

**THE PORT DISTRICT OF SOUTH WHIDBEY ISLAND  
SPECIAL MEETING**

Held at Freeland Library Meeting Room, 5495 Harbor Avenue, Freeland WA 98249  
Tuesday, August 6, 2019 at 3:00 p.m.

**AGENDA**

**SPECIAL MEETING CALL TO ORDER and PLEDGE OF ALLEGIANCE (3:00 p.m.)**

**Creative District**

**Coffman Kitchen Renovation**

**South Whidbey Harbor Expansion**

**Humphrey Road Parking Lot – Easement Request from Puget Sound Energy**

**ADJOURNMENT (Approximately 4:30 p.m.)**

**PORT DISTRICT OF SOUTH WHIDBEY ISLAND**

Minutes of the Special Meeting

August 6, 2019

Freeland, Washington

**Commissioners Present:** Curt Gordon (Clinton) & Ed Halloran (Langley) **Absent:** Jack Ng (Freeland)

**Port Staff Present:** Stan Reeves (Executive Director), Molly MacLeod-Roberts (Port Clerk/Accountant), Larry Lehtonen (Fairgrounds Director) and Jesse Levesque (Fairgrounds Marketing & Events Coordinator)

**MEETING CALL TO ORDER:** The Special Meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on Tuesday, August 6, 2019, in the meeting room of the Freeland Library at 5495 Harbor Avenue in Freeland, Washington. As announced, the primary purpose of the Special Meeting was for the Commission to address the items on the Agenda. Although the Meeting was of course open to the public, it was scheduled primarily for Commission consideration, discussion and action on those specific issues and public participation was not on the Agenda.

Commissioner Curt Gordon, President, called the Special Meeting to order at 3:00 p.m., followed by the Pledge of Allegiance. Gordon explained that although public participation was not on the Agenda, the Commission welcomed comments from members of the Langley Creates Steering Committee (LCSC) concerning their effort to become a Washington State Arts Commission Certified Creative District.

**Creative District:** Inge Morascini (Executive Director, Langley Chamber of Commerce) introduced herself and invited the other LCSC members who were present to do the same. They were: Peggy Juve (Island Shakespeare Festival), Jesse Levesque (Port Staff, Readiness to Learn & South Whidbey Community Center), Mary Ann Mansfield and Joann Quintana (Langley Arts Commission), Verna Everitt (Executive Director, Whidbey Island Center for the Arts & Langley Arts Commission), Tristan Steel (Development Director, WICA) and Gail LaVassar (Executive Director, Readiness to Learn and South Whidbey Community Center).

Morascini said the group was present to formally ask the Port to join in the application to become a state-certified Creative District. In addition to the above organizations, the City of Langley and Whidbey Island Dance Theatre are also part of the group. She noted that Fairgrounds Director Larry Lehtonen has attended all of the Steering Committee meetings as well (approximately 25 to date). The Committee believes the Port and the Fairgrounds property are a good for the Creative District as the missions of the Port and the Creative District: economic development, increase tourism and preserving the rural character of South Whidbey. Benefits to the Port include synergy with a larger brand, access to a lot of marketing horsepower and expanded grant opportunities. Gordon asked what grants would be available through the Creative District that are not currently available to the Port. Steel explained that there are several grants available to WICA as a 501(c)3 that are not available to public agencies like the Port, including "Our Town" grants which range from \$25,000-\$50,000. Doors to that type of grants will be opened because WICA will be the fiscal sponsor of the Creative District. Quintana added that the Cressky Foundation has a "creative place making" grant, and the State will provide additional guidance for grant opportunities.

Additional benefits to the Port include revenue generated by events and activities at the Fairgrounds, expanded appeal of the property, and preservation of the culture of South Whidbey. The State provides a \$5,000 start-up stipend from the state (matched by 50% cash and 50% in-kind) and inclusion in State marketing materials. The South Whidbey School District has written a Memorandum of Understanding (MOU) with the Langley Creates Creative District, and the intention is to provide an MOU to the Port that is drafted by the Port's proxy. A 5-year plan and a budget are part of the application process and will be developed by the Steering Committee. Morascini said the members consider the Fairgrounds a cultural asset to South Whidbey and it would be an honor to include it in the Creative District.

Gordon said there are still some unanswered questions. He asked if the Steering Committee could provide a copy of the application so the Port could understand what kind of commitment is being made. He was very appreciative of the members coming to the meeting; he wished they had done so months ago. Quintana wondered if it would be helpful to have a conversation with Annette Roth, the State's Creative District Program Manager, who has experience working with ports. Gordon asked for details about that port experience since there is only one Creative District in the State. Several members said there are now three Creative Districts. Halloran and Reeves had met with Roth as she did a walkthrough of the Fairgrounds during her visit to Langley several months ago, and specifically asked what would happen if the Port was part of the Creative District and later had a reason to leave. She couldn't answer that question and Halloran hasn't found the answer in any of the paperwork. Morascini said it could be part of the MOU. LaVassar noted the School District had the same concern and its MOU states that the SWSD wants to participate in the application and be part of the Creative District, but it reserves the right to veto any suggestion that the Committee or anyone else has that would alter School District property. She further explained that the first step is to file a Letter of Intent that the group intends to apply for certification with the list of partners, then submit the formal application to receive the certification of Creative District. Once that certification is issued, the State will provide the \$5,000 grant. If the Creative District later chooses to apply for a grant that the School District doesn't want to be part of, it can simply say "no thanks" to that project but could still remain as a partner.

Gordon said, "So, it's a certification?" And several people said, "Yes." He said that would have been good to have that answer 20 minutes ago or maybe 2 months ago. He summarized it as: "So it will be a request to the State for certification that will give us a leg up in certain forms of grants, and allows us to be part of a collaborative group to help do a better job of marketing what we have." The members agreed.

If the certification of the Fairgrounds property as part of a Creative District leaves future Port Commissions with no undue restrictions, Gordon said he'd be all for it. Halloran agreed. Gordon said the next steps would be to figure out what should be in the MOU and run it by the Port attorney and also get details about what's involved in the certification process.

Gordon reiterated the reasons why the Port took on the Fairgrounds, and emphasized that it is an events center – it is **not** a park. It needs to be more and more self-sustaining as time goes on, and the Port will not support any limitations to that. Everitt said they'd like to what the timeframe is for the Port to make a decision. Quintana added that they are unaware of any restrictions/limitations on any of the entities within the collaborative group. Morascini said there is a finite timeline; the Steering Committee has held off submitting the Letter of Intent with the hope of bringing the Port into it. However, they have heard there are several other entities on Whidbey Island who are also looking into forming a Creative District so Langley might be shut out of it. She stated, "At some point, we as a group, need to fish or cut bait. We would like the Fairgrounds property to be a part of it." Quintana said the group can't move forward without getting an answer from the Port, but Gordon pointed out that they actually could – it just wouldn't include the Fairgrounds.

Gordon asked Reeves to run an MOU by the Port attorney, figure out what the certification means, and find out if the Port can exit the Creative District later if it chooses. If he can address those issues by next Tuesday, the Commission will be able to respond "yes" or "no" to becoming part of the Creative District during the regular meeting on August 13<sup>th</sup>. He thanked the Steering Committee members for coming and providing clarification.

**Coffman Kitchen Renovation:** Reeves explained there is an issue with the 20% disproportionality requirement (up to 20% of the construction costs must be for upgrades ADA accessibility). The Port's plan does not change the footprint of the building. One of the existing restrooms by the kitchen will be demolished and repositioned in another location in the building. The two restrooms in that other location


will be ADA accessible, as will the remaining restroom in the kitchen area. The City of Langley has taken the position that those upgrades to ADA accessibilities are new construction rather than renovation and therefore the cost won't apply to the 20% cap. That means the Port hasn't met the disproportionality requirement and the City says the Port must do other upgrades to the project at additional cost for ADA parking and accessible pathways from that parking to the Coffman building. Reeves has researched the issue but can't find anything that definitively makes the distinction between renovation and new construction; it's interpretation. All the Port has is the permit application which states it is for renovation, not new construction. The cost for appeal is \$1,200 plus \$175 per hour for the hearing examiner. Gordon noted that the Port will need to do a lot of renovation at the Fairgrounds in the future, and if held to new construction standards for every project, the price is going to be much higher and a lot less will get done. The Commission directed Reeves to notify the City it is the Port's intention to appeal.

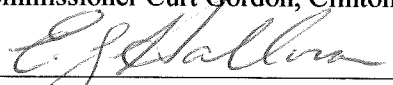
**South Whidbey Harbor Expansion:** Reid Middleton had provided drawings for 3 expansions of the breakwater plan. Alternative 1-Small Boat Expansion is to swing out existing D and E docks and add 220' G Dock only. Alternative 2-Moderate Boat Expansion includes the addition of D dock finger piers to Alternative 1. Alternative 3-Large Boat Expansion includes the addition of E dock finger piers to Alternatives 1 and 2. Reid Middleton provided an Opinion of Probable Construction Costs for Alternative Plan 1; the estimated cost is \$6.4 million. No cost estimates were provided for Alternatives 1 and 2. Before the Port sets up a joint meeting with the City, Reeves will follow up with the Seattle Yacht Club and set up a meeting to discuss the drawings.

**Humphrey Road Parking Lot – Easement Request from Puget Sound Energy (PSE):** PSE wants to purchase 10 ft. wide easement at the entry to the lot and remove the large maple tree. If signed easement is returned after 30 days, PSE will pay \$4,250; if on or before 30 days, PSE will pay another \$1,000. The request indicates the project will include replacing existing overhead wire with tree wire, power pole replacements, and down guy tension wires, but does not explain why it includes an underground easement as well as overhead. Reeves looked at the marked out area of Humphrey Road and noticed that 10 ft. area includes the storm drain at the entrance to the parking lot as well as the tree and the fence line. He doesn't understand why they would request an underground easement if they are only doing overhead work, and has asked for additional details. Gordon suggested asking PSE: What is the advantage to the public of South Whidbey of granting this easement? Reeves agreed.

ADJOURNMENT: The Special Meeting was adjourned at 4:08 p.m.

Approved:

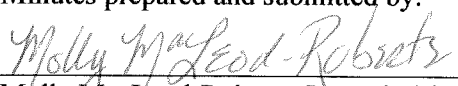
  
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Commissioner Curt Gordon, Clinton

  
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Commissioner Ed Halloran, Langley

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ABSENT

Commissioner Jack Ng, Freeland

Minutes prepared and submitted by:

  
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Molly MacLeod-Roberts, Port Clerk/Accountant

**Public Disclosure Statement:** The foregoing Meeting Minutes, audio recording and all supporting documents presented are available at the Port of South Whidbey, 1804 Scott Rd., Suite 101, Freeland WA 98249.