



# PORT OF KENNEWICK SPECIAL COMMISSION MEETING

JULY 30, 2019 MINUTES

Commission President Thomas Moak called the Regular 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:** Thomas Moak, President  
Don Barnes, Vice-President  
Skip Novakovich, Secretary

**Staff Members:** Tim Arntzen, Chief Executive Officer  
Tana Bader Inglima, Deputy Chief Executive Officer  
Amber Hanchette, Director of Real Estate and Operations  
Nick Kooiker, Chief Financial Officer  
Larry Peterson, Director of Planning and Development  
Lisa Schumacher, Special Projects Coordinator  
Bridgette Scott, Executive Assistant  
Lucinda Luke, Port Counsel

## PLEDGE OF ALLEGIANCE

Commissioner Novakovich led the Pledge of Allegiance.

## APPROVAL OF THE AGENDA

Commissioner Novakovich inquired if we need to remove the Executive Session.

Ms. Luke requested that Item A under the Executive Session is stricken.

***MOTION:*** Commissioner Novakovich moved to approve the Agenda as presented and striking Item A under the Executive Session; Commissioner Moak seconded. With no further discussion, motion carried unanimously. All in favor 3:0.

## PUBLIC COMMENT

No comments were made.

## CONSENT AGENDA

**A. Approval of Direct Deposit and E-Payments Dated July 15, 2019**

Direct Deposit and E-Payments totaling \$58,910.60

**B. Approval of Warrant Register Dated July 23, 2019**

Expense Fund Voucher Number 101252 through 101295 for a grand total of \$321,309.62

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***MOTION:*** *Commissioner Barnes moved for approval of the Consent Agenda as presented; Commissioner Novakovich seconded. With no further discussion, motion carried unanimously. All in favor 3:0.*

## REPORTS, COMMENTS AND DISCUSSION ITEMS

### ***A. Vista Field Update***

Mr. Peterson reported that the below grade work, which includes storm sewer drainage is nearly 95% complete. The next task will be the grading of the site and installation of curbs and gutters, which will frame the project. From August 12-30, 2019, construction will take place on West Deschutes Avenue to modify the street into a three way intersection and install the roadway through the corporate hangars.

#### ***1. Benton PUD Developer's Agreement; Resolution 2019-14***

Mr. Peterson stated before the Commission is Resolution 2019-14, which allows the Public Utility District #1 of Benton County (BPUD) to install the electrical infrastructure, which will serve Vista Field. BPUD pays for the costs associated with the main feeder network to and through the site and as a public entity requires all those developing property to pay for the infrastructure serving the lots or parcels within the project. The BPUD crews will install segments of the network (conduits under street crossings); however the majority of the work is completed by a BPUD contractor following a bid process. The BPUD requires the developer (Port) to execute a BPUD Developer's Agreement before the BPUD puts the project to bid.

At present BPUD estimates the electrical infrastructure to serve the Port's lots/parcels to be \$270,307.61. Because this is an estimate and BPUD must bid the work and all parties seek certainty, the Developer's Agreement contains a not to exceed provision of 125% of the estimate which equals \$337,884.51. BPUD's estimates their cost for network enhancements and extensions to serve Vista Field Phase #1A at approximately \$675,000.

Timely execution of the BPUD Developer's Agreement will allow for the Vista Field Phase #1A project to proceed without delay. The estimated amount and 125% not to exceed amount are both within the working budget allocated to the Vista Field project through the Commission's approval of the construction contract with Total Site Services.

Commissioner Novakovich confirmed that the total cost of the electrical infrastructure project is over \$1,000,000 and the BPUD pays approximately two-thirds of the cost.

Mr. Peterson stated that is correct and indicated that some of their expense is because they are taking infrastructure outside of the site.

Commissioner Moak inquired if the installation will serve all phases or will the Port continue to incur costs as we develop additional phases.

Mr. Peterson stated the Port will incur costs with each phase; however, Phase 1 is significantly larger scale and the next phases will be smaller and cost less.

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Commissioner Moak inquired if the costs will be added to the sale of the property.

Mr. Peterson stated staff is tracking costs and believes the costs will be recouped during the land sales.

Commissioner Moak asked if this cost was part of the Vista Field budget.

Mr. Peterson stated yes, the funds were allocated when the Commission amended the budget in March 2019.

## PUBLIC COMMENT

No comments were made.

***MOTION: Commissioner Novakovich moved to approve Resolution 2019-14, authorizing the Port's Chief Executive Officer to execute a contract with Public Utility District #1 of Benton County for placement and installation of electrical infrastructure within the Vista Field Phase #1A project for the sum not to exceed \$337,884.51. Further, all action by port officers and employees in furtherance hereof is ratified and approved; and the Port Chief Executive Officer is authorized to take all action necessary in furtherance hereof; Commissioner Barnes seconded. With no further discussion, motion carried unanimously. All in favor 3:0.***

### ***B. City of West Richland Update***

Mr. Arntzen stated before the Commission is an offer on the former racetrack property located in the City of West Richland. Mr. Arntzen stated the Comprehensive Scheme of Harbor Improvements and the former racetrack Master Plan states that the Port will hold the property for four to seven years, and develop when the timing is right. Mr. Arntzen stated if the Commission likes the offer before them, the Comp Scheme would need to be amended. The City of West Richland has made an offer on the former raceway and if directed by the Commission, Ms. Hanchette and City staff would follow the standard Purchase and Sale Agreement (PSA) process. Mr. Arntzen outlined the important terms of the proposal and stated there are several moving parts in terms of price and payment terms, use of property, and timing. Mr. Arntzen asked for guidance from the Commission on the complicated offer. Mr. Arntzen introduced City of West Richland Mayor, Brent Gerry, who is here today to discuss the offer.

Mayor Gerry thanked the Commission for the opportunity to speak and gave an overview of the City's Proposal. In April 2019, the City of West Richland citizens passed a \$12,500,000 bond for a new police department. The City identified several Department of Natural Resources (DNR) properties that would best suit the new police station and held a town hall meeting to discuss the potential locations; however, the citizens did not approve of any of the locations. Because of the timing with the bond, there is a sense of urgency to locate another property. City staff have had numerous discussions with local land owners, but have been unable to secure a location for the new police station. Mayor Gerry contacted Mr. Arntzen and Ms. Hanchette regarding the process of putting together a formal offer for the former racetrack property.

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As a financing source, the City is proposing a transfer of their share of Benton County's Rural Capital County Funds (RCCF) to the Port's RCCF account. Mayor Gerry met with Adam Fyall, Sustainable Development Manager for Benton County, to discuss the potential opportunity of transferring the City's RCCF funds to the Port. Mayor Gerry stated the \$1,250,000 offer price may seem low; however, the Port has the opportunity to leverage the RCCF funds with matching funds to either meet or exceed the market value of the property. The City is the anchor tenant at the Belmont Business district and has sold a number of properties and would emulate the same model at the former racetrack, becoming an anchor tenant with the new police facility and use the Port's Master Plan as a guideline for development. The City has received numerous inquiries about commercial properties for wine-related businesses because of the growth of the community; however, there is no land available on Red Mountain Center. Mayor Gerry believes if the Port were to accept the City's offer, the Port would be fulfilling its mission of creating economic development and allow the City to grow. Furthermore, Mr. Gerry stated the Port's Comp Scheme says to hold the property until the I82 Interchange access was completed; however, the Federal Highway Commission (FHC) will not break access in the Interstate for economic development. Several agencies have done modeling which shows the benefit of Interchange, but unfortunately, the modeling was not satisfactory to the FHC. Mayor Gerry is hopeful that the Commission will entertain the offer on the former racetrack to the City of West Richland, who will be able to act as an anchor tenant and spur further economic development in that area.

Ms. Hanchette gave the Commission some statistical information on the former raceway:

- The racetrack is nearly 93 acres;
- 45 acres are currently being farmed and the lease expires December 31, 2019;
- The Port purchased the property in 2008 for \$1,750,000;
- The property was appraised in 2016 and came in at \$1,750,000 with racetrack removed.

Commissioner Novakovich inquired how much would it cost to remove the racetrack.

Ms. Hanchette stated that number was not provided with the appraisal and asked Mr. Peterson for an estimate.

Mr. Peterson believes the cost to remove the racetrack could be anywhere from \$150,000 - \$200,000; however, that does not include leveling the site, which could be quite significant. This is based upon the Port recently removing five acres of asphalt in Vista Field.

Ms. Hanchette stated in recent years, staff worked to get the property into the Urban Growth Area for the City. Additionally, the Port entered into an Interlocal Agreement with Kennewick Irrigation District for rubicon gates and canals for \$75,000 to remove the inundation clause. The offer mentions, in addition to the police station, adding some recreation fields and marketing property for economic development. The Port's Master Plan for the former racetrack calls for an industrial component to support the Red Mountain wine industry. The offer stipulates that the City would transfer 100% of their RCCF funds to the Port. Furthermore, the offer contains a few contingencies related to water rights; however the Port is currently having an assessment done on the water rights to determine the uses and quantity of water rights that exist on the property. Ms. Hanchette stated

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the property's assets include the water rights and land. Ms. Hanchette inquired if the Commission had additional questions related to the property.

Commissioner Barnes asked staff to estimate the holding cost per year for the Port to retain the property.

Mr. Kooiker stated the cost is approximately \$2,000/per year, which includes assessments and utilities.

Commissioner Barnes asked what the Port receives from the agriculture lease.

Ms. Hanchette stated the Port receives approximately \$6,900 from the agriculture lease; with clean-up costs, it is an estimated \$5,000/per year to hold the property.

Commissioner Barnes asked how much was the contract with Oneza for the Master Plan.

Mr. Peterson believes the economic analysis, Master Plan and engineer's report cost approximately \$125,000.

Commissioner Moak asked what is the cost for the right-of-way and utility easements.

Ms. Luke cannot provide an estimate because the Port has not spoken with Mr. Alexander.

Mr. Arntzen believes it is a fairly modest number and the price would need to be negotiated with Mr. Alexander. The Commission could ask the City to negotiate that cost, because of the good deal on the property.

Commissioner Moak stated if the buyer is receiving an excellent deal, then they should be the ones to handle that.

Mr. Arntzen stated the Port reviewed the lease previously and it most likely needs to be finished; however it can be a negotiating point.

Commissioner Moak inquired if Ms. Hanchette has discussed the 1% arts policy.

Ms. Hanchette has not discussed the art policy with Mayor Gerry and would need to refer back to the policy. Ms. Hanchette believes it is at the Commission's discretion if it is included in the PSA.

Commissioner Moak asked Mayor Gerry if Mr. Fyall believes this is something that the Benton County Commission would approve.

Mayor Gerry stated the City and Port would need to submit an RCCF joint application to Benton County. Mayor Gerry believes that Mr. Fyall felt that two entities working together to better each other would be a positive aspect for the Benton County Commission.

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Commissioner Novakovich believes this is a wonderful opportunity for the Port and the City. The City needs the ability to have some tax dollars infused into the City and he believes this would give the City land to develop. Commissioner Novakovich stated it would give the Port money to do other projects and he would like to see some of the funds invested into West Richland. Commissioner Novakovich proposed that staff negotiate a few items in question and ensure that Benton County is willing to allow the RCCF transfer and will continue to fund the RCCF program. If the County were to discontinue the program, where would that leave the Port? Additionally, the right-of-way and water rights need to be addressed as well. Commissioner Novakovich understands that the City is on a compressed timeline and he would like to see this done sooner rather than later.

Mr. Arntzen believes there are a few items to consider if the Commission were to move forward with a PSA with the City of West Richland. Mr. Arntzen stated firstly, the Comp Scheme has the Port holding the property for a period of 4-7 years; he would need to consult with staff regarding the timing of amending the Comp Scheme. Secondly, the timing of the agreement is a concern, and although staff could work as quickly as possible there is the issue of the timing of the transfer of water rights. Staff has been working on the application transfer water rights to Benton County and recently learned that it takes 90 days from submittal of the application to the Department of Ecology to review the water rights transfer. Mr. Arntzen stated many real estate transactions take time and he is not comfortable guaranteeing the City a time frame to complete the PSA. A third potential issue is the security for the purchase price. Mr. Arntzen stated the City would like to transfer their credits for RCCF to the Port. Mr. Arntzen believes many of those issues could be worked through; however, in the scenario where the Port applies for RCCF funding from Benton County, using the credits from the City, what would happen if Benton County does not approve the projects the Port submitted. Mr. Arntzen believes there needs to be some form of security in case the Port cannot get a project approved, then the Port would need to renegotiate for the value of the property. Mr. Arntzen suggested if the Port applied for \$400,000 of RCCF funds and the project was approved by Benton County, then the Port would transfer \$400,000 worth of property to the City. Additionally, the Port entered into a non-compete clause with City of Kennewick several years ago which states the Port would not do anything with the former racetrack property that competes with Columbia Gardens. Lastly, Mr. Arntzen stated Commissioner Barnes asked very good questions related to the value of the property and he inquired what the Commission's philosophy of this transaction would be. If the transaction will be a commercial transaction, the Port would seek a new appraisal of property and get better estimates on removal of the racetrack and what the value of the water rights are. But if the Commission's philosophy is a partnership or a political transaction, the Port could sell property for less than a commercial property to another jurisdiction. Mr. Arntzen would like some time to review the purchase price and asked the Commission for direction regarding the philosophy of the transaction and other items.

Commissioner Moak believed in the concept of the Master Plan and that this property would eventually support Red Mountain and the wine industry. Furthermore, Commissioner Moak believed that the Port would develop the property within the timeline outlined in the Comp Plan. Commissioner Moak believes the City would build something of value, but it is not what he envisioned for that property. As Mayor Gerry alluded, there is an issue with the I82 interchange and the Federal Highway Commission and Commissioner Moak does not believe they are any

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closer to approving the interchange. Commissioner Moak stated selling the property would be disappointing; however, from the Port's standpoint, he does not think this would be a commercial transaction. Last year, the Commission approved a PSA with Benton County Fire District #4 for a new fire station, which benefited the community of West Richland and believes there are the same kind of community benefits with this proposal. Commissioner Moak understands the cost of this property is considerable, especially when you consider all of the time staff has spent on it over the years. Commissioner Moak stated there are a lot of reasons not to sell it, but maybe it's time to move on the property. Commissioner Moak does not think the Port is going to develop the property any time soon and if West Richland thinks they can develop the property in a shorter period that will benefit the community, then the Commission should do what is best for Port district. Commissioner Moak is in support of the City's proposal.

Commissioner Barnes expressed his concerns about this transaction and stated recently, Jim Darling spoke at the Washington Public Ports Association (WPPA) Spring Conference about Return on Investment (ROI). Mr. Darling stated that ROI is not always measured in dollars and cents and a monetary ROI can be used to promote economic development; however, if you are not realizing much of a monetary ROI, then you look at public benefit. If the public benefit is significant in a transaction, then the transaction can be justified if public benefit is there. Commissioner Barnes stated there is a lot of uncertainty in the method of payment, because even if the funds are transferred from the City, the Port still needs approval of a project from Benton County. Additionally, Commissioner Barnes stated the proposal states maybe two jobs will be created, and he does not believe it meets the non-monetary ROI term. The Port purchased the property for \$1,750,000 and then invested additional funds in the Master Planning process, the removal of the inundation clause, and staff time. To hold this property for \$5,000 per year is a small amount in the big picture. Commissioner Barnes stated the City needs five acres to build a police station, maybe the Port and City should be discussing a five acre transaction. The Master Plan for the former racetrack will have a significant impact on economic development for the City and the Comp Scheme says to hold the property. Commissioner Barnes believes it would be better for both parties to discuss a five acre sale in short order and better payment terms. Commissioner Barnes cannot support the City's proposal to purchase the former racetrack.

Commissioner Novakovich believes this transaction is a partnership between the Port and the City, not a commercial property sale. Commissioner Novakovich stated the City has an opportunity to invest tax dollars and create economic development, which the Port is not in the position to do at this time. Although there is support for the Red Mountain Interchange it may never happen because of the Federal Highway Commission. The City has the opportunity to not only build a new police station, but create economic development within the Port district. Commissioner Novakovich believes it is time to do it, granted the price is less than what the Port has invested, but our mission is to go in and help our partners or private entities, to create jobs and create economic development. Commissioner Novakovich is concerned, like Commissioner Barnes, about the RCCF funds. Commissioner Novakovich liked Mr. Arntzen's suggestion of releasing the property as the Port receives the funds. Commissioner Novakovich would like to see this done as quickly as we can, considering everything staff needs to do, but also recognizing that there is a deadline. Commissioner Novakovich stated there are several items to review; however, he thinks it is important to take a look at the proposal, which will benefit both the Port District and the City.

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Mayor Gerry thanked the Commission for the discussion and appreciates the input and comments. Regarding Commissioner Barnes's concerns, West Richland City Council was very adamant about purchasing the entire property if the City was going to invest \$1,000,000 in infrastructure to get utilities to the property. Mayor Gerry believes the City Council would not invest \$1,000,000 for five acres of property. Mayor Gerry assumed if the Port wanted to partner in that investment the Council would be willing to partner; however he does not believe the Port's priorities today are in investing in infrastructure. Mayor Gerry stated the City is growing rapidly and there is a need to bring in commercial businesses to support the housing growth. The City has that interest and would like the opportunity to develop the property in same manner that the Port has done with Columbia Gardens and Vista Field.

Commissioner Moak stated there are several issues that need to be addressed, such as the RCCF financing, the worth of the property, and the issues that Mr. Arntzen spoke of. Commissioner Moak stated the compressed timeline that the City is working with may take additional resources and it may not all fall on Port staff to meet that timeline. If the Port needs to hire consultants for this proposal, then that should be factored into the price. It does not cost the Port much to hold the property, but if the City really wants the property, then they need to offer their resources to meet their timeline. Commissioner Moak agrees with Commissioner Novakovich and believes the Port should move forward with the City's proposal.

Mr. Arntzen reiterated the Commission's directive for staff to continue negotiations with the City and bring back a proposal of substance, with a reasonable and fair price and address the financial information and water rights. Mr. Arntzen stated some issues may be more complicated and may require more time, and he stressed that he does not want to be a guarantor of how fast staff can get this done. The City's \$12,500,000 project is riding on a timeline and Mr. Arntzen asked the record to reflect, and he believes the Commission should make it abundantly clear, that a compressed timeframe on someone else's part does not make an emergency on our part. Mr. Arntzen pledged to Mayor Gerry that staff will work as fast as they can; although he cannot guarantee meeting the compressed time frame.

Mayor Gerry appreciates and understands Mr. Arntzen's comments and offered City staff to help mitigate the burden Port staff may have in regards to the timeline. The City will do its due diligence and also has the monetary ability to pay for items in the contract. Mayor Gerry offered up City staff to assist the Port staff and stated the City has already assisted the Port on many items and made their own investment in the property.

Mr. Arntzen explained that he would re-prioritize other projects from the Work Plan that staff is pursuing to focus on this proposal. Mr. Arntzen thinks there is an opportunity to move the proposal forward, but again, he cannot guarantee time frame.

Commissioner Moak asked what projects would need to be re-prioritized.

Mr. Arntzen stated there was an emphasis on landing a ground lease or sale in the Kennewick Waterfront Area and we would need to move that priority down if the Commission agreed.



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Commissioner Moak inquired if that would damage the ability to move forward on those properties.

Mr. Arntzen stated it will impact the work, because of the limited resources. Projects will need to be re-prioritized to focus on West Richland.

Commissioner Moak asked if at some point, staff will be able to refocus on Columbia Gardens again.

Mr. Arntzen stated in regards to the Wine Village, it takes quite a bit of movement to get there and believes the project will be set back a number of months. If the Commission wanted staff to focus on West Richland, staff would do their best to move forward, but we could not guarantee the timeline.

Commissioner Novakovich likes what he is hearing and believes the partnership will benefit the entire Port district. Commissioner Novakovich emphasized that sometimes you need be flexible when opportunities arise and how you apply resources.

Mr. Arntzen stated another project that will be impacted is the Clover Island Master Plan.

Commissioner Barnes stated after hearing the additional comments regarding the impact to Port projects, he has less support for the City's proposal. The Port has a great jurisdictional partner with the City; however, who wouldn't want the property for 30 cents per square foot. Commissioner Barnes stated in addition to the bargain price, the Port has a fully committed staff, limited resources, and projects at Columbia Gardens and Vista Field. This property requires a minimal holding cost and this proposal is a difficult fit at best. Commissioner Barnes is concerned about spending Port time and resources on pursuing this when the price offered is very low and a questionable method of payment. Commissioner Barnes invited the City to rethink their offer and bring a revised offer for consideration. Commissioner Barnes reiterated that he cannot support this offer with this price, with this method of payment, given all of the current projects and limited resources. The Comp Scheme says to hold the property and the Commission is going against a lot of things to continue moving forward with this proposal. Commissioner Barnes stated the City has been a great partner, but we need a better fit, something that makes sense for the Port.

Commissioner Moak stated Commissioner Barnes's point is well taken, but the price can be negotiated. The Port has not countered the offer and the Commission has asked staff to investigate the City's use of the Benton County RCCF funds and report back. Some of Commissioner Barnes's concerns would be valid if the Port were doing this for the money. Commissioner Moak asked Mr. Arntzen if he has enough information from the Commission related to the City's proposal to move forward.

Mr. Arntzen has enough information to move forward with detailed negotiations. Mr. Arntzen believes this issue will be placed on future Agendas before an agreement can be met.

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Commissioner Moak confirmed that Mr. Arntzen has heard from all three Commissioners and their concerns and thoughts.

Mr. Arntzen stated the Commission comments are all valid and this is a difficult proposal that the Commission needs to address. Mr. Arntzen understands Commissioner Barnes' concerns and stated Benton County could decide not to approve any more RCCF projects and then where would the Port be. Mr. Arntzen has enough information and staff will work on a report to address the issues, which may take some time. Mr. Arntzen stated this is a very unconventional proposal and he appreciates the Commission discussion. Mr. Arntzen asked Mayor Gerry to work with Ms. Hanchette, Director of Real Estate and Operations on this proposal and additional details.

### C. *Non-Scheduled Items*

1. Commissioner Moak attended the WPPA Spring Conference in May and the Association of Washington Cities (AWC) Conference in June and stated the level of quality of the AWC is vastly higher than the WPPA conference. Commissioner Moak presented information on Spokane's \$63,000,000 bond for Riverfront Park in Spokane. Additionally, Commissioner Moak attended "Running Effective Public Comment Sessions" with Ann G. Macfarlane at the AWC Conference.
2. Ms. Bader Inglima stated recently the *Tri-City Herald* featured a photo of the construction of the new tasting room at Columbia Gardens and followed up with an expanded story about the wineries and building.

Ms. Bader Inglima will be doing an interview with Visit Tri-Cities on the lighthouse because August 7 is National Lighthouse Day. Clover Island continues to do the commemorative passport stamp for the lighthouse and Ice Harbor offers a seasonal lager.

The US Army Corps of Engineers (USACE) and the Fish and Wildlife service are running tests on the notch, which is a separate project from the 1135 project. The USACE is doing some shallow water monitoring and testing. On August 15, the entire USACE 1135 team will be meeting at the office to walk the shoreline for the A & E design work.

3. Mr. Arntzen recently met with Lieutenant Colonel Christian Dietz, Commander of the Walla Walla District USACE to discuss Duffy's Pond. Mr. Arntzen requested that the Port and the USACE form an informal committee of executives to become champions to rehabilitate Duffy's Pond. The committee would include Mr. Arntzen, Lt. Col. Dietz, and Marie Mosley, City Manager. Additionally, Mr. Arntzen will reach out to the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) to see if they would like to have representation on the committee. Mr. Arntzen believes it would be a visioning committee to remind our capable staffs of the milestones, and the fact that we would like to accomplish this project. Mr. Arntzen has no question about Port staff; however, sometimes when working with a federal agency it is good to remind them that we have a finish line.

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Mr. Arntzen stated the Commission room will be undergoing a technology remodel and will not be available for up to two meetings. In addition to the upgrades in technology, a mini-split HVAC unit will be installed for better air circulation.

Mr. Kooiker stated in addition to the technology upgrade, the remodel includes: all chairs will be reupholstered, a rebrand of the back wall, and the room will be ADA compliant.

Ms. Hanchette reported that a contractor has been selected to install a ductless mini split, which will be an independent, stand-alone system for the Commission Chambers.

Mr. Kooiker stated the August 13, 2019 Regular Commission Business Meeting will be held at the Bechtel Boardroom, and he is optimistic that the project will be completed by August 23, 2019. However, if the remodel is not completed by then, the August 27, 2019 meeting will be at a different location as well.

4. Mr. Peterson received confirmation from Banlin Construction that the tasting room building tower will be placed tomorrow, July 31, 2019.
5. Ms. Hanchette reported that the Port is installing a trench drain to add additional drainage at the current Wine Village buildings. There is a two-week window to complete this project and it should be completed by August 9, 2019.

### **PUBLIC COMMENTS**

Boyce Burdick, 414 Snyder Street, Richland. Mr. Burdick requested that "Running Effective Public Comment Sessions" with Ann G. Macfarlane PowerPoint presentation be made available on the Port website.

No further were made comments.

### **COMMISSION COMMENTS**

No comments were made.

Commissioner Moak anticipates the Executive Session will last approximately 15 minutes for Potential Litigation, per RCW 42.30.110(1)(i) with no action anticipated. Commissioner Moak asked the public to notify Port staff if they will return after the executive session so staff can advise if the session concludes early.

*Commissioner Moak recessed the Regular Commission Meeting at 3:36 p.m. until 3:40 p.m.*

*Commissioner Moak convened the meeting into Executive Session at 3:40. p.m. for approximately 15 minutes.*

### **EXECUTIVE SESSION**

- A. Potential Litigation, per RCW 42.30.110(1)(i)**

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*Commissioner Moak adjourned the Executive Session at 3:52 p.m.*

**ADJOURNMENT**

With no further business to bring before the Board; the meeting was adjourned 3:53 p.m.

***APPROVED:***

**PORT of KENNEWICK  
BOARD of COMMISSIONERS**




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*Thomas Moak, President*



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*Don Barnes, Vice President*



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*Skip Novakovich, Secretary*

# PORT OF KENNEWICK

## Resolution No. 2019-14

***A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE  
PORT OF KENNEWICK APPROVING A DEVELOPER'S AGREEMENT WITH THE  
PUBLIC UTILITY DISTRICT #1 OF BENTON COUNTY FOR THE  
REDEVELOPMENT OF THE VISTA FIELD PROPERTY***

**WHEREAS**, redevelopment of Vista Field into a vibrant center of the community following the new urbanism model has been the Port of Kennewick's focus since November 2014 where the ideal was defined and refined by the public; and

**WHEREAS**, on March 12, 2019 the Port of Kennewick Commission accepted the bid of Total Site Services to complete infrastructure improvements in the Vista Field Phase #1A project; and

**WHEREAS**, the bid with Total Site Services included excavation and backfill of utility trenches in the project, however the actual placement of electrical infrastructure elements is completed by the Public Utility District #1 of Benton County; and

**WHEREAS**, the Public Utility District #1 of Benton County has established an estimate of \$270,307.61 to complete the electrical infrastructure work benefiting the lots and parcels within Vista Field Phase #1A; and

**WHEREAS**, the Public Utility District #1 of Benton County has established a not to exceed cost of \$337,884.51 to complete the electrical infrastructure work benefiting the lots and parcels within Vista Field Phase #1A.

**NOW THEREFORE, BE IT RESOLVED** that the Chief Executive Officer is authorized to execute a Developer's Agreement with the Public Utility District #1 of Benton County for placement and installation of electrical infrastructure within the Vista Field Phase #1A project for an amount not to exceed \$337,884.51.

**BE IT FURTHER RESOLVED** that all action by port officers and employees in furtherance hereof is ratified and approved; and further that the port Chief Executive Officer is authorized to take all action necessary in furtherance hereof.

**ADOPTED** by the Board of Commissioners of Port of Kennewick on the 30th day of July, 2019.

***PORT of KENNEWICK  
BOARD of COMMISSIONERS***

By:   
THOMAS MOAK, *President*

By:   
DON BARNES, *Vice President*

By:   
SKIP NOVAKOVICH, *Secretary*