

ISLAND COUNTY COMMISSIONERS' WORK SESSION SCHEDULE MARCH 5, 2025

Those interested in attending the meeting virtually may use the following link:

<https://zoom.us/j/98750832914?pwd=3eNmGtLyPYwKV5qvVHv4tc207uylo3.1>

or for voice only, **Dial by your location:** (253) 215-8782

Meeting ID: 987 5083 2914 **Passcode:** 777859

10:00 a.m.	Superior Court
10:05 a.m.	Commissioners' Office
11:05 a.m.	Budget/RCED

The Board of County Commissioners meets routinely in Work Session the first three Wednesdays of each month. Work Sessions are held in the Annex Building, Board of County Commissioners' Hearing Room, #B102, 1 NE 6th Street, Coupeville, WA.

Work Sessions are public meetings that provide an informal workshop format opportunity for the Board to review ongoing items with departments or to meet with other agencies, committees, or groups to discuss specific topics of mutual interest. Items are typically reviewed at Work Session before being scheduled on the agenda for the Board's regular Tuesday business meetings.

While Work Sessions do not have time set aside for verbal public comment, written public comment is welcomed and can be directed to the Clerk of the Board by submitting comments to CommentBOCC@islandcountywa.gov. If you have questions regarding public comment, you may call (360) 679-7385. Written public comments are considered a public record.

Times for each department are approximate; a time slot scheduled for a specific department may be revised as the Work Session progresses. Because of the workshop format and time sensitivity, certain items, topics, and materials may be presented that are not included in the published agenda. **If you are interested in reviewing those documents, please contact the Clerk of the Board at (360) 679-7354.**

ASSISTIVE LISTENING AVAILABLE: Please contact the clerk for an assistive listening device to use during the meeting. Please return the device at the end of the meeting.

NOTE: Audio recordings are posted within 48 hours of the meeting date. To listen to the recording visit the [Agenda Center](#) on the Island County website.



ISLAND COUNTY SUPERIOR COURT

WORK SESSION AGENDA

MEETING DATE: 3/5/2025

To: Melanie Bacon, Chair
Board of Island County Commissioners
From: Megan Frazier, Administrator

Amount of time requested for agenda discussion. 5 minutes

DIVISION: Not Applicable

Agenda Item No.: 1

Subject: Audio Visual Upgrade for Superior Court

Description: The current audio-visual equipment in courtrooms 1 & 2 is extremely outdated and beginning to fail. Superior Court has received a quote from Dimensional Communications, Inc for an entire upgrade of both courtrooms. This upgrade was not known or provided in the 2025 budget process. Superior Court would like a budget adjustment for this upgrade utilizing Trial Court Improvement Funds. This upgrade would cost approximately \$81,000 + wsst.

Attachment: Quote from Dimensional Communications, Inc.

Request: (Check boxes that apply)

<input type="checkbox"/> Move to Consent	<input type="checkbox"/> Move to Regular
<input checked="" type="checkbox"/> None/Informational	<input type="checkbox"/> Schedule a Public Hearing
<input type="checkbox"/> Signature Request	<input checked="" type="checkbox"/> Other: <u>Board Guidance</u>

IT Review: Complete

Budget Review: In process

P.A. Review: Not Applicable

AV System Updates

December 4, 2024

Submitted to: **Island County Superior Court**
101 6th St NE
Coupeville, WA 98277

Location: Courtroom 1 & 2

Contact: Don Nelson

Scope of work: *Provide and install a new AV system including a new digital sound processor (DSP), AV switcher, a new PTZ camera, new control processor, wireless HDMI transmitter, new Assisted listening system (ALS) and a Barco C-10 wireless casting device with (2) clickbuttons. DCI will reuse the existing displays, cameras, microphones, some of the HDMI extenders, Crestron touch panel, speakers and amplifier. DCI will add a PTZ camera to the west side of the room (above the witness stand), that will provide a camera view of the defense/prosecution and the audience; the new camera, as well as the existing PTZ camera on the south wall and the Judges camera will be connected to a new 4x1 multiviewer. The multiviewer will allow the user to view cameras 1 & 2 side by side, individual cameras, or all three cameras in a quad view. DCI will also route the second output of the 4x2 HDMI switcher to the multiviewer; this will allow users connected to the Barco ClickShare or the HDMI/USB-C input plate to share their screen with the video teleconference. The existing VGA/HDMI input plate will be replaced with a new HDMI/USBC input plate; the existing Barco ClickShare system will be replaced with the new C-10 wireless presentation system with (2) buttons. The first output of the 4x2 switcher will be routed into a 1x8 HDMI distribution amplifier (DA); the DA will connect to the (2) existing displays, (2) existing monitors (Judge and witness), and a new wireless HDMI connection device for connecting the cart mounted display to the system. All of the displays and monitors will always display the same content; the large existing displays will receive new HDMI extenders. The 4x2 switcher will accept the HDMI/USBC wall plate, the Barco C-10 wireless casting gateway and an owner furnished (OFE) PC; (1) spare input will be available for a future addition. DCI will route the output of the multiviewer into the existing Magewell HDMI to USB capture device; the USB signal will be routed to the OFE PC. The new DSP will also output USB audio to the OFE PC; all of the existing microphones and the new ALS system, will be connected to the new DSP. DCI will configure the Shure gooseneck microphones bases to be "toggle on/off" with the green light providing visual feedback. DCI will configure the system to set all microphones to 50% (or a customer specified level) at system start up. The control system will be updated and transferred to a new 4-series processor; the existing TSW-770 Touch panel will be reconnected to the new processor. DCI will provide the network series control processor to allow for remote access to an X-Panel control interface; the dual NIC card network series allows us to put the processor on the network without running the entire control system on the County Courts Network. The new control system will provide (3) preset camera frames that can be recalled with a single button on the touch panel; the cameras will be programmed to return to the last pre-set position upon start up. DCI will provide system training. Equipment and materials as follows:*

1.	2	PTZOptics Move SE PT12XSEWHG3 Pan-Tilt-Zoom Camera with Wall Mount
2.	2	QSC Core 110fv2 12x12 Digital Sound Processor
3.	2	Crestron CP4N Control Processor
4.	2	Crestron 4x2 4K60 4:4:4 HDR AV Switcher
5.	2	Crestron 1:8 HDMI® Distribution Amplifier w/4K60
6.	2	Covid EHW-100 EZ Wireless HDMI Extender Set, 1080P
7.	2	Extron USB-C and HDMI Input Plate Transmitter White
8.	6	Extron HDMI Transmitter
9.	8	Extron HDMI Receiver
10.	2	Barco ClickShare C-10 Gen2 - 2 Buttons
11.	2	AVAccess - Quad View HDMI 4x1 4K HDMI Multiviewer
12.	2	Zyxel PoE Switch
13.	2	Williams Sound FM 558 PRO Assisted Listening System Package w/ 4 Receivers
14.	Lot	Miscellaneous Cable and Connectors
15.	Lot	Installation, Testing and Commissioning

*******Seventy Thousand, One Hundred and Seventy-Nine Dollars and 00/100 + WSST*** **** \$70,179.00*******

Additional Alternate #1 – Replace the (4) 60" displays

Provide and install (4) LG Commercial 86" 4K monitors on an articulating wall mount; this will replace the existing 60" Sharp displays. The mounts will be Peerless SA761PU Articulating Wall Arm for displays up to 125lbs. The new displays will have serial control.

Add to base: \$ 10,987.00 + wsst

Initial to Accept: _____

Note: This proposal does not include any electrical additions or alterations of any kind; all electrical work to be provided by others. This proposal does not include sales tax. This proposal includes for equipment, installation, testing, and final commissioning of the system, as outlined above. Any changes to scope will be accompanied by an updated proposal. This proposal excludes error and omissions/professional liability and Pollution insurance.

Submitted by: Avery Dahl

Time payment options are available upon request.

Cash Terms: 50% down with balance due at installation.

This proposal may be withdrawn if not accepted within thirty (30) days.

DCI Authorized Signature: _____



All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

You agree that Dimensional retains a security interest in all personal property delivered pursuant to the acceptance of this proposal and to any equipment later ordered by you from Dimensional, until such time as payment of all amounts due to Dimensional are made in full. If you fail to make any payments when due, Dimensional may require you to return all personal property delivered, make it available to Dimensional for recovery, or exercise any other rights or remedies arising from RCW 62A.9A. Regardless of default, we may also file a mechanic's lien, UCC-1 form and other collateral registration. By signing this proposal you consent to such filings. All liens and security interests, if incorporated, will be released upon full payment of all amounts due Dimensional arising from or related to this proposal.

Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Authorized Signature: _____

Date of Acceptance: _____



ISLAND COUNTY COMMISSIONERS

WORK SESSION AGENDA

MEETING DATE: 3/5/2025

To: **Melanie Bacon, Chair**
Board of Island County Commissioners
From: **BOCC Staff**

Amount of time requested for agenda discussion. **60 minutes**

DIVISION: Administrative

Agenda Item No.: 1

Subject: **Call for Bids for Official Legal County Newspaper 2024/2025**

Description: Presentation of two bids received from Whidbey News-Times/South Whidbey Record and Skagit Publishing-Stanwood Camano News for consideration to move forward to Regular Agenda for award of the Official County Legal Newspaper to the April 1, 2025, business meeting.

Attachment: **WNT/SWR Bid, Stanwood/Camano News bid**

Request: *(Check boxes that apply)*

<input type="checkbox"/> Move to Consent	<input checked="" type="checkbox"/> Move to Regular
<input type="checkbox"/> None/Informational	<input type="checkbox"/> Schedule a Public Hearing
<input type="checkbox"/> Signature Request	<input type="checkbox"/> Other: _____

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable

DIVISION: Administrative

Agenda Item No.: 2

Subject: **Small Community Emergency Response Plan Notification**

Description: Discussion with Emergency Management pertaining to small community emergency response plan notification.

Attachment: **None**

Request: *(Check boxes that apply)*

<input type="checkbox"/> Move to Consent	<input type="checkbox"/> Move to Regular
<input checked="" type="checkbox"/> None/Informational	<input type="checkbox"/> Schedule a Public Hearing
<input type="checkbox"/> Signature Request	<input type="checkbox"/> Other: _____

(Continued on next page)

DIVISION: Administrative

Agenda Item No.: 3

Subject: Harm Reduction Program

Description: Discussion with Human Services around aspects of the harm reduction program.

Attachment: None

Request: *(Check boxes that apply)*

<input type="checkbox"/> Move to Consent	<input type="checkbox"/> Move to Regular
<input checked="" type="checkbox"/> None/Informational	<input type="checkbox"/> Schedule a Public Hearing
<input type="checkbox"/> Signature Request	<input type="checkbox"/> Other: _____

**OFFICIAL LEGAL COUNTY NEWSPAPER
SUBMITTAL OF BIDS – 2025/2026**

WHIDBEY NEWS TIMES SOUTH WHIDBEY RECORD	STANWOOD/CAMANO NEWS
<ul style="list-style-type: none"> • \$14.05 per column inch = there is no increase over last year • Open rate is \$15.00 per column inch • Published twice weekly = increased opportunity to timely publish legal notices • WNT/SWR offer combined circulation of more than 6,500 = broad exposure for legal notices • All legal notices are published online on the WA Public Notice Website, a statewide website = no additional charge • Holds periodical postage permits for WNT/SWR, a requirement to publish legal notices = To qualify, newspaper must have at least 50% paid circulation • Has in past always included IC logo at top of each legal notice as well as provide legal proofs prior to publication at no additional charge = Dept would need to request the logo be placed at the time of requesting the legal notice. 	<ul style="list-style-type: none"> • \$8.58 per column inch • Open rate is \$18.62 per column inch • Published once weekly • SCN offers circulation of 2,100 “or more” = broad exposure for IC legal notices on Camano • All legal notices are published online on the SCNews website = utilized by current and former residents of Camano = no additional charge • Holds periodical postage permit, a requirement to publish legal notices = to qualify, newspaper must have at least 50% paid circulation. • Will include IC logo at top of each legal notice if requested = no additional charge • Affidavits of publication are notarized and mailed day of last publication to ensure timely turn around.

WHIDBEY NEWS-TIMES

800 SE Barrington Drive | Oak Harbor, Washington 98277 | 360-675-6611 | www.whidbeynewstimes.com

Board of Island Commissioners:
1 NE 7th St
PO Box 5000
Coupeville, Wa 98239

Commissioners,

Thank you for the opportunity to bid for selection as the 2024 Official Island County legal newspaper. The Whidbey News-Times and South Whidbey Record, both legally-adjudicated publications, offer a combined circulation of more than 6,500. This ensures the broadest

exposure possible for Island County legal notices in Island County. The News-Times and Record publications provide Island County increased opportunity to publish legal notices in a timely manner. To further increase visibility of your legal notices, at no additional charge the News-Times and Record publishes legal notices online on the Washington Public Notice Website, a statewide

website utilized by nearly all weekly and daily newspapers in this Washington state.

Because we understand Island County's need to be mindful of costs, and because your business greatly, we are proposing to maintain the previous legal rate of \$14.05 per column inch for county legal notices to publish in both the News-Times and Record. That reflects a significant savings over our open rate.

We are committed to ensuring Island County receives the best service possible and welcome the opportunity to serve your legal advertising needs in the coming year. Any time you have questions, please feel free to call me directly.



Kim Minervini
kimberly.minervini@whidbeynewsgroup.com
Ad Director
Whidbey News-Times & South Whidbey Record
360-675-6611

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR ISLAND COUNTY

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7 In the Matter of the Application
8 of GREGG McCONNELL for the
9 Approval of WHIDBEY NEWS TIMES
10 and SOUTH WHIDBEY RECORD as Legal
11 Newspapers.

12) NO. 93-2-OC 574-2
13)
14) ORDER APPROVING WHIDBEY
15) NEWS TIMES AND SOUTH
16) WHIDBEY RECORD AS LEGAL
17) NEWSPAPERS
18)
19)

20 THIS MATTER having come on for hearing before this court on the petition of the
21 publisher of WHIDBEY NEWS TIMES and SOUTH WHIDBEY RECORD as legal
22 newspapers pursuant to RCW 65.16.040; the publisher appearing by his attorney, TED D.
23 ZYLSTRA; and the court finding that there is satisfactory evidence that these newspapers
24 are qualified as legal newspapers; and the court being fully advised, it is therefore

25 ORDERED that WHIDBEY NEWS TIMES and SOUTH WHIDBEY RECORD are
26 approved as legal newspapers in Island County, Washington within the meaning of RCW
27 65.16.040.

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32 Done this 5 day of October, 1993.

Allen R. Johnson
JUDGE

33 ORDER APPROVING WHIDBEY NEWS TIMES
34 and SOUTH WHIDBEY RECORD AS LEGAL
35 NEWSPAPERS - Pg 1

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6.0

Periodicals Mailing Privileges

6.1

General Publication

Periodicals Act, 1970

General publications are publications issued by persons in India through 2, 3 and 4 and must be originated and published to disseminate information of a public character or be devoted to literature, the sciences, art, or some special industry.

6.1.2 Circulation Standards

[M 26-14] Circulation Standards for Periodicals Mailing Privileges

- a. General publications, including those which are sold at a nominal price, must be sold to persons who are bona fide subscribers to such publication.
- b. Periodicals sold on a nominal basis must be sold so that subscriptions to such publication can be verified.
- c. Persons whose subscriptions are obtained at a nominal price and those whose copies bear an alternative address must not be included in the legitimate list of subscribers. Such copies must be treated as nonsubscriber copies.
- d. Subscriptions must be obtained by a separate document. If the amount paid for the subscription is stated, it must be clearly separated from the amount paid for the periodical.
- e. A subscription must be separated from all other business transactions to be evident as an independent act. This is exemplified by the following:
Subscription to a newspaper and the purchase of a book or magazine is a separate transaction.
Subscription to a publication and distribution of goods by a store or shop (whether by nominal price or by inclusion of electronic copies, see 6.6). Nominal price subscriptions include those sold at a price so low that it cannot be considered a material consideration; or at a reduction to the subscriber (under a premium offer or any other arrangement) of more than 70% of the basic annual subscription price. The value of a premium is its actual cost to the publisher, its recognized retail value, or its represented value, whichever is highest.
- f. Periodicals sold on a nominal basis must be sold so that subscriptions to such publication can be verified.

6.1.3 Advertising Standards

Advertising is defined in 4.18. General publications primarily designed for advertising purposes do not qualify for Periodicals mailing privileges, including publications that:

- a. Contain more than 75% advertising in more than half of the issues published during any 12-month period.
- b. Are owned or controlled by individuals or business concerns and conducted as an auxiliary to and essentially for the advancement of any other business or 25% of those who own or control the publications.

February 17, 2025

(Legal Bid)

Island County Board of Commissioners
P.O. Box 5000
Coupeville, WA 98239

RE: Legal Printing Bid for Island County

Please find enclosed the bid specifications for Island County legal printing for July 1, 2025, through June 1, 2026.

Legal notices will qualify under the Island County legal bid if the affidavits are provided to the same office that billing is being sent. If they are different, they will not qualify for the Island County legal rate in this bid.

The legal notices will be typeset in 9-point type, Helvetica Neue LT STD.

The classified column width is 1.4821".

The per column inch rate for January 1, 2025, to December 31, 2026, is \$8.58 PCI. Affidavits are provided as a service, at no additional charge.

The deadline for submitting legal notices is 12 p.m. the Friday before the first publication date. The Stanwood-Camano News is a Tuesday only newspaper.

The Stanwood-Camano News meets all requirements for the publication of legal notices.

Thank you for your consideration,

Brittany Gonzales

**Classified Sales Representative
Stanwood-Camano News**



Has Not changed During Preceding 12 Months

Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement below)



ISLAND COUNTY BUDGET/RISK

WORK SESSION AGENDA

MEETING DATE: 3/5/2025

To: Melanie Bacon, Chair
Board of Island County Commissioners
From: Susan Geiger, Director

Amount of time requested for agenda discussion. 30 minutes

DIVISION: Administrative

Agenda Item No.: 1

Subject: Port of South Whidbey request for Workforce Housing Scope Modification

Description: Port of South Whidbey is requesting a scope revision on the Fairground Workforce Housing Feasibility Study project.

Attachment: Memo from the Executive Director for the Port of South Whidbey
Workforce Housing Revised Scope, Grant Agreement with Port of South
Whidbey, Grant Agreement Amendment 1

Request: (Check boxes that apply)

<input type="checkbox"/> Move to Consent	<input type="checkbox"/> Move to Regular
<input checked="" type="checkbox"/> None/Informational	<input type="checkbox"/> Schedule a Public Hearing
<input type="checkbox"/> Signature Request	<input type="checkbox"/> Other: _____

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable



1804 Scott Road, Suite 303 • P.O. Box 872
Freeland, WA 98249
Phone: 360-331-5494 Fax: 360-331-5414
www.portofsouthwhidbey.com

January 10, 2025

Island County Board of Commissioners
1 NE 7th Street
Coupeville, WA 98239

Re: Memorandum – RM-BUD-2022-355 – Fairground Feasibility Study for Workforce Housing

Dear Commissioners,

The Port of South Whidbey (Port) was awarded funding to study the feasibility of having workforce housing on the Whidbey Island Fairgrounds & Events Center property in 2022. The award was for \$150,000 to cover the following scope as described in the Port's application for funds:

"If funded, the Port would first assess the infrastructure of the current concession stands. The sewer, water, power and drainage systems would be examined to determine if they are sufficient to accommodate both food service on the ground floor and dwelling units above the food service stalls. Preliminary engineering will be performed for any infrastructure that needs to be improved. In addition, preliminary architectural design work would be completed to provide visual concepts." In addition, the Agreement between the Port provides in Sections 6.a. and 6.b. that "The Port must submit written application to the City of Langley requesting appropriate zoning changes are made to the fairgrounds which would support future housing. In addition, the County and Port shall acquire written documentation from the City of Langley that they will fully consider potential zoning changes in the Project Area to accommodate work force housing in the future."

Since the award, the Port has worked diligently to survey the property, provide visual concepts, and work with the City of Langley on the zoning changes. In this process the Port opened conversations with the South Whidbey School District, first because of a shared property line issue, but then the conversations evolved to include the possibility of including the School District property in the workforce housing feasibility study. The specific request from the Port to the School District is attached to this Memo. At the South Whidbey School District Board meeting on November 13th, the School Board agreed to participate in the feasibility study.

As you likely know, the School District property is also zoned for public use like the Fairgrounds property. The City of Langley zoning changes required to allow for housing would be similar for the respective properties. Should the County Commissioners be in favor of this approach, the Port has offered to include the School District property in its efforts to apply for zoning changes, preliminary engineering for required infrastructure, and any other requirements to assess the feasibility of having workforce housing on the respective properties. One clarification on these activities is that the Port requests that funding for this project not be contingent upon the School District's ability to obtain a zoning change for their property.

The Port hereby requests that the Board of Island County Commissioners consider allowing the Port to expend the funds awarded in Agreement RM-BUD-2022-355 to also study the feasibility of workforce housing on property owned by the South Whidbey School District.



1804 Scott Road, Suite 303 • P.O. Box 872
Freeland, WA 98249
Phone: 360-331-5494 **Fax:** 360-331-5414
www.portofsouthwhidbey.com

We look forward to discussing this with the Island County Commissioners.

Very Sincerely,

A handwritten signature in blue ink, appearing to read "Angi Mozer".

Angi Mozer
Executive Director
Port of South Whidbey

Enclosure (as)

cc: Port of South Whidbey Board of Commissioners
South Whidbey School District Board Members
Jo Moccia, Superintendent, South Whidbey School District

Port of South Whidbey Funding Application Scope, submitted to Island County March 31, 2022.
Proposed scope amendments in blue below.

Project Name: Fairgrounds Housing and Concession Stands; Potential Housing on School District Property

Location: 819 Camano Ave. and 723 Camano Ave. Langley, WA 98260

Project Type: Building Renovation, business infrastructure

Part 2 – Project Information. Description.

The Port of South Whidbey is dedicated to generating economic development in South Whidbey and has the opportunity to accomplish this in two distinct ways with the same project. The concession stands at the Whidbey Island Fairgrounds along the iconic “Midway” are in bad shape, and the Port envisions rebuilding the once quaint food stands to provide new up-to-code food stands for food-related businesses, as well as badly needed workforce housing.

This project will take place in the City of Langley where the need for a variety of housing types has been well defined. The idea is that the concession stands will be rebuilt into two- and three-story attached buildings. The ground level will be new spaces to support food vendors, food-related businesses, or any types of businesses suitable for the space. Above the commercial spaces will be 1- and 2-story dwellings, providing living spaces for working people and families.

The project will continue support the annual Whidbey Island Fair, which draws thousands of attendees from off island, supporting the local economy via tourism. Rebuilding the concession stands will also support Whidbey's strong food industry, providing local businesses with a space for selling food at events. The Port will retain the stage, with plans to host summertime acoustic music events where food can be sold.

If funded, the Port would first assess the infrastructure of the current concession stands. The sewer, water, power and drainage systems would be examined to determine if they are sufficient to accommodate both food service on the ground floor and dwelling units above the food service stalls. Preliminary engineering will be performed for any infrastructure that needs to be improved. In addition, preliminary architectural design work would be completed to provide visual concepts.

Island County's housing crisis has been well-defined by several agencies, including by Island County and the City of Langley, within both of which the Fairgrounds is located. The need for housing is clearly described in the Comprehensive Plans for both governing organizations. South Whidbey businesses are consistently facing a great challenge with hiring and retaining staff due to the lack of reasonably priced housing. The jobs retained by this project will result from the housing provided for people working in the South Whidbey community.

The concession stands are in a dilapidated state and have triggered code violations since the Port assumed management and ownership of the facility. These spaces have a great potential for supporting businesses. The jobs that will be created will come from food-related businesses using the concession stands.

In addition, since the initial award of these funds, the South Whidbey School District Board has expressed an interest in similar feasibility study efforts to be performed in relation to workforce housing located on school district property. The feasibility study efforts will include but not be limited to: zoning requirements, infrastructure availability, addressing any issues associated with the existing alleyway (Dalton Lane), and exploring the use of +/- 60 feet of the southern portion of the baseball field along the boundary. The ultimate intention of this feasibility study on school district property is to provide both the Port and the School District with sufficient information to facilitate educated discussion of housing possibilities on the respective public properties.

The Port continues to use revenue generated by the Fairgrounds to support the ongoing projects all over the Fairgrounds property, and the COVID-19 pandemic has greatly impacted that annual revenue. The annual revenue decreased by 44% between 2019 and 2021, severely inhibiting the Port's ability to fund new projects. This funding will ensure that this project gets off the ground.

Initial plans will include 15-20 units. Dwellings include 1-story flats with 510 square feet of living space, and 1.5 – 2 story townhouses with 750 – 1,000 square feet of living space. The new concession stands can support the long-awaited idea of "Fridays at the Fairgrounds," providing food and acoustic music for the community and off-island visitors, supporting local food businesses and local music artists. This project would provide multi-faceted benefits to the South Whidbey economy.

Part 2 – Project Information. Use of Funds. Describe the specifics of what funds will be spent on (e.g., labor, equipment, material, etc.):

Funds will be used for a full assessment of the infrastructure of the current concession stands along the Midway at the Fairgrounds, **as well as +/- 60 feet of the southern portion of the baseball field on School District property, located in proximity to the boundary lines shared by the Port and the School District.** Following the assessment, funds will be used for preliminary engineering and design work for any upgrades required to the infrastructure to support the new buildings and uses, as well as preliminary architectural design to support future grant applications for funding.

Contractor: Port of South Whidbey
Project: Fairground Feasibility – Workforce Housing
Contract No.: RM-BUD-2022-355

**AMENDMENT NO. 1
GRANT AGREEMENT
RURAL COUNTY ECONOMIC DEVELOPMENT FUNDS**

This Amendment No. 1 to the Grant Agreement dated January 17, 2023 between Island County (County) and the Port of South Whidbey (Port) is for the purpose of a time extension for project completion.

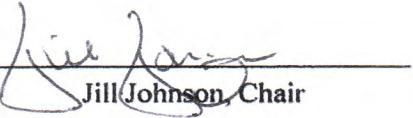
Section 2 is amended to read as follows:

2. Project Time/ Budget. Work on the Project shall be substantially complete no later than December 31, 2025. For purposes of RCW 39.34.030(3)(d), the Port will establish and maintain a Project construction budget. The Port will be responsible for acquiring, holding and disposing of Project property. Unless otherwise agreed by the parties by subsequent written instrument, the County shall not own any real or personal property acquired with the funds distributed to the Port hereunder.

All other terms and conditions of said Grant Agreement remain in full force and effect.

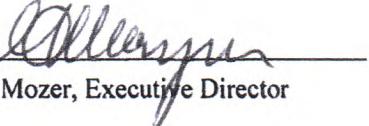
Island County and the Port of South Whidbey by their signature below acknowledge and accept the terms and conditions of this Amendment No. 1.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

By: 
Jill Johnson, Chair

Date: 6/4/24

PORT OF SOUTH WHIDBEY

By: 
Angi Mozer, Executive Director

Date: 5/23/24

Contractor: Port of South Whidbey
Project: Affordable Housing
Contract No.: RM-BUD-2022-355

GRANT AGREEMENT

THIS GRANT AGREEMENT is made and entered into pursuant to Chapter 39.34 of the Revised Code of Washington, by and between Island County, Washington, a political subdivision of the State of Washington, acting by and through its Board of County Commissioners, (the "County") and the Port of South Whidbey in the State of Washington, and wholly situated in Island County, Washington (the "Port"), on the date shown below.

RECITALS

A. The Island County Board of County Commissioners at its October 12, 2022 meeting approved the award of Funds to assist the Port of South Whidbey in financing the costs of personnel and consultants for a project known as Fairground Feasibility (the "Project"). Said project is more particularly described in the Port's Application for Funds as submitted on July 13, 2022 and incorporated herein for all intents and purposes. This Grant Agreement sets forth the terms and conditions of said award.

The County approves an award of Funds in the amount of One Hundred Fifty Thousand Dollars (\$150,000) for the Project.

B. The Port has the appropriate statutory authority pursuant to Title 53 Revised Code of Washington, and is ready, willing, and able to complete the Project described herein, and the parties are entering into this Agreement to carry out such purpose.

C. Entry into this Agreement is authorized under Chapter 39.34 of the Revised Code of Washington, the Interlocal Cooperation Act.

AGREEMENT

For and in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. Purpose. The purpose of this Agreement is to allow the County to provide partial funding assistance to the Port for costs of the Project. Said project is more particularly described in the Application for Funds, submitted to the County by the Port.

2. Project Time / Budget. Work on the Project shall be substantially completed no later than 12/31/2023. For purposes of RCW 39.34.030(3)(d), the Port will establish and maintain a Project budget. The Port will be responsible for acquiring, holding and disposing of Project property. Unless otherwise agreed by the parties by subsequent written instrument, the County shall not own any real or personal property acquired with the funds distributed to the Port hereunder.

3. Allowable uses. All funds disbursed by the County to the Port under this Agreement shall be used by the Port solely for Project. Port administrative costs are not eligible for reimbursement. The Port hereby warrants and guarantees that the said Project shall be completed for uses as described herein.

4. Financing. The contribution to the Port from Island County for this Project will be in the amount of One Hundred Fifty Thousand Dollars (\$150,000). Upon receipt of a request for reimbursement and documentation evidencing that the Port has paid Project costs allowable under this Agreement, the County shall pay said reimbursement request within forty-five (45) days of receipt.

5. Repayment Guarantee. In the event that it is determined that any portion of the funds provided by the County is used for any purpose not authorized under this Grant Agreement, the Port hereby guarantees that it will repay to the County all such funds, together with accrued interest at the same rate as if the funds had been invested with the Washington State Local Government Investment Pool. Any repayments due to the County shall be paid by The Port within forty-five (45) days of written request made by the County.

6. Documentation. The Port shall maintain for a period of six (6) years proper records documenting that the funds provided by the County were used solely for the purposes contained herein. The Port shall make Project records available for inspection or audit by the County or its duly authorized representatives.

- a. The Port must submit written application to the City of Langley requesting appropriate zoning changes are made to the fairgrounds which would support future housing.
- b. In addition, the County and Port shall acquire written documentation from the City of Langley that they will fully consider potential zoning changes in the Project Area to accommodate work force housing in the future.

7. Reporting. The Port shall file a report with the Island County Budget Office quarterly on project status until complete.

8. Indemnification. The Port shall be solely responsible for administration of the Project. The Port shall at all times protect, indemnify and save harmless the County from and against all liabilities, obligations, claims, damages, penalties, causes of action, costs and expenses (including, without limitation, reasonable counsel fees, and expenses) imposed upon or reasonably incurred by or asserted against the County on account of (i) any failure of the Port to comply with any of the terms of this Agreement or (ii) any loss or damage to real or personal property or any injury to or death of any person that may be occasioned by any cause whatsoever pertaining to the Project or the use or financing thereof or (iii) any use of the Project in violation of applicable law (including environmental laws); provided, the Port has no obligation to indemnify the County for any claim or liability resulting from the County's negligence or willful misconduct. This paragraph shall survive the completion, expiration, and/or termination of this Agreement.

The Port shall maintain, during the life of the Agreement, Industry Standard Occurrence Commercial General Liability, or an equivalent, in the amount of \$1,000,000.00 Per Occurrence and \$2,000,000.00 Aggregate, including Premises/Operations, Products/Completed Operations, Blanket Contractual Liability and Personal Injury Coverage, to protect the Port from claims for damages for bodily injury, including wrongful death, as well as from claims of property damage which may arise from any operations under this contract whether such operations be by the Port or by anyone directly employed by or contracting with the Port.

The Port shall maintain, during the life of this Agreement, Business Automobile Liability Insurance, or an equivalent, in the amount of \$1,000,000.00 Bodily Injury and Property Damage per combined single limit to protect the Port from claims which may arise from the performance of this Contract, whether such operations are by the Port or by anyone directly or indirectly employed by the Port.

9. No Separate Legal Entity. It is not the intention that a separate legal entity be established to conduct this cooperative undertaking. For purposes of RCW 39.34.030(4)(a), the Port's chief administrative officer shall administer the Project.

10. Modification of the Agreement. This Agreement may be modified only by the written consent of each party.

11. Term of Agreement and Termination. This Agreement shall become effective on full execution hereof and compliance with Section 13 and shall expire upon the payment in full to the Port, if any, for any documented reimbursement request owed by the County pursuant to Section 5 of this Agreement.

12. Filing of Agreement. Under RCW 39.34.040, prior to its entry into force this Agreement must be either filed with the Island County Auditor or, alternatively, listed by subject on the Port's Internet website.

13. Survival. Sections 6, 7, 8, 9, and 10 of this Agreement shall survive the termination of this Agreement.

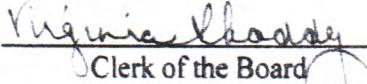
BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

By: 

Melanie Bacon, Chair
Diane St. Clair

Date: 1/17/23

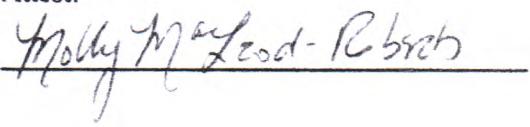
Attest:


Virginia Whidbey
Clerk of the Board



Date: January 3, 2023

Attest:


Molly McLeod-Roberts