

PORT OF KENNEWICK

MARCH 12, 2013 MINUTES

CALL TO ORDER

Commission President Skip Novakovich called the Commission meeting to order at 2:00 p.m. in the Port of Kennewick Commission Chambers located at 350 Clover Island Drive, Suite 200, Kennewick, Washington 99336.

The following were present:

Board Members: Skip Novakovich, President

Don Barnes, Vice-President Gene Wagner, Secretary

Staff Members: Tim Arntzen, Executive Director

Tana Bader Inglima, Director of Governmental Relations & Marketing

Tammy Fine, Director of Finance/Auditor

Larry Peterson, Director of Planning & Development

Bridgette Scott, Executive Assistant

Lucinda Luke, Port Counsel

PLEDGE OF ALLEGIANCE

Marie Mosley led the Pledge of Allegiance.

PUBLIC COMMENT

Tim Dalton, 5811 W. Victoria Avenue, Kennewick. Mr. Dalton announced banners are going up along Columbia Drive; it looks great.

David Robison, Strategic Construction Management. Mr. Robison shared his appreciation to the Port for their continued confidence should the Oak Street project be approved. Mr. Robison is very pleased with the bids that were received.

No further public comments were made.

CONSENT AGENDA

The consent agenda consisted of the following:

- A. Approval of Direct Deposit and Warrants Dated February 28, 2013
 - Direct Deposit totaling \$23,469.30 and Expense Fund Voucher Numbers 34103 through 34107 totaling \$11,508.62; for a grand total of \$34,977.92.
- B. Approval of Warrant Registers Dated March 13, 2013
 - Expense Fund Voucher Numbers 34108 through 34164 totaling \$112,533.34.

Construction Fund Voucher Numbers 3405 through 3407 in the amount of \$9,611.21.

- C. Approval of the Executive Director's Performance Review
- D. Approval of Letter of Support Regarding the Tri-Cities Airport Terminal Expansion Project
- E. Approval of Commission Meeting Minutes Dated October 9, 2012
- F. Approval of Commission Meeting Minutes Dated October 23, 2012
- G. Approval of Commission Meeting Minutes Dated October 30, 2012



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- H. Approval of Commission Meeting Minutes Dated November 13, 2012
- I. Approval of Commission Meeting Minutes Dated February 26, 2013

MOTION: Commissioner Wagner moved approval of the consent agenda; Commissioner Barnes seconded. With no further discussion motion carried unanimously. All in favor 3:0.

NEW BUSINESS

A. Vista Bridge to Bridge River to Rail Letter to the City of Kennewick

Mr. Arntzen is drafting a letter to City of Kennewick Manager Marie Mosley regarding the partnership opportunity for the Columbia Drive revitalization efforts. A couple of businesses have contacted the City and notified them of their interest in the Columbia Drive area.

Mr. Arntzen stated wine effluent and master planning for Columbia Drive are critical issues to resolve prior to locating tenants in the area. Mr. Arntzen suggested the Port could pay for the master planning and the City could address the wine effluent issue. He suggested after these critical pieces are complete, then the City and Port could work on additional tasks.

Ms. Mosley agrees the pretreatment issues are something the City could work on in partnership with the Port and master planning efforts would be great for the Port to undertake. Ms. Mosley will address the issues with their committees and then to the full council.

Mr. Arntzen was very pleased with the joint City of Kennewick, Port of Kennewick trip to Berkeley. He feels it is very helpful for key decision makers to see an example of a development.

B. Accepting the Vista Field Planning, Environmental and Economic Analysis with Integrated Environmental Impact Statement (EIS) ("Report"); Resolution 2013-04

Mr. Peterson stated as the SEPA responsible official, the Final Vista Field Planning, Environmental and Economic Analysis with Integrated Environmental Impact Statement (FEIS) was issued on March 8, 2013. The FEIS and/or notice of availability of the FEIS, was sent to the Department of Ecology and others as required by WAC 197-11-460.

Mr. Mehaffy shared the results of the comment period for the Vista Field Alternatives Study and Environmental Impact Statement. As required, a draft EIS was issued on January 10, 2013, followed by a comment period with a minimum of 30-days to provide an opportunity for interested parties to make comments on the draft. The comment period was closed on February 11, 2013. Once the comments were in, DPZ reviewed them, and made any changes that were warranted on the basis of evidence that is available to them. That process is complete and the final EIS was issued last Friday, March 8, 2013.

The Final EIS report, or FEIS, covers these issues in a new section, Section 1.6, and all the comments are included in a new Appendix G, along with the individual written responses to each comment. In addition, DPZ furnished backup information in a new Appendix H. The final EIS is available on the Port's website, or by request from the Port office.



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This is a formal environmental impact review, and commenters have the opportunity to review the impacts identified, and to note where they think errors were made, or where impacts were not included, or make other challenges to the draft. They are also free to make any comments they wish to share about Vista Field.

A total of 124 comments were received from a total of 87 individuals and 5 agencies. Most of these comments did not actually comment on impacts, but simply took a position on the future of Vista Field. Although this is not formally a part of the study, DPZ did keep track of the responses and found the following breakdown:

81 expressions of preference by district residents, of which

- ✓ 36, or 47.4%, were for Alternative Two, the Redevelopment Alternative.
- ✓ 7, or 9.2%, were for Alternative One, the Expansion Alternative.
- ✓ 24, or 31.6%, were for Alternative Three, the No Action Alternative.
- ✓ 9, or 11.8%, expressed another preference altogether, or their preference was too ambiguous to be assigned clearly to one alternative or another.

A similar pattern was received from non-Port residents, with a slightly higher percentage expressing support for Alternative Three, and only one expressing support for Alternative One.

DPZ also received five comments by agencies, two of which expressed support for Alternative Two, and three of which took no formal position. Mr. Mehaffy stated the Port has received additional comments in support of Alternative Two, but these comments were received after the comment period. No agencies have expressed support for either Alternative One or Alternative Three.

Mr. Mehaffy commented there is a rather dramatic shift away from Alternative One, which grew more pronounced as time went by – particularly among members of the aviation user community. In fact, when the breakdown of aviation users and non-users is reviewed, there is a dramatic shift, where 67.9% of them support Alternative Three, No Action. As we reported to you during the Scoping Period, DPZ received almost no support for the current situation, and widespread criticism. This shift away from Alternative One seems to be a reflection of the cost implications, and perhaps a renewed belief that some other alternative can be found to keep the airport open and deliver on its potential.

When the non-aviation users are reviewed, it is easy to see a mirror image. That might be as you would expect given the polarized positions over Vista Field. But a large number of the non-aviation users, 42, or 65.6%, express a preference for Alternative Two.

Comments on specific impacts generally fall into four categories. The first covers economic and fiscal impacts, and concerns about the data used, particularly the Port of Kennewick data. The second had to do with environmental impacts, such as potential buried toxins. The third raised a question regarding feasibility of the scenarios. And lastly, a question was raised by a number of authors as to why the "No Action Alternative" was not given more consideration in the study.



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Mr. Mehaffy stated the No Action Alternative was certainly considered, because that is the baseline against which everything else is compared. But in an EIS study, the No Action Alternative is by definition the status quo, what you had at the start. It is what happens if the study is thrown out the window; you go back to square one. Development of the No Action Alternative is not allowed, because then it would become another alternative; and that would not be "no action".

One comment posed the question "Are there ways to keep Vista Field open and viable, that were not considered in the study?" In our professional opinion, the answer is no because our goal was to look at every possible alternative to keep Vista Field open as a great airport and an amenity that the entire region could be proud of. That was Alternative One, by definition, and Mr. Mehaffy feels the result was a great concept. Although the decision is for the Port and its stakeholders, not for outsiders such as DPZ as Mr. Mehaffy has mentioned before.

Mr. Mehaffy stands by the fairness and the transparency of this process. Stakeholders were invited to participate in the definition of the best-case keep-open alternative, and they certainly did. A lot of their ideas for how to make Vista Field a terrific airport were used; how it could really reach out to new markets with desirable new amenities, and get to a critical mass of success. Mr. Mehaffy is very proud of the work the consultant team and the stakeholders did on Alternative One, and he would love to see the great mini-aerotropolis concept up and running. The consultant team's role, as they saw it from the start is to develop two great, best-case, viable alternatives and compare them to the no-action status quo; which almost everyone said was not acceptable, and then let others make the decision.

Mr. Mehaffy commented it seems a pretty strong consensus has formed, sadly from his point of view, not to move forward with further consideration of Alternative One. It seems the conclusion by the aviation user community now is that that the No Action Alternative is a better alternative -- even though there was widespread criticism during the Scoping Period. In addition DPZ has uncovered quite a few additional problems since the beginning of the study, with current levels of operation, economic impacts, fiscal impacts, opportunity costs, and a number of other liabilities with the status quo. All of the information is covered in the report.

To be fair, Mr. Mehaffy stated that some commenters accused the consultant team of loading up Alternative One with unnecessary costs. The consultant team took those comments and criticisms seriously, and they gave their detailed cost data in the new Appendix H. They invite the stakeholders to judge for themselves. Mr. Mehaffy understands the commenters' emotional perspective, and he does not take it personally; but they simply can't agree with the criticism. The team has reviewed every comment and responded to every single one. In their professional opinion, this is simply what it is going to take to make a great Vista Field airport. This is what the process has informed them – an open process with ample opportunity for new comments and new evidence to be presented. This is what some pretty high-level talent represented by Mr. Mehaffy's colleagues on the consultant team has concluded. And very simply, after reviewing all of the information, they stand by their cost estimating for Alternative One. In addition, they stand by the other key conclusions of the report.



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As for Alternative Three, DPZ does not take a position on that, or any alternative. But Mr. Mehaffy stated that the team has made notes in the report of the fundamental problems Vista Field has had since before this study: a 4,000 foot runway that cannot be lengthened under most scenarios; three strong competitor airports within the same aviation market; lack of FAA funding, and other serious constraints. Mr. Mehaffy sympathizes with the aviation users who are dependent on the airfield. The team greatly enjoyed working with the aviation users. Mr. Mehaffy requested they do not shoot the messenger, but look at the facts as they are reported.

Mr. Mehaffy stated he does not generally favor the idea that any airport might close, they are really valuable assets that are very hard to replace, especially one with this remarkable set of location opportunities. But, the conclusions are clear that the feasible scenarios for keeping Vista Field open are limited, and are represented in their best optimal form, to the extent the team could determine in their professional capacity, by Option One. He believes that, and they stand by it.

Mr. Mehaffy reiterated that the team reviewed all the comments, and addressed each and every one, as reported in Appendix G. They also summarized their conclusions in Section 1.6. Some changes were made to the report in response to these comments, and other needed corrections were made, such as typographical and readability improvements, and some factual corrections. For example, Mike White pointed out that the helicopters were drying cherries, so the team removed a few objectionable passages that they did not feel were necessary for the accuracy and integrity of the report.

The consultant team understands and sympathizes with the frustrations involved, but as concluded in the report, "The authors stand by the transparency and fairness of the process, while recognizing that the outcome may regrettably displease some stakeholders."

Mr. Novakovich requested confirmation that originally in the draft report the supporters of the airport supported the Expansion Alternative, and once the numbers and costs were identified, they questioned the cost and favored the No Action Alternative. Mr. Mehaffy commented that during the Scoping Period, there was widespread criticism of the status quo, which is defined as the No Action Alternative. Only one stakeholder supported the No Action Alternative. During the Charrette process, the team stated they were serious about wanting to keep the airport open and finding a way to do that and requested participation to find the most viable way to do that. The team felt very good about the process and is proud of the results. When the cost implications became known, there was a notable shift away from supporting the Expansion Alternative.

Mr. Novakovich commented that Mr. Mehaffy has been involved in a number of EIS reports and inquired how many times he has seen the No Action Alternative selected in an EIS study. Mr. Mehaffy stated it is typically not done for the simple reason that if a consultant is hired to do a study, there must be something that needs to be changed. It is very unlikely to go through a study, only to go back to square one at the end of the study. He is not aware of any studies where the No Action Alternative was chosen; although modification of the alternatives is normal based on new information.



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Mr. Novakovich stated the Port has heard various comments and criticism that the financial information that the Port has put forward. Mr. Novakovich stated the Port's numbers have been vetted through at least two accounting firms and have been verified as being accurate. He inquired if the consultant team found any issues with the financial numbers. Mr. Mehaffy confirmed the team has not had any issues. Mr. Mehaffy stated it is important to know that the report is not a financial audit. The nature of the study is to take the available information and come to a conclusion about what the information makes known. DPZ feels very good about the information that the Port has provided and has not found anything that is outside of the Generally Agreed Accounting Principles (GAAP). There is no evidence of problems with the information received from the Port.

The Commission shared their appreciation for the work the consultant team has performed.

<u>MOTION:</u> Commissioner Barnes moved approval of Resolution 2013-04 accepting the Vista Field Planning, Environmental and Economic Analysis with Integrated Environmental Impact Statement (EIS) Report and referring the Report for further Commission consideration; Commissioner Wagner seconded. With no further discussion motion carried unanimously. All in favor 3:0.

City of Kennewick City Manager Marie Mosley stated the City will support and partner to implement whatever decision the Commissioners make.

C. Memorandum of Agreement between TCVCB and "Participating Jurisdictions" Way-Finding System for the Rivershore Trail

Ms. Bader Inglima stated the Tri-Cities Visitor and Convention Bureau coordinated the update of the Tri-City Rivershore Enhancement Council Master Plan last year. The Council adopted the plan as the guiding rivershore tool for the community. The Council would like to connect the Sacagawea Heritage Trail to the downtowns and other points of interest and utilize the trail along the rivershore. The Council determined wayfinding signage would further the movement along the riverfront. The Council is requesting the local jurisdictions to contribute to funding the wayfinding signage.

The Commission is in consensus to support the signage in the amount of \$2,500 and authorizes the Executive Director to execute any documents necessary under his delegation of authority.

D. Award of Bid: 2013 Oak Street Development Park Rehabilitation Project; Resolution 2013-05

<u>MOTION:</u> Commissioner Wagner moved approval Resolution 2013-05, authorizing the Port's Executive Director to execute the contract with Scott Hedrick Construction Inc. for the rehabilitation of Oak Street Development Buildings 1 and 2 project including Alternative 1, for the sum of \$1,294,000.00, plus applicable tax; Commissioner Barnes seconded. With no further discussion motion carried unanimously. All in favor 3:0.



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E. Approval of Contract With Strategic Construction Management Inc. for Architectural and Engineering Services for the Rehabilitation of the Port's Oak Street Development Building #1 and #2; Resolution 2013-06

<u>MOTION:</u> Commissioner Barnes moved approval of Resolution 2013-06 authorizing the Port's Executive Director to execute the contract with Strategic Construction Management Inc for architectural and engineering services for the rehabilitation of the Port's Oak Street Development Building #1 and #2, for a sum not to exceed \$81,696.44; Commissioner Wagner seconded. With no further discussion motion carried unanimously. All in favor 3:0.

F. Modification of Interlocal Agreement with West Richland

Ms. Fine stated the Commission approved two Interlocal Agreements with the City of West Richland for partnership with the Van Giesen Redevelopment / Yakima Gateway project and also for construction project management assistance in February 28, 2012. The interlocal agreements expired December 31, 2012. The City of West Richland requested an extension of the terms of the agreements. Ms. Fine stated the funds are budgeted for 2013 and requested approval for Mr. Arntzen to execute a letter extending the agreement through December 31, 2013.

The Commission is in consensus for Mr. Arntzen to execute a letter extending the agreement through December 31, 2013.

REPORTS COMMENTS AND DISCUSSION ITEMS

- A. Commissioner Meetings (formal and informal meetings with groups or individuals)

 Commissioners reported on their respective committee meetings and presentations.
- **B.** *Non-Scheduled Items* None.

PUBLIC COMMENTS

Jim Wade, 1813 S. Rainier Place, Kennewick. Mr. Wade stated this is the first Commission Meeting he has attended; he finds it very interesting. Mr. Wade inquired about the costs associated with the projects. Mr. Novakovich requested Ms. Fine to meet with Mr. Wade.

John David, 302 N. Underwood Street, Apartment 9, Kennewick. Mr. David shared his appreciation for the Commission and staff's hard work and trying to do the right thing. Mr. David offered his support and requested the Commission continue moving forward. Mr. David thanked the TRIDEC, TCRCOC and TCVCB for their letters of support which basically state the Port needs to move forward with what is being proposed by DPZ. Mr. David commented that if Vista Field is no longer an airport, that there will be businesses that will be displaced. He feels the Port should assist them in any manner that need be because they have made an investment in this community. Mr. David volunteered his services as a third-party for dispute resolution that may need to be addressed so that we can move forward and continue to promote positivity in the community. Mr. David commented that he and Shirley Hankins recently met with Mr. Novakovich to discuss ways to promote positivity in the community.



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No further public comments were made.

Mr. Novakovich anticipates the Executive Session to last approximately 30 minutes for Real Estate, per RCW 42.30.110(1)(c), with no action anticipated. Mr. Novakovich asked the public to notify Port staff if they will return after the executive session.

Mr. Novakovich recessed the meeting at 3:10 p.m., for approximately 6 minutes.

Mr. Novakovich reconvened the meeting into Executive Session at 3:17 p.m. for 30 minutes.

EXECUTIVE SESSION

A. Real Estate, per RCW 42.30.110(1)(c)

Ms. Fine exited the chambers at 3:45 p.m. to extend the Executive Session 10 minutes.

Ms. Fine exited the chambers at 3:55 p.m. to extend the Executive Session 10 minutes.

Ms. Fine exited the chambers at 4:05 p.m. to extend the Executive Session 2 minutes.

The regular meeting reconvened at 4:07 p.m. with no action taken.

ADJOURNMENT

With no further business to bring before the Board; the meeting was adjourned at 4:07 p.m.

APPROVED:

PORT of KENNEWICK

BOARD of COMMISSIONERS

Skip Novakovich, President

Don Barnes, Vice President

Gene Wagner, Secretary

PORT OF KENNEWICK

Resolution No. 2013-04

A RESOLUTION OF THE PORT OF KENNEWICK BOARD OF COMMISSIONERS ACCEPTING THE VISTA FIELD PLANNING, ENVIRONMENTAL AND ECONOMIC ANALYSIS WITH INTEGRATED ENVIRONMENTAL IMPACT STATEMENT ("REPORT") AND REFERRING THE REPORT FOR FURTHER COMMISSION CONSIDERATION

WHEREAS, the Port Commission has engaged a team of independent consultants to perform a study and prepare a Vista Field Planning, Environmental and Economic Analysis with Integrated Environmental Impact Statement ("Report"). The purpose of the Report is to identify the impacts of potential alternatives for the expansion or redevelopment of the Vista Field property. The Report was developed through an open public process. The Report included analysis and consideration of impacts of three alternatives for potential Port action related to the Vista Field property; and

WHEREAS, the draft Report, including a draft environmental impact statement for a non-project action, was issued on January 10, 2013. Comments were received until February 11, 2013. Comments to the Report have been received by the Port, evaluated by the Port and its consultants, and addressed in the final Report and integrated final environmental impact statement; and

WHEREAS, the Port's Director of Planning and Development serves as the Port's SEPA responsible official. The Director issued the Report (including the final environmental impact statement) on March 8, 2013, and transmitted the Report and/or notice of Report availability as required by WAC 197-11-460; and

WHEREAS, under WAC 197-11-460 (5), agencies shall not act on a proposal prior to seven (7) days after issuance of the EIS; and

WHEREAS, the Port will take the Report under advisement for future consideration, including the potential for a public hearing under RCW 53.20.010.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Commissioners of the Port of Kennewick that the Report and the determination of the Port's SEPA responsible official be and the same are accepted and referred for future Board consideration. This Resolution is not an action on a proposal under the State Environmental Policy Act; and, does not impact the rights of any person under the Port's SEPA Rules.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 12th day of March 2013.

PORT OF KENNEWICK BOARD OF COMMISSIONERS

By:

SKIP NOVAKOVICH, President

By:

DON BARNES, Vice President

Rv

GENE WAGNER, Secretary

PORT OF KENNEWICK Resolution No. 2013-05

A RESOLUTION OF THE PORT OF KENNEWICK BOARD OF COMMISSIONERS ACCEPTING AND AWARDING A BUILDING CONSTRUCTION CONTRACT FOR THE OAK STREET DEVELOPMENT BUILDING #1 AND DEVELOPMENT BUILDING #2 REHABILITATION

WHEREAS, a request for bids for the rehabilitation of Oak Street Development Building #1 & #2 was properly advertised with the approved plans and specifications being made available to prospective bidders, and

WHEREAS, construction bids have been received and staff and the project architect have certified that the bids received are in compliance with the plans and specifications; and

WHEREAS, the staff and the project architect have certified that the low bidder for the project is Scott Hedrick Construction, Inc. in the amount of \$745,000.00, plus applicable tax for the base bid work which includes rehabilitation Oak Street Development Building #1 and that such bid is in compliance with the plans and specifications; and

WHEREAS, the staff and the project architect have certified that the low bidder also provided a bid in the amount of \$549,000.00, plus applicable tax for Bid Alternative 1 work which includes rehabilitation Oak Street Development Building #2, and that such bid is in compliance with the plans and specifications; and

NOW THEREFORE, BE IT RESOLVED that the Port of Kennewick Commission does hereby accept the base bid of Scott Hedrick Construction, Inc. for the rehabilitation Oak Street Development Building #1 as the low bidder in the amount of \$745,000.00, plus applicable tax and hereby awards the construction contract to said low bidder.

BE IT HEREBY FURTHER RESOLVED that the Port of Kennewick Commission does hereby accept the Bid Alternative 1 of Scott Hedrick Construction, Inc. for the rehabilitation Oak Street Development Building #2 in the amount of \$549,000.00 plus applicable tax, and hereby increases the construction with said low bidder to include this work.

BE IT HEREBY FURTHER RESOLVED that the Executive Director is authorized to enter into a contract between the Port of Kennewick and Scott Hedrick Construction, Inc. for the rehabilitation of Oak Street Development Building #1 & #2, and that the Executive Director is further authorized to proceed with all necessary procedures required to complete construction of the project.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 12th day of March 2013.

PORT OF KENNEWICK
BOARD OF COMMISSIONERS

By:

SKIP NOVAKOVICH, President

By:

DON BARNES. Vice President

By:

GENE WAGNER, Secretary

PORT OF KENNEWICK

Resolution No. 2013-06

A RESOLUTION OF THE PORT OF KENNEWICK BOARD OF COMMISSIONERS
APPROVING A PROPOSAL BY STRATEGIC CONSTRUCTION MANAGEMENT, INC. TO PERFORM
ARCHITECTURAL AND ENGINEERING WORK FOR THE OAK STREET DEVELOPMENT
BUILDING #1 AND DEVELOPMENT BUILDING #2 REHABILITATION PROJECT

WHEREAS, following nearly 30 years of continued occupancy and modification to serve the needs of prior tenants the Port is in the process of rehabilitating Oak Street Development Buildings #1 and #2 to accommodate the needs of future incubator tenants; and

WHEREAS, the Port desires to contract with an architectural firm for construction management, and staff has reviewed qualifications of three architectural firms; and

WHEREAS, Strategic Construction Management, Inc. has assembled a team of professionals which produced the biddable construction documents for the project; and

WHEREAS, Strategic Construction Management, Inc. has presented a proposal to perform the desired service for the sum of \$81,696.44, which represents less than six percent (6%) of the estimated cost of the project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Port of Kennewick does hereby approve the proposal by Strategic Construction Management, Inc. to provide architectural and engineering services for the rehabilitation of the Port's Oak Street Development Building #1 and #2, in an amount not to exceed \$81,696.44.

BE IT FURTHER RESOLVED that the Executive Director is authorized to sign any contract documents necessary to implement the work of Strategic Construction Management, Inc.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 12th day of March 2013.

By: DON BARNES, Vice President

By: GENE WAGNER, Secretary

Wagner