

RESOLUTION 2024 - 64

**A RESOLUTION OF THE CITY COUNCIL OF SUNNYSIDE,
WASHINGTON, AUTHORIZING THE CITY MANAGER TO
EXECUTE TASK ORDER WITH HLA ENGINEERING AND LAND
SURVEYING, INC. TO COMPLETE THE GROWTH
MANAGEMENT ACT PERIODIC UPDATE**

WHEREAS, the Washington State Legislature Growth Management Act (GMA), RCW 36.70A, requires cities to periodically take legislative action to review and, if necessary, revise their comprehensive plan and development regulations to ensure the plan and regulations comply with GMA requirements,

WHEREAS, in accordance with RCW 36.70A.130, the City of Sunnyside is required to complete its periodic update by June 30, 2026,

WHEREAS, the City received a \$125,000 Grant from the Washington State Department of Commerce to fund this effort,

WHEREAS, the periodic update includes the development of a work program and public participation plan; utilizing Department of Commerce checklists to identify areas of the comprehensive plan, development regulations, and critical areas ordinance that require update; and finalizing updates through the legislative process,

WHEREAS, the periodic update also includes update to the existing comprehensive plan elements,

WHEREAS, City desires to enter into an agreement with the City's Engineering Firm, HLA Engineering and Land Surveying, Inc. to complete the periodic update,

WHEREAS, the City Council finds and determines that authorizing the City Manager to authorize a Task Order with HLA to complete the periodic update, is in the

best interest of the residents of the City of Sunnyside and will promote the general health, safety and welfare;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

SECTION 1. That the City Council of the City of Sunnyside hereby authorizes the City Manager to execute the Task Order with HLA, attached hereto as Exhibit "A", and act on behalf of the City of Sunnyside.

SECTION 2. This Resolution shall be effective upon passage, approval and signatures hereon in accordance with law.

PASSED this 12th day of August, 2024.



DEAN R. BROERSMA , MAYOR

ATTEST:



JACQUELINE RENTERIA, CITY CLERK

**APPROVED AS TO FORM:
SAXTON RILEY & RILEY, PLLC**



BY: BENJAMIN J. RILEY
ATTORNEY FOR THE CITY OF SUNNYSIDE

EXHIBIT A

TASK ORDER NO. 2024-12

REGARDING GENERAL AGREEMENT BETWEEN CITY OF SUNNYSIDE

AND

HLA ENGINEERING AND LAND SURVEYING, INC. (HLA)

PROJECT DESCRIPTION:

Growth Management Act Periodic Update
HLA Project No. 24146E

Cities must periodically take legislative action to review and, if necessary, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of the Growth Management Act (GMA). The Washington State Department of Commerce (COMMERCE) is allocating \$125,000 to the City of Sunnyside (CITY) to finance the GMA Periodic Update for its Comprehensive Plan, Development Regulations, and Critical Areas Ordinance (CAO).

The CITY desires to contract with HLA to develop its required GMA Periodic Update. The scope of services was developed in accordance with RCW 36.70A and includes the development of a work plan and public participation plan; using COMMERCE checklists to review the CITY's existing Comprehensive Plan, Development Regulations, and CAO to identify areas that require updating. HLA will draft required updates to the documents for adopting updated regulations and plans and then will forward a final resolution to COMMERCE.

SCOPE OF SERVICES:

At the direction of the CITY, HLA shall provide the following professional services:

1.0 Periodic Update Grant Coordination

1.1 Develop periodic update work plan.

1.1.1 Identify the scope of the periodic update review and schedules for the public to participate.

1.1.2 Finalize work plan for Department of Commerce submittal.

1.2 Develop a public participation plan.

1.2.1 Develop text and graphics for a Periodic Update project webpage.

1.2.2 Assist the CITY to establish an advisory team to participate throughout the update process.

1.2.3 Develop a community survey and summarize results in a plan appendix.

1.2.4 Develop materials for up to four (4) public engagement meetings.

1.2.5 Draft and finalize public participation plan for Department of Commerce submittal.

2.0 Critical Areas Ordinance Update

2.1 Complete Critical Areas analysis.

2.1.1 Use Department of Commerce checklist to identify areas in the Critical Areas Ordinance that need to be updated for compliance with applicable state law.

- 2.2 Draft Critical Areas Ordinance update and staff report.
 - 2.2.1 Update required sections of the Critical Areas Ordinance in track changes.
 - 2.2.2 Present draft Critical Areas Ordinance to Planning Commission.
- 2.3 Public Engagement.
 - 2.3.1 Hold one (1) public engagement meeting to discuss required changes to the Critical Areas Ordinance.
- 2.4 Adopt Critical Areas Ordinance.
 - 2.4.1 Present final draft for Council approval.

3.0 Development Regulations Update

- 3.1 Complete Development Regulations analysis.
 - 3.1.1 Use Department of Commerce checklist to identify areas in the Development Regulations that need to be updated for compliance with applicable state law.
- 3.2 Draft Development Regulations update and staff report.
 - 3.2.1 Update required sections of Development Regulations in track changes.
 - 3.2.2 Present draft Development Regulations to Planning Commission.
- 3.3 Public Engagement.
 - 3.3.1 Hold one (1) public engagement meeting to discuss required changes to Development Regulations.
- 3.4 Adopt Development Regulations Ordinance.
 - 3.4.1 Present final draft for Council approval.

4.0 Comprehensive Plan Update

- 4.1 Complete Comprehensive Plan Analysis.
 - 4.1.1 Use Department of Commerce checklist to identify areas in the Comprehensive Plan that need to be updated for compliance with applicable state law.
- 4.2 Draft mandatory elements of the Comprehensive Plan, in accordance with RCW 36.70A.070.
 - 4.2.1 Land Use Element
 - 4.2.2 Housing Element
 - 4.2.3 Capital Facilities Element
 - 4.2.4 Utilities Element
 - 4.2.5 Transportation Element
 - 4.2.6 Economic Development Element
 - 4.2.7 Park and Recreation Element
- 4.3 Public Notice and SEPA.

- 4.3.1 Draft combined notice of application and SEPA document for Critical Areas Ordinance, Development Regulations, and Comprehensive Plan updates for CITY issuance.
- 4.3.2 Submit notice to Department of Commerce for 60-day review.
- 4.3.3 Present draft Comprehensive Plan elements to Planning Commission.
- 4.3.4 Compile and incorporate written comments.
- 4.3.5 Draft SEPA determination for CITY issuance.
- 4.4 Public Engagement.
 - 4.4.1 Hold up to two (2) public engagement meetings to discuss required changes to the Comprehensive Plan.
- 4.5 Adopt Comprehensive Plan.
 - 4.5.1 Present final draft for Council approval.
- 4.6 Draft Resolution finding the periodic update required by RCW 36.70A.130(1) is complete and send to the Department of Commerce.

5.0 Additional Services

Provide planning services for additional work requested by the CITY that is not included in this Task Order.

6.0 Items to be Furnished and Responsibility of the CITY

The CITY will provide or perform the following:

- 6.1 Provide full information as to CITY requirements for the project, including but not limited to Sunnyside's Comprehensive Plan, Development Regulations, and Critical Areas Ordinance.
- 6.2 Assist HLA by placing at their disposal all available information pertinent to data associated with the CITY, which may be enhanced or different from data publicly available at the 2020 Census Data.
- 6.3 Examine all documents presented by HLA and provide written decisions within a reasonable time so as not to delay the work of HLA.
- 6.4 Provide HLA the contact information of proposed advisory team participants.
- 6.5 Create and update a multi-lingual CITY web page to be maintained during the periodic update development to boost outreach to overburdened communities and vulnerable populations by sharing the planning schedule, planning progress, and anticipated outreach opportunities.
- 6.6 Provide meeting spaces for up to four (4) public engagement meetings and coordinate CITY Council agenda inclusion of each of the CITY Council presentations.
- 6.7 Obtain approval from City Council for the Critical Areas Ordinance, Development Regulations Ordinance, and Comprehensive Plan.

TIME OF PERFORMANCE:

HLA will begin developing the Growth Management Act Periodic Update upon receipt of this executed Task Order. The periodic update effort is anticipated to run through the term of the Commerce Grant contract (June 30, 2026). HLA will complete the final document within thirty (30) days following submittal to Commerce (Task 4.6).

FEE FOR SERVICES:

For services furnished by HLA as described in this Task Order, the CITY agrees to pay HLA the fees as set forth herein. The amounts listed below may be adjusted between phases, but the maximum amount shall not exceed \$115,000.00 without written agreement of both parties.

1.0 Periodic Update Grant Coordination

All work shall be performed on a time-spent basis at the normal hourly billing rates included in our General Agreement, plus reimbursement for non-salary expenses for the estimated fee of \$15,000.00.

2.0 Critical Areas Ordinance Update

All work shall be performed on a time-spent basis at the normal hourly billing rates included in our General Agreement, plus reimbursement for non-salary expenses for the estimated fee of \$30,000.00.

3.0 Development Regulations Update

All work shall be performed on a time-spent basis at the normal hourly billing rates included in our General Agreement, plus reimbursement for non-salary expenses for the estimated fee of \$30,000.00.

4.0 Comprehensive Plan Update

All work shall be performed on a time-spent basis at the normal hourly billing rates included in our General Agreement, plus reimbursement for non-salary expenses for the estimated fee of \$40,000.00.

5.0 Additional Services

Additional work requested by the CITY not included in this Task Order shall be authorized by the CITY and agreed upon by HLA in writing prior to proceeding with services. HLA will perform additional services as directed/authorized by the CITY on a time-spent basis at the hourly billing rates included in our General Agreement, plus reimbursement for direct non-salary expenses such as printing expenses, vehicle mileage, out-of-town travel costs, and outside consultants.

Proposed: Michael T. Battle
HLA Engineering and Land Surveying, Inc.
Michael T. Battle, PE, President

7/10/2024
Date

Approved: Robert Layman
City of Sunnyside
Robert Layman, Interim City Manager
MIKE GONZALEZ

8/12/24
Date

CITY CONTRACT NO: A-2024-123
RESOLUTION NO: 2024-04
COUNCIL MTG: 08/12/2024