



# REGULAR COMMISSION MEETING

PORT OF KENNEWICK

APRIL 26, 2011 MINUTES

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## 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  
David Hanson, Vice-President  
Gene Wagner, Secretary

**Staff Members:** Tim Arntzen, Executive Director  
Tana Bader Inglima, Director of Governmental Relations & Marketing  
Larry Peterson, Director of Planning & Development  
Tammy Fine, Director of Finance/Auditor  
Teresa Hancock, Real Estate Analyst & Project Specialist  
Bridgette Scott, Secretary/Special Projects  
Steve M. Lowe, Acting Port Counsel

## PLEDGE OF ALLEGIANCE

Teresa Hancock led the Pledge of Allegiance.

## PUBLIC COMMENTS

Mr. Novakovich requested anyone wishing to address the Commission speak from the podium and state their name and address for the record.

Ed Frost, 609 W. Albany, Kennewick. Mr. Frost worked in the public sector as a senior manager or an elected official for 40 years. He began attending Port meetings a couple years ago and thought the process was the best at involving the public of any jurisdiction he has seen. He is disappointed Public Comments are confined to the beginning and end of the agenda. His concern is that if he were to comment on an agenda item, and have the Board take it into consideration as you deliberate, then he has to say it before the agenda item is discussed; which means he does not have an opportunity to hear the discussion relating to the item to base his comments. In addition, the Board will have to keep in mind the comments at the beginning of the agenda until the item is discussed. If he were to make comments at the end of the agenda, it is like voting the day after the election. He believes people come up with the best ideas when they are triggered by discussion and other perspectives. He feels different perspectives, insight, experience and creativity is lost when limiting comments to the beginning and end of the agenda. Mr. Frost was told by Port staff that most agenda items are on the agenda several times before a decision is made. He feels that retired people may have the time to attend, but employed people cannot afford to miss work. He feels the change in policy will deny the Commission perspective, creativity, and will be less public friendly.

Mr. Novakovich commented the Port has had the same policy for many years; however, it has not been enforced and over time the Port became more flexible. Part of the reason the policy is being



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enforced is because the Commission noticed when the public made comments in the middle of the meeting, it could become a debate between public members and/or staff. Mr. Novakovich stated the minutes are on the Port's website for review. The public can make comments for consideration at the next meeting, by letter, email or telephone. Mr. Novakovich commented the law does not require public comments at meetings, only at public hearings. The Commission desires to give the public as much opportunity as possible to make comments within reason.

Cal Coie, 2402 S. Dennis Street, Kennewick. He heard Mr. Novakovich talking on the radio today about changing the name of the Port of Kennewick. He feels spending \$65,000 is very foolish. He commented the Port is only lacking four years to be 100 years old. It is not just the cost of the study; it will cost a lot to implement.

Mr. Novakovich stated the RFP prepared for the branding initiative is not for a name and logo change. It will incorporate the perception of what "Kennewick" means to the Port's name. What does "Kennewick" mean when we are involved in West Richland, Patterson, or Finley? It also could extend to people who want to invest in the area who do not understand that we do own property outside the City of Kennewick. Last Friday afternoon, a community partner volunteered to do research at no cost to the Port. If the community does not like spending this much money on the process, and we can find different ways to accomplish the same thing; we will pursue that option. The \$65,000 price tag is no longer being considered due to the concern from the community. Mr. Novakovich commented that when the Port was established, it was 5 square miles. Now it is 485 square miles. The Port is hopeful the unsolicited offer for research will develop.

Mr. Arntzen stated if people only know part of the picture, it seems like an easy decision not to spend \$65,000 to change your name or logo. He has found some jurisdictions do want to talk about this. We also need to keep in mind that the Port receives tax revenue from all jurisdictions and we should be mindful of their desires. Mr. Arntzen stated the Port tries to do as much in-house as possible; however, Ms. Bader Inglima and Mr. Arntzen do not have the time or total expertise to complete this project. This is a difficult issue and he believes all of the Commissioners share the same concerns. If there is a way to save money, especially if it is a citizen generated idea, we will pursue them.

Mr. Novakovich stated when the RFP was advertised, the budget was not to exceed \$30,000. Many of the companies that received the RFP did not respond. Two responses offered to design a new logo. We need the research of who we are to the communities, and what do people think we are. A couple of proposals were received ranging between \$60,000 - \$70,000 to do the whole project, including the research. It was determined to have the project done the right way, it would cost more. The public has made their concerns known and the \$65,000 figure is off the table.

No further public comments were made.





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## CONSENT AGENDA

The consent agenda consisted of the following:

- A. ***Approval of Direct Deposits and Warrant Registers Dated April 15, 2011***  
Direct Deposit totaling \$19,791.58 and Expense Fund Voucher Numbers 31798 through 31800 totaling \$3,458.35; for a grand total of \$23,249.93.
- B. ***Approval of Warrant Registers Dated April 27, 2011***  
Expense Fund Voucher Numbers 31801 through 31849 totaling \$94,431.32. Construction Fund Voucher Numbers 3167 through 3170 totaling \$13,054.66.

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

## NEW BUSINESS

- A. ***Approval of Emergency Rail Repairs; Resolution 2011-11.***

Mr. Arntzen stated Mr. Boehnke and the Coyote Ridge Work Crew were able to repair the damaged section of the rail for approximately \$1,300. Mr. Novakovich commented between 1995 and 2010, the railroad operations have lost \$270,243, mostly due to repairs at Bruneau.

**MOTION:** *Commissioner Hanson moved approval of the Emergency Rail Repairs per Resolution 2011-11; Commissioner Wagner seconded. With no further discussion motion carried unanimously. All in favor 3:0.*

## REPORTS COMMENTS AND DISCUSSION ITEMS

- A. ***Clover Island Update***

1. West Causeway Improvements.

Mr. Peterson shared pictures illustrating the progress of the project. The turbidity curtain has been removed and the stamped and colored concrete has been poured. The majority of the plantings are installed. Ms. Bader Inglima invited everyone to the Celebration Event on Thursday, May 12, 2011 at 3:30 p.m.

- B. ***Vista Field***

1. Meeting with Kennewick Public Facilities District (PFD) April 28, 2011 at 5:00 p.m.

Mr. Arntzen will give a presentation on the Vista Field Master Plan. Commissioner Novakovich and Mr. Peterson will also be in attendance. Mr. Arntzen will share some of the slides from the Vista Field Advisory Board (VFAB) committee meetings and will focus on the conceptual elements of Master Plan, the Capital Improvement Plan and the proposed hangar design standards. The meeting is open to the public and will be held at the Three Rivers Convention Center.

2. Update on Draft Documents: Fixed Base Operator Request for Proposals, Rules & Regulations and Hangar Rental Agreement.

The Airport Rules Review Committee met to review the draft documents; however, due to pre-arranged vacation schedules, some of the committee members were not able to review the documents before the meeting. Another meeting will be scheduled and an update will be provided upon completion of the review. Mr. Arntzen stated





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Commissioner Hanson shared a few comments on the draft documents with him and he will forward the comments to the committee. Mr. Arntzen stated it is the directive of the Commission to review the FBO RFP first. The Port would like to advertise for the FBO operator before summer starts. Mr. Novakovich asked if we have heard from Jackson Aviation. Ms. Hancock stated their phone number was disconnected. Ms. Hancock updated the phone list on the office door. Mr. Arntzen asked if Jackson is administering the courtesy vehicle. Ms. Hancock replied they are not. The keys are located in the FBO office. She receives calls from the pilots and meets them at the airport to complete the required documentation. Mr. Arntzen has heard that some airports do not have a courtesy car. He feels it is nice to have, but not if staff has to go out to the airport. Mr. Arntzen will make a formal inquiry to Jackson to clarify their intentions.

3. HAEIFC Report. Mr. Peterson stated the Commission directed staff to hire an agency to apply for the HAEIFC grants on behalf of the Port. Mr. Peterson interviewed three firms from the Professional Services Roster and selected an agency. The grant would help with upgrading the existing FBO building at Vista Field. The grant is \$100,000 with a \$50,000 match from the Port. The matching funds will help our rating. An application will also be submitted for improvements to the buildings at Oak Street. The agency will complete the second grant application at no extra cost.

## C. *Joint Meeting with West Richland*

The joint meeting will be held May 9, 2011. West Richland will have a pre-meeting at 5:00 p.m. and the joint meeting will begin at 6:30 p.m. at the Sandberg Event Center, located at 331 S. 41st Street, West Richland (corner of Van Giesen and 41st). The agenda is being developed and may include West Richland's Economic Development Strategy Plan, the Port Brand Initiative, explanation of Port services, and the Port's strategic vision for, and investments in, West Richland.

## D. *Redistricting*

Mr. Arntzen stated all cities, counties and special districts must prepare the redistricting plan within eight months of receipt of the data from the county. The information was received April 4, 2011. The redistricting plan must be submitted to the county for review by December 4, 2011. We received several CD's from the county and it is up to the Port to set each commission district as equally, compact, and geographically continuous as possible; and must not favor or disfavor any racial group or political party; and should coincide with existing, recognized natural boundaries. Mr. Arntzen recommends using legal counsel to help with the process. Mr. Lowe has recommended a couple attorneys for assistance. Mr. Arntzen recommends the Commission leave as much of the process up to staff as possible to eliminate the likelihood of being accused of gerrymandering. The Commission may give staff three or four points that are legally defensible to add to the establishment of the boundaries. It may be a good idea to utilize a citizen's oversight committee. Mr. Arntzen feels the Commission will have some issues with the boundaries no matter how diligent staff tries to be. Ms. Fine recently reviewed a document regarding how to draw up a boundary plan that will stand up in court. Basically, anyone can challenge the plan and take you to court. But there is a "frivolous clause" that states if the case is found to be frivolous, the plaintiff will have to pay for court fees. Ms. Fine stated most agencies have an attorney





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handle the process due to the legal ramifications. Mr. Hanson commented he has been involved with several redistrictings and did not have any boundaries challenged. Mr. Peterson commented under the current boundaries, it is possible to have residents within a one quarter-of-a-mile distance be in three different districts.

**E. *Commissioner Meetings (formal and informal meetings with groups or individuals)***

Mr. Wagner met with the review committee regarding the draft documents for Vista Field.

Mr. Hanson attended the Chamber Board Meeting and visited with Sharon Brown at Starbucks.

Mr. Novakovich attended the Wallowa Band Nez Perce Interpretive Center Board's Annual Meeting, City of Kennewick Historic Preservation meeting, several meetings with the Columbia Basin Veteran's Coalition and the Benton Franklin Humane Society's building committee; and was the featured speaker at WSU Associated Student Body Leadership Banquet.

**F. *Non-Scheduled Items***

1. The Port has been invited to the Washington Aggregates and Concrete Awards Banquet. The lighthouse was nominated for the Project of the Year award. The banquet will be in Bellevue on April 28, 2011. Mr. Wagner complimented Ms. Bader Inglima on the preparation of the application. Mr. Wagner and Ms. Hancock will attend the banquet.
2. Dana Engineering and Reisdell approached Mr. Arntzen to offer airport consulting services on the draft airport documents for a fee. Being cognizant of the fact the public wants the Port to do as much work in-house as possible, he recommends the Port thank the firms for their offer and not utilize their services. Mr. Arntzen stated significant staff time has already been incorporated in the documents.
3. The Tri-City Herald requested Commissioner Novakovich write a guest editorial consisting of 650 words explaining the process of the brand initiative and our perspective in response to the comments received from the public. Due to campaign laws, Commissioner Novakovich would have to write the article in his official capacity as a Port Commissioner. The Port Commission, as a unit, is in consensus and authorized Commissioner Novakovich to write the article. Ms. Bader Inglima and Mr. Arntzen offered their assistance if a letter is to be submitted.

## PUBLIC COMMENTS

Mike White, 1118 W. 22<sup>nd</sup> Avenue, Kennewick; a pilot and proponent of Vista Field airport. Mr. White commented that before he flies, he researches the amenities of airports and selects locations if they include a FBO, available and affordable fuel, a courtesy car or rental car agency, restaurants near the field and hotel accommodations. These factors weigh heavily in his decision when selecting a flight location. He stated for Vista Field to be a destination airport, a courtesy car should be maintained at the airport. He suggested using a real estate lock box to hold the keys to the courtesy car or office in the interim until a FBO operator is selected.

Ms. Fine stated the State Auditor's Office would not allow this process as assets have to be properly safeguarded. The Port is a government agency we are subject to ensuring our assets are protected and safeguarded. The Port is required to have staff or a FBO operator, monitor the use of the vehicle, verify insurance, and track mileage. She suggested if Port staff is not available, a list of phone numbers for rental car agencies and taxi services could be posted at the airport.



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Mr. Wagner commented that if four different pilots came in the same day, the Port would only be able to let one pilot use the courtesy vehicle. The remaining pilots would need to make other arrangements.

Ms. Hancock stated a sign is on the door listing rental car agencies, taxi services, and hotels. She stated most pilots call before they arrive to make arrangements and that she meets them at the airport to complete the required paperwork. She has not received any complaints about the process, but will try to keep the process as efficient as possible.

No further public comments were made.

Mr. Arntzen anticipates the Executive Session to last approximately 1 hour, with no action expected. Mr. Novakovich asked the public to notify staff if they will return for the results of the Executive Session. The public will not return.

Mr. Novakovich recessed the meeting at 3:04 p.m. for approximately 5 minutes.

Mr. Novakovich reconvened the meeting into Executive Session at 3:09 p.m.

## EXECUTIVE SESSION

Potential Litigation, per RCW 42.30.110(1)(i)

Real Estate Matter, per RCW 42.30.110(1)(c)

Ms. Scott entered the Commission Chambers at 4:09 p.m. and was instructed to extend the Executive Session five minutes.

Executive Session adjourned at 4:13 p.m. with no action taken. The regular meeting reconvened at 4:13 p.m.

## ADJOURNMENT

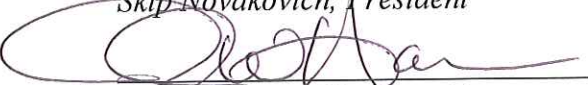
With no further business to bring before the Board; the meeting was adjourned at 4:13 p.m.

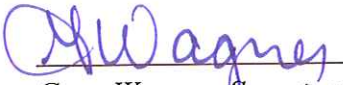
**APPROVED:**

**PORT of KENNEWICK**

**BOARD of COMMISSIONERS**

  
Skip Novakovich, President

  
David Hanson, Vice President

  
Gene Wagner, Secretary



# ***PORT OF KENNEWICK***

## **RESOLUTION No. 2011-11**

### ***A RESOLUTION OF THE PORT OF KENNEWICK BOARD OF COMMISSIONERS AUTHORIZING EMERGENCY RAIL REPAIRS AT THE INTERSECTION OF COLUMBIA DRIVE AND BRUNEAU STREET***

**WHEREAS**, in accordance with RCW 39.04.280, the Port of Kennewick (Port) is authorized to designate certain public works contracts as emergencies and, therefore, exempt from competitive bidding requirements; and

**WHEREAS**, on April 14, 2011, notification was received regarding a break in the rail at the intersection of SR-397 and Bruneau Street; which is owned and maintained by the Port, and which services among others, the Ashgrove Cement distribution facility; and

**WHEREAS**, the break in the rail represents an unforeseen circumstance, resulting in a material interruption of Ashgrove's business operations.

**NOW, THEREFORE, BE IT RESOLVED** that the Port of Kennewick Board of Commissioners designates repair and/or replacement of the damaged sections of rail as an emergency public works project within the guidelines of RCW 39.04.280, and therefore exempt from competitive bidding requirements.

**BE IT FURTHER RESOLVED** APEX Contracting & Paving repaired the asphalt patch and provided an invoice in the amount of \$1,299.60.

**BE IT FURTHER RESOLVED** that the Executive Director is authorized to pay the invoice from the 2011 Construction Fund to accomplish these emergency repairs.

**ADOPTED** by the Board of Commissioners of the Port of Kennewick on the 26<sup>th</sup> day of April, 2011.

***PORT OF KENNEWICK  
BOARD OF COMMISSIONERS***

  
SKIP NOVAKOVICH, *President*

  
DAVID HANSON, *Vice President*

  
GENE WAGNER, *Secretary*