to be a finding of fact is hereby adopted as such.

Staff Recommendation

Following the close of the hearing and discussion by the PAB, the Board recommend the public hearing testimony, findings of facts report, and zoning amendment be forwarded to Council for its consideration of first reading of Ordinance No. 1069 (attached) to rezone the two properties located at the corner of Second Street and DeBruyn Avenue from RM to RS5000.
City of Langley
PLANNING ADVISORY BOARD
MINUTES
July 1, 2020
LANGLEY CITY HALL
112 2nd Street, Langley WA

Attendance: Rhonda Salerno, chair, Maralie Johnson, Burt Buesch, and Casey Gloster
Staff: Brigid Reynolds, Alex Cattand
Council: Christy Korrow
Guests: JR & Callie Fulton, Trilby Coolidge, Greg Easton, , Richard Queen, Michael Scheurlain, Ross Chapin, Greg Easton, and Richard Harding

1. The meeting was called to order at 3:35 pm
2. The agenda was approved
3. The minutes of May 6, 2020 were approved.
4. Public Hearing for Ordinance no 1069, Zoning Map Amendment for two properties at the corner of Second Street & DeBruyn Ave. The zoning change would be from zone RM to RS 5000. Rhonda opened the public hearing and Brigid briefly summarized the application and findings of facts/conclusions of law report. The public comments received throughout the process were included in the agenda packet.

Due to some of the regulations in the RM zone and the recent amendments to permit two ADUs on each residential lot with a single-family dwelling the owner can create more units under the RS5000 zone. The applicant, J R Fulton, described the reasons for his request for rezoning and the plan to apply to create a short plat to create three lots from the two existing and then to submit building permits. Each lot will either have one primary residence with attached ADU + 1 Detached ADU (DADU) or 1 Duplex + 1 DADU (2 structures per lot, 6 total).

Parking requirements 3 spaces for the first option and 4 for the second option. Some of the differences between the two options are the location of the entrances and the parking requirements.
Comments on the amendment were supportive such that once constructed this will mean more housing for residents.

Board members and attendees asked clarifying questions regarding parking and the numbers of structures.

Ross Chapin stated he is in support but expressed that this is a missed opportunity regarding setbacks in the RM zone and that setbacks on corner lots could be less. He stated that reduced setbacks would create a more urban/small town and pedestrian scale instead of the suburban standards in the LMC. Ross suggested a 10-foot setback be discussed for all residential zones.

Brigid described the options in the Municipal Code to apply to reduce setbacks. She also talked about the proposed

Moved by Rhonda and seconded by Maralie to accept the findings of facts report and recommends council to give ordinance no. 1069 first reading. All in favor.

5. Discussion Items:

a. Short Term Rental update
Brigid reviewed her report detailing the numbers of short-term rental applications that have been received since Council adopted the new code. She noted that there have been no complaints since adoption and that during the notice period for some applications neighbors identify concerns. These concerns are shared with the applicants.

She asked for PAB’s input about seeking further comment from STR operators and neighbors. Due to the current pandemic and the reduction in travelers, the PAB recommended the report be provided to Council for its information, but no further action be taken.

b. Planning Department Update

- The form base code-RFQ, selection is completed and the contract with PlaceMakers is being finalized
- Coles Valley code being prepared by consultants hired by the developer in accordance with the MOU. It is now being reviewed by the City’s lawyer. Brigid hopes it will come back to PAB at next meeting.

Another community meeting will be important for the process, but this was not part of the terms of reference. Brigid is recommending that the developer hold another community meeting which may have to be a virtual meeting.

Brigid said an email update will soon be sent out to the email list which includes to people who attended the Feb 26 public meeting who provided their email address. This email will include a spreadsheet of all the comments made at the community meeting and the joint Council/PAB meeting.

- Applications are continuing to be submitted for both building and planning permits.

6. New Business
a. Greg Easton submitted an application to join the PAB. He is a Retired land use & planning consultant. He is now a full time Langley resident. He has experience in various commities and boards. He met with the mayor. The PAB recommends to Council to approve Greg Easton as a PAB member.

b. Rhonda Salerno, has been acting PAB chair for a few meetings and volunteered to continue this role. The PAB supported this action. Burt Beusch agreed to act as co-chair when needed

7. The meeting adjourned at 4:45 pm

8. Next Regular Meeting: August 5, 2020
COMMENTS

Allen Peyser
600 3rd Street
Langley, WA  98260
peyser3.14@gmail.com

DATE: 05/22/20

SUBJECT: Fulton rezone – Hearing July 1, 2020

I see no problem with re-zone and encourage the City of Langley continue making it easier for residence to add additional living units on properties as long as provisions are made by the City as follows:

• On-site parking is provided for
• A reasonable area on a lot remains open and without development
• Permits include sufficient contribution for future expansion of Langley Water and Sewer facilities that matches total past construction charges to current property owners.
• Short term rentals are not allowed unless the properties are zoned commercial.
• Long term rentals are not allowed if the property owner is not a full time residence on the property, or given a waiver by the City, due to a health problem, as property tends to degrade if the owner is absent.

Clearly, Whidbey Island needs more reasonable studio and 1 bedroom units and in these times property owners can be forced out of their homes as taxes increase faster than incomes so a small rental unit would be doubly beneficial.

Allen Peyser, P.E.
Planning@langleywa.org

From: Tucker Stevens <ntuckerstevens@gmail.com>
Sent: Monday, May 25, 2020 7:38 AM
To: Brigid Reynolds
Subject: Comments on Agency File ZA-20-001

Hi Brigid,

I wanted to write to offer my support in the rezone application for JR and Callie Fulton's property noted in Agency File ZA-20-001.

I think that this rezone is consistent with the type of housing we have been planning for in Langley and is a good use of the lots.

Thanks,
Tucker

---
Tucker Stevens
605 1st St
Langley, WA 98260
406.579.0451
From: Rick Ingrasci <rick.ingrasci@gmail.com>
Sent: Monday, June 22, 2020 1:39 PM
To: planning@langleywa.org
Subject: Support for rezoning

Dear Sirs:

I support the rezoning proposal for Second and Debruyn submitted by JR Fulton. We need more affordable housing in Langley.

I am a Langley resident and hoe owner at 205 fifth Street.

Thank you for your consideration.

Sincerely,
Rick Ingrasci MD
Dear Ms. Reynolds,

I am a citizen of Langley and would like to express my support for a Rezone of the two Langley lots at Second and DeBryn to become three R5000 residential building lots.

I believe this rezone will be beneficial to the overall housing availability in Langley.

With best regards,
Susanne Fest
137 4th Street, A2
Hello,

As a resident of Langley, I wanted to express my support for the proposed rezoning to create three R5000 residential building lots. To me it is important that the city do more to encourage the construction of additional denser residential housing units, to provide more supply of reasonably affordable housing and to help relieve some of the rapidly increasing housing cost pressure in the area.

Thank you,

David Hoffman
1098 Village Loop
To: Clty of Langley Planning Department

Hello,
As a resident of Langley, I wanted to voice my support for the rezone application by JR Fulton. In order to fulfill the City's goal of creating more and varied housing options as well as encourage reasonable development of suitable sites, this proposal would seem to check those boxes very well.

Thank you for your consideration,

Yana Viniko
566 Creekside Ter Apt 101
206-310-3117
Brigid,

In regard to the rezoning request of the Fulton properties at Second and DeBruyn, I support efforts to creating a wider range of housing options.

The main reason for this note, however, is to express a missed opportunity I see happening.

The **RS5000 zone** requires 20-foot setbacks from both streets, which is the prevailing form of car-dominant suburbs. This is not something we want to promote. Langley is a pedestrian-oriented walkable village. The 20-foot setback zone on the corner has no function and takes away rather than adds to the local neighborhood character I think we want to create.

If the corner lot had a zero or minimal setback, it would be in relation to the Langley Machine Shop building, reinforcing the sense of a neighborhood corner or node and the sense of a gateway into the downtown. A zero or minimal setback on the corner has no detrimental relationship with neighboring properties.

This said, it does make sense to have a greater setback on Second Street adjacent to the existing residential property. For this, and all residential properties, I recommend a 10-foot setback.

This rezoning request may not be the place to address the setback issue. But here we have one example that shows how our zoning creates suburban character. How can we get it right?

Ross

Ross Chapin, FAIA

**RossChapin Architects**

PO Box 230 • Langley, WA 98260-0230

(360) 929 9007

E: ross@rosschapin.com  W: rosschapin.com  W: pocket-neighborhoods.net  Fb: Facebook

Author: *Pocket Neighborhoods: Creating Small Scale Community in a Large Scale World*
City of
Langley
Small Business
Relief Grant

APPLICATION GUIDE

CARES Grant Program Assistance
cares@langleywa.org
360-221-6765
Good day, City of Langley Small Businesses!

The City of Langley and Island County are deeply concerned about the economy of Whidbey and Camano Island and the impact that the COVID-19 crisis has had on our small business owners and their families. Our City and County leadership have partnered with the Langley Chamber of Commerce and Langley Main Street Association to bring you the City of Langley Small Business Relief Grant Program 2020 for businesses that operate within the city limits.

The City of Langley will be administering this program via interagency agreements with the Department of Commerce* and Island County with the assistance of the Langley Chamber of Commerce and Langley Main Street Association.

The following guide will help answer questions about the grant process and provide the Department of Commerce (DOC) requirements. Please be sure to review the entire guide thoroughly. The agreement requires contract recipients to abide by the contents of this guide and the contents will be part of the contract grant recipients are required to sign in order to receive the grant funding.

This guide is also available on the City of Langley’s website at www.lcngleywa.org. To help streamline this process, please direct any inquiries regarding this application process to the City of Langley CARES Grant Program Assistance Coordinator at the Langley Chamber of Commerce at cares@langleywa.org or call 360-221-6765.

We look forward to the positive impact that this grant program will have on our local economy.

Respectfully,

Mayor Tim Callison and Commissioner Helen Price-Johnson

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*Funds under the Contract are made available and are subject to Section 601 (a) of the Social Security Act, as amended by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), and Title V and VI of the CARES Act.

The Contractor agrees that any publications (written, visual, or audio) but excluding press releases, newsletters, and issue analyses, issued by the Contractor detailing programs or projects funded in whole or in part with federal funds under this Contract, shall contain the following statement:

This project was supported by a grant awarded by US Department of the Treasury. Points of view in this document (Interagency Agreement) are those of the author and do not necessarily represent the official position or policies of the US Department of the Treasury. Grant funds are administered by the Local Government Coronavirus Relief Fund thru the Washington State Department of Commerce.

City of Langley Small Business Relief Grant Application Guide
ELIGIBILITY

This grant is for businesses with 50 or less full-time equivalent (FTE) employees (a sole proprietor can be considered an employee) that conduct business within the Langley city limits in Island County District 1. Applicants must have been in business for at least one year as of March 1, 2020. This funding is not intended to help launch a business, but to support existing businesses who are/were impacted by Stay Home, Stay Healthy orders. Non-profits are eligible for this grant.

Key requirements of the Department of Commerce to award these grant funds are that the expenses:

- Are connected to the COVID-19 emergency
- Are necessary
- Are not funded through another budget line item, allotment or allocation, as of March 27, 2020
- Wouldn’t exist without COVID19 OR would be for a substantially different purpose

ELIGIBLE & INELIGIBLE EXPENSES

- Eligible expenses include operational outlays including expenses to comply with public health guidelines, the purchase of takeout/delivery packaging and serving material/supplies, lease payments, utilities, and other costs/expenses directly related to COVID-19 business interruption.
- Ineligible expenses include payroll costs, fuel costs for delivery, lost income, and other costs that cannot be directly traced to COVID-19. Any expenses that were already reimbursed or paid for through other grant or loan programs.

TOTAL FUNDS AVAILABLE

The City of Langley will be distributing up to $55,000 from Island County’s allocation of the Local Government Coronavirus Relief Funds (CRF) thru the Washington State Department of Commerce to small businesses within Langley city limits. This project was supported by a grant awarded by the US Department of the Treasury.

Points of view in this document are those of the author and do not necessarily represent the official position or policies of the US Department of the Treasury.

GRANT AWARDS

Grant awards are in the amount of $2,000 or less. Identifying eligible expenses and amounts on the grant application will determine the appropriate grant award. Depending on the response to this program, not all applicants may receive an award or an applicant may receive less funding than requested.

After reviewing all applications, additional unspent funds will be awarded to other grant applicants on the waiting list.

Businesses with multiple locations in more than one area of Island County are not allowed to apply for grants from more than one area.

WAITING LIST

Due to the limited amount of available funds and number of businesses wanting to apply for funds, the list of eligible recipients will include a list of businesses who are on a wait list for grant dollars.

City of Langley Small Business Relief Grant Application Guide
REIMBURSEMENT PROGRAM

Please keep in mind that this grant program is a reimbursement program. If you are awarded a grant, you must then comply with the contract requirements, and submit qualifying expenses with proof of payment for reimbursement.

APPLICATION PROCESS

For the quickest processing, the City of Langley Small Business Relief Grant Application can be completed online at the following address:


Or print and fill out the application within this guide, save, and send via email to cares@langleywa.org or print out and mail application to:

City of Langley
Attn: CARES Grant Coordinator
PO Box 366
Langley, WA 98260

The deadline for submission of applications is 5pm, Friday, July 24, 2020.

If you have any questions about the requirements specified in the application form, please refer to the Coronavirus Relief Funds for Local Governments Program Guidelines produced by the DOC.

If you are still unclear, email the CARES Grant Project Assistance coordinator at cares@langleywa.org or 360-221-6765.

If you submit your application online, once your application is received, the CARES Grant Project Assistance coordinator will email you a PDF copy of your completed application. Feel free to email cares@langleywa.org upon submission of the form to alert staff you have completed the application.

GRANT AWARDS TIMELINE

The following is an overview of the grant process and important dates. Please note that the timeline is subject to change. Check the website for updates.

- Langley City Council approved grant program on July 6, 2020.
- First day grant applications can be submitted for consideration is July 8, 2020.
- Closing date for grant applications to be submitted is July 24, 2020 at 5pm.
- Selection Committee review of applicants and selection of awardee recommendations by July 31, 2020.
- City Council will approval of grant awardees on August 3, 2020.
- Contract signing with grant awardees approved by the City Council by August 7, 2020 through City Finance department.
- Grant awardees submission of expenses and proof of payments for reimbursement along with all required contract documentation on or before September 30, 2020.
# City of Langley Small Business Relief Grant Application

<table>
<thead>
<tr>
<th>Company Name:</th>
<th>In Operation for at Least 1 Year as of March 1, 2020?</th>
<th>UBI Number:</th>
<th>EIN Number:</th>
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<tbody>
<tr>
<td>Address:</td>
<td>□ Yes □ No</td>
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<tr>
<td>City:</td>
<td>State: WA Zip Code:</td>
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<tr>
<th>Company Owner</th>
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<tbody>
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<td>Email:</td>
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<td>Phone:</td>
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<th>Industry Sector:</th>
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<td>□ Restaurant/Food Business</td>
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<tr>
<td>□ Hospitality</td>
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<tr>
<td>□ Retail</td>
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<tr>
<td>□ Manufacturing</td>
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<td>□ Construction</td>
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<tr>
<td>□ Other:________</td>
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</tbody>
</table>

Has your business been affected by emergency public health protections in place and/or mandatory closure by executive order due to COVID-19? □ Yes □ No

Amount of Reimbursement Grant Being Requested (not to exceed $10,000): __________________________

### COMPANY BACKGROUND

| Total Number of Full-time Equivalent Employees (FTE), including yourself, as of 01/2020: |
| Number of Workers Laid Off Due to COVID-19: |

| Business Structure (LLC, S Corp, Sole Proprietor, etc): |

<table>
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<tr>
<th>Company Description:</th>
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<tr>
<td>Describe the company and its products/services:</td>
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<tr>
<th>Economic Impact:</th>
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<tr>
<td>Describe the effect of the public health crisis on the business:</td>
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</table>
**Likelihood of Permanently Closing the Business?**

- High
- Medium
- Low

Number of potential jobs lost?

Will this grant help retain jobs? If so, how many?

Has the company received any prior awards under COVID-19 stimulus funding; Yes ☐ No ☐; if Yes, what type and amount:

- EIDL
- PPP
- WWSBEG
- Port of South Whidbey
- Other

---

**EXPLANATION OF USE OF FUNDS**

Funds from this grant must be used to help promote public welfare and are aimed at assisting small businesses with the costs of business interruption caused by required closures due to COVID-19. This grant may be used to reimburse eligible expenses incurred after March 1, 2020 (see the Grant Program Guidelines for a listing of eligible expenses). A paid invoice or receipt for eligible expenses must be provided to the Port of South Whidbey in order to receive reimbursement. In the space below provide an itemized list of proposed expenses this grant will fund and approximate amounts. **Do not include expenses reimbursed under other loan or grant programs.**

Payroll cannot be reimbursed via this grant program. Please direct all payroll needs to Employment Security Department.

---

**ADDITIONAL INFORMATION**

Currently, is the company facing any pending litigation or legal action?

Has the company had any compliance/regulatory issues within Washington or other state you are, or have, done business in?
Coronavirus Relief Funds for Local Governments Program Guidelines

CARES Act Funds for Local Governments In Washington State

Administered by the Department of Commerce
Local Government Division

P.O. Box 42525
Olympia, WA 98504-2525

(Dated 5-18-2020)
Contact Information

Mailing / Street Address:
Washington State Department of Commerce
Local Government Division
PO Box 42525
1011 Plum Street SE
Olympia, WA 98504-2525

Program Leadership:
Tony Hanson	Tina Hochwender
Deputy Assistant Director	Managing Director
Community Capital Facilities Unit	Community Assistance and Research Unit
360-725-3005	360-725-3087
Tony.Hanson@commerce.wa.gov	Tina.Hochwender@commerce.wa.gov

Commerce Leadership:
Lisa Brown, Ph.D.
Director
Mark Barkley
Assistant Director
Local Government Division

This publication is available in an alternative format upon request. Events sponsored by Commerce are accessible to persons with disabilities. Accommodations may be arranged with a minimum of 10 working days’ notice by calling 360-725-3087
Coronavirus Relief Funds (CRF) for Local Governments  
Program Guidelines

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General Information

1. Source of Funds

You have been awarded funds through the state’s Coronavirus Relief Funds (CRF). The funds are available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”).

Your grant is funded entirely through the federal stimulus funding under the CARES Act provided by the U.S. Department of Treasury (US Treasury) to the Governor via the Office of Financial Management (OFM).

On April 27, 2020 Governor Inslee announced the award of nearly $300 million to local governments in CRF from the state’s allocation of the CARES Act funding.

2. Allocation Formula

OFM developed the allocation methodology and determined the jurisdiction amounts. The allocations were based on 2019 population estimates for each jurisdiction.

Funds will be provided to cities and counties with populations under 500,000 that were ineligible to receive direct funding under the CARES Act. Each county will receive a minimum distribution of $250,000 and each city will receive a minimum distribution of $25,000.

Cities and counties with populations over 500,000 did not receive a direct allocation from the state. Instead these jurisdictions received a direct allocation from the US Treasury (i.e. city of Seattle, King Co., Pierce Co., Snohomish Co., etc.).

For a complete list of cities and counties and their allocations, click here.

3. Period of Performance

The Coronavirus Relief Funds may only be used for costs incurred by local governments in response to the COVID-19 public health emergency during the period of March 1, 2020 thru October 31, 2020.

The US Treasury’s Guidance provides an end date of December 30, 2020. This is the end date in which the state must have reimbursed all "recipients of the funds" (grantees) their costs incurred in response to the COVID-19 emergency. In order to allow time for Commerce to process final payments and conduct contract closeouts; and for OFM to fully utilize any unspent funds before they expire, expenditures are only being accepted on costs incurred through October 31, 2020.

All final requests for reimbursement must be submitted no later than November 15, 2020.

4. Intended Use

Under the CARES Act, the Coronavirus Relief Funds (CRF) may be used to cover costs that:

1. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19); AND

2. Are NOT accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or local government. The "most recently
approved” budget refers to the enacted budget for the relevant fiscal period for the particular government. A cost meets this requirement if:

a) The cost cannot lawfully be funded using a line item, allotment, or allocation within that budget; OR

b) The cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

3. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Funds may NOT be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The use of these funds are very broad and flexible, and can be used for both operating and capital expenditures.

If funds are being used for capital expenditures such as acquisition of real property or construction / renovation costs, please contact us immediately. We will provide you with further information and guidance. Utilizing CRF for these purposes will require additional Federal and state provisions being applied to the project such as:

- All projects must be reviewed under a Federal Section 106 review for archaeological and cultural resources if the project: acquires property, disturbs ground, and/or involves structures more than 50 years old. Grantees must submit documentation to the project manager when the review is complete. Section 106 supersedes the Governor’s Executive Order 05-05 review.

- Construction / renovation projects may be required to meet high-performance building standards and document they have entered the state’s LEED certification process.

- Construction / renovation projects will be required to follow Federal Davis Bacon and state prevailing wage laws, rules, and regulations.

Additionally, grantees must ensure all capital expenditures are only for costs incurred through the limited timeframe of March 1, 2020 thru October 31, 2020.

5. Eligible costs

There are six (6) primary eligible cost categories. These cost categories and their eligible cost sub-categories are as follows:

1. Medical expenses such as:
   - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
   - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
   - Costs of providing COVID-19 testing, including serological testing.
   - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
• Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.

2. Public health expenses such as:
• Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
• Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
• Expenses for disinfection of public areas and other facilities, e.g., nursing homes, in response to the COVID-19 public health emergency.
• Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
• Expenses for public safety measures undertaken in response to COVID-19.
• Expenses for quarantining individuals.

3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
• Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
• Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
• Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
• Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
• COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
• Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.

5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
• Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
• Expenditures related to a state, territorial, local, or Tribal government payroll support program.
• Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
6. **Any other COVID-19-related expenses** reasonably necessary to the function of government that satisfy the Fund’s eligibility criteria.

### 6. Ineligible costs

Non-allowable expenditures include, but are not limited to:

1. Expenses for the state share of Medicaid.
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by states to state unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

### 7. Eligible cost test

Grantees are charged with determining whether or not an expense is eligible based on the [US Treasury’s Guidance](#) and as provided in the grantee’s contract scope of work with Commerce.

To assist grantees with this determination, Commerce has developed an eligibility cost test. This test gives each grantee full authority to make the appropriate call for each circumstance.

**TEST** — If all responses for the particular incurred cost are “true” for all five statements below, then a jurisdiction can feel confident the cost is eligible:

1. The expense is connected to the COVID-19 emergency.
2. The expense is “necessary”.
3. The expense is not filling a short fall in government revenues.
4. The expense is not funded thru another budget line item, allotment or allocation, as of March 27, 2020.
5. The expense wouldn’t exist without COVID-19 OR would be for a “substantially different” purpose.

It is the responsibility of each grantee to define “necessary” or “substantially different”, giving the grantee the authority and flexibility to make their own determination.

**Additional consideration** — The intent of these funds is to help jurisdictions cover the immediate impacts of the COVID-19 emergency. Both direct costs to the jurisdiction and costs to their communities. There are many possible eligible costs.

Many costs are clearly eligible and others are in more of a grey area. One could probably justify some of the “grey area” costs based on the test, but are they directly addressing the immediate impacts? Possibly not. In these situations it may be safer and more appropriate to utilize the funds in one of the many other eligible cost categories that more clearly meet the intent of the funds. Again, each grantee has the full authority to make the final call based on their circumstances and justification.
8. Cost reimbursement

Funds are available on a reimbursement basis only, and cannot be advanced under any circumstances. If funds are being used for the acquisition of real property or construction/renovation costs, please contact us immediately. Reimbursable costs are those that a Grantee has already incurred. We may only reimburse grantees for eligible costs incurred in response to the COVID-19 public health emergency during the period of March 1, 2020 thru October 31, 2020.

<table>
<thead>
<tr>
<th>Final Date of Reimbursements</th>
</tr>
</thead>
<tbody>
<tr>
<td>In order to ensure all awardees and their costs incurred in response to the COVID-19 emergency are paid out by December 30, 2020 per the US Treasury's Guidance, expenditures are only being accepted on costs incurred through October 31, 2020.</td>
</tr>
<tr>
<td>All final requests for reimbursement must be submitted no later than November 15, 2020.</td>
</tr>
</tbody>
</table>

Grantees will not be required to submit a proposed budget prior to contract execution. Grantees will have the discretion and flexibility to determine where these funds may best serve their communities.

Each grantee will determine eligible costs to submit for reimbursement. For reporting purposes, expenditures must be tracked at the sub-category level for the six (6) primary eligible cost categories, as follows:

1. Medical Expenses
   A. Public hospitals, clinics, and similar facilities
   B. Temporary public medical facilities & increased capacity
   C. COVID-19 testing, including serological testing
   D. Emergency medical response expenses
   E. Telemedicine capabilities
   F. Other

2. Public Health Expenses
   A. Communication and enforcement of public health measures
   B. Medical and protective supplies, including sanitation and PPE
   C. Disinfecting public areas and other facilities
   D. Technical assistance on COVID-19 threat mitigation
   E. Public safety measures undertaken
   F. Quarantining individuals
   G. Other

3. Payroll expenses for public employees dedicated to COVID-19
   A. Public Safety
   B. Public Health
   C. Health Care
   D. Human Services
   E. Economic Development
   F. Other

4. Expenses to facilitate compliance with COVID-19 measures
   A. Food access and delivery to residents
   B. Distance learning tied to school closings
   C. Telework capabilities of public employees
D. Paid sick and paid family and medical leave to public employees
E. COVID-19-related expenses in county jails
F. Care and mitigation services for homeless populations
G. Other

5. Economic Supports
   A. Small Business Grants for business interruptions
   B. Payroll Support Programs
   C. Other

6. Other COVID-19 Expenses

No receipts or proof of payment for costs incurred will be required to be submitted to Commerce. Grantees are still required to maintain sufficient accounting records in accordance with state and federal laws. Monitoring visits may be scheduled.
Process and Procedure to Obtain Funds

1. Award Letter

Commerce strives to administer funds expediently and with a minimum of red tape. We do so within the policies and procedures established by the US Treasury and state’s Legislature, OFM, Commerce, and the Office of the Attorney General. Prior to receiving funds, a contract will need to be executed with Commerce.

Award letters with instructions to initiate the contracting process will be emailed to each city and county receiving an allocation by no later than May 22nd. Emails to cities will be sent to mayors and any other contacts obtained with the assistance of the Association of Washington Cities. Emails to counties will be sent to the county commissioners and any other contacts obtained with the assistance of the Washington State Association of Counties.

Included with the award letter will be:

- CRF Program Guidelines
- A draft contract template for review and to initiate the public process for authorization to execute once the final contract is available for execution
- Working Papers

2. Working papers

Your grant award packet includes Working Papers. The Working Papers ask for basic information needed to create a contract:

- Contact information for the person who will administer the grant once the contract is signed. Grant documents and correspondence will be sent to this person.
- Your Statewide Vendor Number (SWV#)
- Your Federal Indirect Rate
- Your fiscal year end date
- Name and title for the person authorized by the jurisdiction to sign the contract

Please complete and return the Working Papers to the Commerce project manager identified in the award letter as soon as possible, even if you do not plan to begin drawing your funds for a while. Your project manager will manage your contract until project completion. Feel free to give us a call if you have any questions as you fill out the form (see contact information on previous page).

3. Contract

Once the completed Working Papers have been received by the Commerce project manager identified in the award letter, a contract will be prepared and sent to you for signature. Have the authorized representative sign the contract and then return a scanned pdf copy to your project manager. Then the project manager will route the contract for Commerce’s signature. It generally takes two to four weeks to fully execute a contract. Once executed by Commerce a fully executed copy will be scanned and a pdf copy emailed to the jurisdiction and you will have access to your funds.

Commerce is working to make the contracting process as quick and easy as possible.
4. Reimbursements

This is a reimbursement-style grant, meaning no advance payments. Funds are available once a contract is executed. All grantees are required to set up a SWV number so funds may be sent electronically. Grantees have the flexibility to cash out their grant or draw down funds as frequently as once a month as long as you have incurred documented eligible costs in response to the COVID-19 public health emergency during the period of March 1, 2020 thru October 31, 2020. All final requests for reimbursement must be submitted no later than November 15, 2020.

Commerce has moved to electronic vouchering through their Contracts Management System (CMS) Online A-19 Portal. Requests for reimbursement must be submitted online through the CMS System by an individual authorized by the Grantee’s organization. Online electronic vouchering provides for grantees to receive reimbursements as quickly as possible. Grantees with barriers to using the online A-19 portal, may request an A-19 form from their Commerce project manager.

Access to CMS is available through the Secure Access Washington (SAW) portal. You will need to create a SAW account if you do not already have one. Please find detailed instructions here: Office of Financial Management. It may take up to three weeks after you submit this information for an electronic transfer account to be set up. We will automatically receive your SWV number from the office that sets them up.

Once logged into SAW, add the Department of Commerce to your ‘services’ and submit an Online A-19 External User Request form. Then Commerce will add you as a new external user in CMS; and the CMS system will generate and email a registration code to you to complete the CMS registration.

For additional grantee support, refer to the Commerce Online A-19 Webpage for External Users, which includes SAW resources and the CMS manual for external users.

The A-19 voucher must include a detailed breakdown of the costs incurred within each eligible budget category and the total reportable eligible expenses in response to the COVID-19 public health emergency. Accompanying with each voucher must be an executed A-19 certification and A-19 activity report. Incomplete or improperly prepared submissions may result in payment delays. After receipt and acceptance of a fully completed A-19 voucher submittal, grantees can expect electronic reimbursements within 7-10 days.

No receipts or proof of payment for costs incurred will be required to be submitted to Commerce. Grantees are still required to maintain sufficient accounting records in accordance with state and federal laws; and are responsible for maintaining clear and accurate program records, and making them accessible to Commerce and the State Auditor.

Monitoring visits may be scheduled.

5. A-19 Certification and Activity Report

In order to receive reimbursement for eligible expenses incurred, each A-19 Voucher must include:

1. A completed A-19 Certification:
   • An individual authorized to execute on behalf of the local government must certify by signing this document under penalty of perjury that the items and costs listed herein and on the accompanying Commerce A-19 Voucher are eligible charges for necessary expenditures incurred due to the COVID-19 public health emergency that were not previously accounted for in the most recent approved budget as of March 27, 2020,
and that the funds were used in accordance with section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act").

2. A completed **A-19 Activity Report** (*instructions included in document)*:
   - Must be submitted as an Excel spreadsheet, not a PDF.
   - Include a detailed breakdown of the individual eligible expenditures reported by each sub-category of the six (6) primary budget categories. Each primary budget category includes sub-categories and provides an option to add "other" sub-categories.
   - Include the total amount of all previous reimbursement requests for each applicable sub-category.
   - Include the total amount of funds being requested in the current reimbursement request for each applicable sub-category.
   - Include a brief description of the use of the funds being requested for each applicable sub-category. Keep descriptions as concise as possible, but include adequate context to demonstrate how these funds addressed the COVID-19 emergency. If applicable, please consider:
     - Providing a brief description of the specific activities performed.
     - Identifying specific populations served.
     - Identifying specific programs created or utilized.
     - Including any known or intended outcomes, results, or community impacts.

A certification and activity report must be completed and returned with each reimbursement voucher.

After the contract is executed, you will receive additional instructions on how to submit electronic reimbursement requests with the A-19 certification and A-19 activity report.
CARES
Grant Application

City of Langley Small Business Relief Grant

APPLICATION GUIDE

CARES Grant Program Assistance
cares@langleywa.org
360-221-6765
Good day, City of Langley Small Businesses!

The City of Langley and Island County are deeply concerned about the economy of Whidbey and Camano Island and the impact that the COVID-19 crisis has had on our small business owners and their families. Our City and County leadership have partnered with the Langley Chamber of Commerce and Langley Main Street Association to bring you the City of Langley Small Business Relief Grant Program 2020 for businesses that operate within the city limits.

The City of Langley will be administering this program via interagency agreements with the Department of Commerce* and Island County with the assistance of the Langley Chamber of Commerce and Langley Main Street Association.

The following guide will help answer questions about the grant process and provide the Department of Commerce (DOC) requirements. Please be sure to review the entire guide thoroughly. The agreement requires contract recipients to abide by the contents of this guide and the contents will be part of the contract grant recipients are required to sign in order to receive the grant funding.

This guide is also available on the City of Langley’s website at www.langleywa.org. To help streamline this process, please direct any inquiries regarding this application process to the City of Langley CARES Grant Program Assistance Coordinator at the Langley Chamber of Commerce at cares@langleywa.org or call 360-221-6765.

We look forward to the positive impact that this grant program will have on our local economy.

Respectfully,

Mayor Tim Callison and Commissioner Helen Price-Johnson

*Funds under the Contract are made available and are subject to Section 601(a) of the Social Security Act, as amended by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), and Title V and VI of the CARES Act.

The Contractor agrees that any publications (written, visual, or sound) but excluding press releases, newsletters, and issue analyses, issued by the Contractor describing programs or projects funded in whole or in part with federal funds under this Contract, shall contain the following statement:

This project was supported by a grant awarded by US Department of the Treasury. Points of view in this document (Interagency Agreement) are those of the author and do not necessarily represent the official position or policies of the US Department of the Treasury. Grant funds are administered by the Local Government Coronavirus Relief Fund thru the Washington State Department of Commerce.

City of Langley Small Business Relief Grant Application Guide
ELIGIBILITY

This grant is for businesses with 50 or less full-time equivalent (FTE) employees (a sole proprietor can be considered an employee) that conduct business within the Langley city limits in Island County District 1. Applicants must have been in business for at least one year as of March 1, 2020. This funding is not intended to help launch a business, but to support existing businesses who are/were impacted by Stay Home, Stay Healthy orders. Non-profits are eligible for this grant.

Key requirements of the Department of Commerce to award these grant funds are that the expenses:

- Are connected to the COVID-19 emergency
- Are necessary
- Are not funded through another budget line item, allotment or allocation, as of March 27, 2020
- Wouldn’t exist without COVID19 OR would be for a substantially different purpose

ELIGIBLE & INELIGIBLE EXPENSES

- Eligible expenses include operational outlays including expenses to comply with public health guidelines, the purchase of takeout/delivery packaging and serving material/supplies, lease payments, utilities, and other costs/expenses directly related to COVID-19 business interruption.
- Ineligible expenses include payroll costs, fuel costs for delivery, lost income, and other costs that cannot be directly traced to COVID-19. Any expenses that were already reimbursed or paid for through other grant or loan programs.

TOTAL FUNDS AVAILABLE

The City of Langley is receiving up to $50,000 from Island County’s allocation of the Local Government Coronavirus Relief Funds (CRF) thru the Washington State Department of Commerce. This project was supported by a grant awarded by the US Department of the Treasury.

Points of view in this document are those of the author and do not necessarily represent the official position or policies of the US Department of the Treasury.

GRANT AWARDS

Grant awards are in the amount of $2,000 or less. Identifying eligible expenses and amounts on the grant application will determine the appropriate grant award. Depending on the response to this program, not all applicants may receive an award or an applicant may receive less funding than requested.

After reviewing all applications, additional unspent funds will be awarded to other grant applicants on the waiting list.

Businesses with multiple locations in more than one area of Island County are not allowed to apply for grants from more than one area.

WAITING LIST

Due to the limited amount of available funds and number of businesses wanting to apply for funds, the list of eligible recipients will include a list of businesses who are on a wait list for grant dollars.

City of Langley Small Business Relief Grant Application Guide
REIMBURSEMENT PROGRAM

Please keep in mind that this grant program is a reimbursement program. If you are awarded a grant, you must then comply with the contract requirements, and submit qualifying expenses with proof of payment for reimbursement.

APPLICATION PROCESS

For the quickest processing, the City of Langley Small Business Relief Grant Application can be completed online at www.surveymonkey.com/XXX.

Or print and fill out the application within this guide, save, and send via email to cares@langleywa.org or print out and mail application to:

City of Langley
PO Box 366
Langley, WA 98260

The deadline for submission of applications is 5pm, Friday, July 24, 2020.

If you have any questions about the requirements specified in the application form, please refer to the Coronavirus Relief Funds for Local Governments Program Guidelines produced by the DCC.

If you are still unclear, email the CARES Grant Project Assistance coordinator at cares@langleywa.org or 360-221-6765.

If you submit your application online, once your application is received, the CARES Grant Project Assistance coordinator will email you a PDF copy of your completed application. Feel free to email cares@langleywa.org upon submission of the form to alert staff you have completed the application.

The following is an overview of the grant process and important dates. Please note that the timeline is subject to change. Check the website for updates.

- Langley City Council approved grant program on July 6, 2020.
- First day grant applications can be submitted for consideration is July 8, 2020.
- Closing date for grant applications to be submitted is July 24, 2020 at 5pm.
- City Council will approval of grant awardees on August 3, 2020.
- Contract signing with grant awardees approved by the City Council by August 7, 2020 though City finance department.
- Grant awardees submission of expenses and proof of payments for reimbursement along with all required contract documentation on or before September 30, 2020.
Interagency Agreement with

City of Langley

through

the Coronavirus Relief Fund for Local Governments

For

Costs incurred due to the public health emergency with respect to
the Coronavirus Disease 2019 (COVID-19) during the period of

Start date: March 1, 2020
Scope of Work

This funding is made available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") and Section V and VI of the CARES Act, for costs incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19). Under the CARES Act, the Coronavirus Relief Fund may be used to cover costs that:

1. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); AND

2. Are not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government.

These funds may be used to reimburse for expenditures incurred during the period of March 1, 2020 thru Oct. 31, 2020. Please note: In order to ensure all funds have been fully utilized prior to the US Treasury’s December 30, 2020 end date, the State of Washington must closeout contracts by October 31, 2020. All final requests for reimbursement must be received no later than November 15, 2020.

Expenditures must be used for necessary actions taken to respond to the public health emergency. These may include expenditures incurred to allow the local government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

Payments may be used only to cover costs not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either:

1. The cost cannot lawfully be funded using a line item, allotment, or allocation within that budget; OR

2. The cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The "most recently approved" budget is the enacted budget for the relevant fiscal period for the particular government. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Allowable expenditures include, but are not limited to:

1. Medical expenses such as:
   a. COVID-19-related expenses of public hospitals, clinics, and similar facilities.
   b. Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
   c. Costs of providing COVID-19 testing, including serological testing.
   d. Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
2. Public health expenses such as:
   a. Expenses for communication and enforcement by State, territorial, local, and Tribal
governments of public health orders related to COVID-19.
   b. Expenses for acquisition and distribution of medical and protective supplies, including
sanitizing products and personal protective equipment, for medical personnel, police officers,
social workers, child protection services, and child welfare officers, direct service providers
for older adults and individuals with disabilities in community settings, and other public health
or safety workers in connection with the COVID-19 public health emergency.
   c. Expenses for disinfection of public areas and other facilities, e.g., nursing homes, in response
to the COVID-19 public health emergency.
   d. Expenses for technical assistance to local authorities or other entities on mitigation of
COVID-19-related threats to public health and safety.
   f. Expenses for quarantining individuals.

3. Payroll expenses for public safety, public health, health care, human services, and similar
employees whose services are substantially dedicated to mitigating or responding to the COVID-
19 public health emergency.

4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such
as:
   a. Expenses for food delivery to residents, including, for example, senior citizens and other
vulnerable populations, to enable compliance with COVID-19 public health precautions.
   b. Expenses to facilitate distance learning, including technological improvements, in connection
with school closings to enable compliance with COVID-19 precautions.
   c. Expenses to improve telework capabilities for public employees to enable compliance with
COVID-19 public health precautions.
   d. Expenses of providing paid sick and paid family and medical leave to public employees to
enable compliance with COVID-19 public health precautions.
   e. COVID-19-related expenses of maintaining state prisons and county jails, including as relates
to sanitation and improvement of social distancing measures, to enable compliance with
COVID-19 public health precautions.
   f. Expenses for care for homeless populations provided to mitigate COVID-19 effects and
enable compliance with COVID-19 public health precautions.

5. Expenses associated with the provision of economic support in connection with the COVID-19
public health emergency, such as:
   a. Expenditures related to the provision of grants to small businesses to reimburse the costs of
business interruption caused by required closures.
   b. Expenditures related to a State, territorial, local, or Tribal government payroll support
program.
   c. Unemployment insurance costs related to the COVID-19 public health emergency if such
costs will not be reimbursed by the federal government pursuant to the CARES Act or
otherwise.

6. Any other COVID-19-related expenses reasonably necessary to the function of government that
satisfy the Fund's eligibility criteria.
Budget & Invoicing

The Contractor shall determine the appropriate budget and use of funds within the following 6 budget categories and their sub-categories:

1. Medical
2. Public Health
3. Payroll
4. Actions to Comply with Public Health Measures
5. Economic Support
6. Other Covid-19 Expenses

The Contractor shall submit invoice reimbursement requests to the Commerce Representative using the Commerce Contract Management System’s (CMS) Online A-19 Portal. Each reimbursement request must include:

2. A-19 Activity Report
3. A detailed breakdown of the expenditures incurred within each applicable budget sub-category on the A-19 Activity Report.

The A-19 Certification and Activity Report templates will be provided with the executed contract. The documents are included in Attachment C and Attachment D for reference.

Receipts and proof of payment for costs incurred do not need to be submitted with A-19s. All contractors are required to maintain accounting records in accordance with state and federal laws. Records must be sufficient to demonstrate the funds have been used in accordance with section 601(d) of the Social Security Act. Commerce reserves the right to audit any costs submitted for reimbursement. The Contractor shall comply with Commerce A-19 audits and provide the appropriate records upon request.
LOCAL GOVERNMENT CORONAVIRUS RELIEF FUNDS CERTIFICATION

I, <FIRST, LAST NAME>, am the <TITLE> of <LOCAL GOVERNMENT>, and I certify that:

1. I have the authority and approval from the governing body on behalf of the Local Government to request reimbursement from the Department of Commerce (Commerce) per contract number <COMMERCE CONTRACT NUMBER> from the allocation of the Coronavirus Relief Fund as created in section 5001 of H.R. 748, the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") for eligible expenditures included on the corresponding A-19 invoice voucher for report period <REPORT PERIOD FROM A-19>.

2. I understand that as additional federal guidance becomes available, a contract amendment to the agreement between Commerce and the Local Government may become necessary.

3. I understand Commerce will rely on this certification as a material representation in processing this reimbursement.

4. I certify the use of funds submitted for reimbursement from the Coronavirus Relief Funds under this contract were used only to cover those costs that:
   a. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
   b. Were not accounted for in the budget most recently approved as of March 27, 2020; and
   c. Were incurred during the period that begins on March 1, 2020, and ends on October 31, 2020.

5. I understand the use of funds pursuant to this certification must adhere to official federal guidance issued or to be issued on what constitutes a necessary expenditure. We have reviewed the guidance established by U.S. Department of the Treasury\(^1\) and certify costs meet the required guidance. Any funds expended by the Local Government or its subcontractor(s) in any manner that does not adhere to official federal guidance shall be returned to the State of Washington.

Footnote:

State of Washington
Department of Commerce
Interagency Agreement
Version 072019
Page 14
LOCAL GOVERNMENT CORONAVIRUS RELIEF FUNDS CERTIFICATION
Page 2 of 2

6. I understand the Local Government receiving funds pursuant to this certification shall retain documentation of all uses of the funds, including but not limited to invoices and/or sales receipts in a manner consistent with §200.333 Retention requirements for records of 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Such documentation shall be produced to Commerce upon request and may be subject to audit by the State Auditor.

7. I understand any funds provided pursuant to this certification cannot be used as a revenue replacement for lower than expected tax or other revenue collections.

8. I understand funds received pursuant to this certification cannot be used for expenditures for which the Local Government has received any other emergency COVID-19 supplemental funding (whether state, federal or private in nature) for that same expense.

I certify that I have read the above certification and my statements contained herein are true and correct to the best of my knowledge.

________________________
Printed Name

________________________
Title

________________________
Signature

________________________
Date:
INSTRUCTIONS:

A completed CRF A-19 Certification and Activity Report must be submitted with each A-19 reimbursement request. The A-19 Activity Report must be submitted as an Excel spreadsheet, not a PDF. You must also include a detailed breakdown of the individual expenditures reported in Column F for each applicable sub-category included on the A-19 Activity Report.

There are 6 primary budget categories;
1. Medical Expenses
2. Public Health Expenses
3. Payroll expenses for public employees dedicated to COVID-19
4. Expenses to facilitate compliance with COVID-19-measures
5. Economic Supports
6. Other COVID-19 Expenses

Each primary budget category includes sub-categories and provides an option to add "other" sub-categories not listed.

Follow the below instructions when completing the A-19 Activity Report:

1 REPORT PERIOD - Enter the report period into Cell D1 of the A-19 Activity Report.
   a This should match the report period entered on the corresponding A-19.
   b Report period should include MM/DD to MM/YYYY, i.e. 03/20, March 2020, 03/2020, etc.

2 COLUMN E - Enter the total amount of all previous reimbursement requests submitted to Commerce for each applicable sub-category

3 COLUMN F - Enter the total amount being requested in the current reimbursement request for each applicable sub-category

4 COLUMN H: USE OF FUNDS - You must include a general description of the use of the funds being requested for each applicable sub-category. Keep descriptions as concise as possible, but include adequate context to demonstrate how these funds helped address the COVID-19 emergency. If applicable, please consider:
   a Providing a brief description of the specific activities performed.
   b Identifying specific populations served.
   c Identifying specific programs created or utilized.
   d Including any known or intended outcomes, results, or community impacts.

5 OTHER SUB-CATEGORIES - Budget categories 1-5 include a placeholder to add an additional sub-category if necessary.
   a Enter a Title for other expenses added within the appropriate budget category.
   b Enter titles into Cells: D10, D19, D27, D36, and D41.
   c There is only one "other" placeholder in each budget category section. Please combine multiple "other" sub-categories added to the same budget category.

6 OTHER BUDGET CATEGORIES - Budget category 6 is where you should include any eligible expenditures that don’t fall under budget categories 1-5.
   a Enter a Title for these "other" expenses within budget category 6.
   b Enter titles into Cells D44 - D48
   c There are only 5 entry fields available within Budget Category 6.
<table>
<thead>
<tr>
<th>Eligible Expenditures</th>
<th>Previously Reported Expenditures</th>
<th>Current Expenditures This Invoice</th>
<th>Total Cumulative Expenditures</th>
<th>Brief Description of Use of Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1 Medical Expenses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Public health, clinics, and similar facilities</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>B. Temporary public health facilities and increased capacity</td>
<td>$</td>
<td>$</td>
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<tr>
<td>C. COVID-19 testing, including personal protective equipment</td>
<td>$</td>
<td>$</td>
<td>$</td>
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<tr>
<td>D. Repairs, medical resource expansions</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
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<tr>
<td>E. Extended care facilities</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>F. Other</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td><strong>Sub-Total</strong></td>
<td>$</td>
<td>$</td>
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</tr>
<tr>
<td><strong>2 Public Health Expenses</strong></td>
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</tr>
<tr>
<td>A. Surveillance and identification of public health measures</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
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<tr>
<td>B. Contact tracing and contact prompt staff, including personnel and PPE</td>
<td>$</td>
<td>$</td>
<td>$</td>
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<tr>
<td>C. Disinfection public areas and other facilities</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
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<tr>
<td>D. Personal protective equipment to employees</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>E. Public safety/dispersed resources</td>
<td>$</td>
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<tr>
<td>F. Quarantine individuals</td>
<td>$</td>
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<tr>
<td>G. Other</td>
<td>$</td>
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<td><strong>Sub-Total</strong></td>
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<tr>
<td><strong>3 Payroll expenses for public employees dedicated to COVID-19</strong></td>
<td></td>
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</tr>
<tr>
<td>A. Public safety</td>
<td>$</td>
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<td>$</td>
</tr>
<tr>
<td>B. Public health</td>
<td>$</td>
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<tr>
<td>C. Health care</td>
<td>$</td>
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<tr>
<td>D. Human services</td>
<td>$</td>
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<tr>
<td>E. Economic Development</td>
<td>$</td>
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<tr>
<td>F. Other</td>
<td>$</td>
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<tr>
<td><strong>Sub-Total</strong></td>
<td>$</td>
<td>$</td>
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<tr>
<td><strong>4 Expenses to facilitate compliance with COVID-19 guidelines</strong></td>
<td></td>
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</tr>
<tr>
<td>A. Food access and delivery as evidence</td>
<td>$</td>
<td>$</td>
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<tr>
<td>B. Guidance from health and other businesses</td>
<td>$</td>
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<tr>
<td>C. Telework capacity for public employees</td>
<td>$</td>
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<tr>
<td>D. Food and food delivery and medical food to public employees</td>
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<tr>
<td>E. Social distancing expenses in buildings</td>
<td>$</td>
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<tr>
<td>F. Care and support services for businesses and individuals</td>
<td>$</td>
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<tr>
<td>G. Other</td>
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<td><strong>Sub-Total</strong></td>
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<tr>
<td><strong>5 Economic Supports</strong></td>
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<tr>
<td>A. Small business grants for business interruptions</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
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<tr>
<td>B. Paycheck Protection</td>
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<tr>
<td>C. Other</td>
<td>$</td>
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<tr>
<td><strong>Sub-Total</strong></td>
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<tr>
<td><strong>6 Other COVID-19 Expenses</strong></td>
<td></td>
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</tr>
<tr>
<td>A. Other</td>
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<tr>
<td>B. Other</td>
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<tr>
<td>C. Other</td>
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<tr>
<td>D. Other</td>
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</tbody>
</table>
June 25, 2020

To: Finance Director & City Clerk, Langley WA
Cc: LAF Members, Wishing Whale Ops members, Deputy Clerk, Mayor, Council Members, Public Works Director, Planning Director, Police Chief

Subject: Ad Hoc Committee on Wishing Whale Operations

A Committee formed to recommend to the Langley City Council the disposition funds collected and maintenance of the sculpture, its landscaping, and other matters. The Committee designation is: “Wishing Whale Ops”

Please add this memorandum to the Board Packet for the Langley City Council July 6, 2020 meeting. Please add an item “Wishing Whale Ops” under Commission Reports to the agenda during which I discuss conveyance of the Langley Arts Fund formal donation of the Wishing Whale Sculpture to the City of Langley, two signs that will be placed on the site, and briefly propose the Wishing Whale Ops activity and seek Council concurrence with the plan.

I have previously been instructed by City Council to form an ad hoc citizen committee consisting of a city council member, a Whale Center representative, a Langley Public Works representative, and a Langley Main Street representative. I will represent the Langley Arts Fund organization that funded the Wishing Whale and facilitate the committee. I will participate in these discussions. The committee will disband following delivery of its recommendation to the City Council.

Membership nominations:
- City Council: Dominique Emerson
- LAF Peter Morton, City Council and Chair
- City Public Works Stan Berryman or his designee
- Whale Center: Fred Lundahl
- Langley Main Street: Michaleen McGarry

Suggested Charter (Draft) of the Wishing Whale Ad Hoc Committee, to be discussed, modified, and adopted by Wishing Whale Ops Committee at its first meeting:
- Stay informed of the sculpture and landscaping status
- Establish means to legally convey ownership of the Wishing Whale Sculpture to the City of Langley
- Confirm content and location of any permanent sign(s) to be installed at Wishing Whale site
- Advise the City Council on or about the September 2020 time period:
  - Recommendation on disposition of collected funds at Wishing Whale blow holes
    - Periodic collection of the funds by whom or what entity
    - Documentation of the funds by whom or what entity
    - To what purpose(s) the funds (will) (may) be applied, and who/what entity with have responsibility to decide
  - Recommendation on celebration of “Hope, the Langley Wishing Whale” installation.
- Recommendation on any other matters associated with the new sculpture as the Committee may decide

During the Covid-19 period, meetings will be called by the Langley City Deputy Clerk and held via Zoom. As this is an ad hoc Committee convened by the City Council, meetings will be public and posted on Langley City web site.

Respectfully,

Peter Morton
Member Langley Arts Fund, a Citizen Group, Councilmember Langley City Council

"Hope"
Wishing Whale
Georgia Gerber
Bronze
2020
Commissioned by the Langley Arts Fund
& gifted to the City of Langley

These Founding Donors are recognized
for their generous contributions to the sculpture

The Arndt Family
March & Jackson Chao & Family
Mike & Jami Christen

Grethe Cammermeyer & Diane Divelbess
Dominique Emerson
The Henny Family
Georgia Gerber & Randy Hudson
Michael & Mary Kay Hallman
Langley Main Street Association
Kristin & Earl Lasher
Robert & Susan Pennington Merry
Anna Marie & Peter Morton
Alan & Nicki Mulhall
Lynn Hays & Nancy Nordhoff
Joann & Joe Quintana
Frank & Patricia Rose
Ellen Sargent
Bill, Patty, Alli & Lindsay Sievers
Pam Schell & Inn At Langley
The Star Store
Orca Network/Langley Whale Center
The Whidbey Island Arts Council
In Memory of Bob & Jackie Wodjenski
"Hope" the Wishing Whale

A bronze grey whale by sculptor Georgia Gerber

Make a wish

& drop your coins and bills into the blowholes!

Your generous donation will be used for the maintenance and beautification of Langley Public Spaces

The Wishing Whale is a project of Langley Arts Fund and a gift to the City of Langley

Langley Arts Fund is a partner of Whidbey Island Arts Council, a 501(c)3 nonprofit corporation