

## **AGENDA**

***Port of Kennewick  
Regular Commission Business Meeting  
Port of Kennewick Commission Chambers  
350 Clover Island Drive, Suite 200, Kennewick, Washington***

Tuesday, August 27, 2013  
2:00 p.m.

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. PUBLIC COMMENT** (*Please state your name and address for the public record*)
- IV. CONSENT AGENDA**
  - A. Approval of Direct Deposit and Warrants Dated August 15, 2013
  - B. Approval of Warrant Dated August 15, 2013
  - C. Approval of Warrant Registers Dated August 28, 2013
  - D. Approval of Commission Meeting Minutes Dated May 14, 2013
  - E. Approval of Commission Meeting Minutes Dated May 28, 2013
- V. PRESENTATIONS**
  - A. Wenatchee Pybus Market, Barb Carter
  - B. Annual Ethics Training, Tammy Fine
- VI. REPORTS, COMMENTS AND DISCUSSION ITEMS**
  - A. Columbia Drive Wine Village
  - B. Vista Field
    - 1. Port's Comprehensive Scheme
    - 2. WSDOT Grant Reimbursement
  - C. Cancellation of September 24, 2013 Commission Meeting
  - D. Commissioner Meetings (formal and informal meetings with groups or individuals)
  - E. Non-Scheduled Items
- VII. PUBLIC COMMENT** (*Please state your name and address for the public record*)
- VIII. ADJOURNMENT**

***PLEASE SILENCE CELL PHONES***



# REGULAR COMMISSION MEETING

PORT OF KENNEWICK

MAY 14, 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  
Tammy Fine, Director of Finance/Auditor  
Larry Peterson, Director of Planning & Development  
Bridgette Scott, Executive Assistant  
Lucinda Luke, Port Counsel

## PLEDGE OF ALLEGIANCE

Commissioner Gene Wagner led the Pledge of Allegiance.

## PUBLIC COMMENT

No comments were made.

## CONSENT AGENDA

The consent agenda consisted of the following:

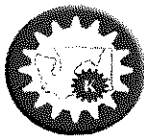
- A. Approval of Direct Deposit and Warrants Dated April 30, 2013**  
Direct Deposit totaling \$26,067.81 and Expense Fund Voucher Numbers 34306 through 34310 totaling \$11,471.92; for a grand total of \$37,539.73.
- B. Approval of Direct Deposit Dated May 8, 2013**  
Direct Deposit totaling \$2,890.17.
- C. Approval of Warrant Registers Dated May 15, 2013**  
Expense Fund Voucher Numbers 34311 through 34366 totaling \$46,753.57.  
Construction Fund Voucher Number 3416 through 3420 totaling \$205,493.09.

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

## PRESENTATIONS

### A. *Waterfront Conference, Kris Watkins*

Ms. Watkins stated the Tri-Cities Visitor and Convention Bureau (TCVCB) manages the Tri-City Rivershore Council, which has met monthly since 1997. The Rivershore Enhancement Council discovered the Waterfront Center and invited them to our community twenty years ago to assist with developing the Tri-Cities waterfronts. Ms. Watkins stated many ideas for the Tri-Cities came from the Quad-Cities in Iowa. The Waterfront Center Conference will be held in the



# REGULAR COMMISSION MEETING

PORT OF KENNEWICK

MAY 14, 2013 MINUTES

---

Quad-Cities this year. The conference provides a great opportunity to meet consultants and agencies, and discover new ideas. Ms. Watkins or a staff member will be attending the conference this year. Ms. Watkins feels the conference is a good investment and strongly encourages the Port, and members of the Rivershore Enhancement Council to attend and meet afterward to discuss ideas. Mr. Novakovich suggested it may be beneficial for the City of Kennewick to send a staff member as well and directed Mr. Arntzen to work with the City.

**B. *Columbia Drive, Larry Peterson***

Mr. Peterson reviewed photographs of Port properties on Columbia Drive illustrating the conditions upon the purchase of the properties and the improvements that have been made by the Port, Corps of Engineers, and/or volunteers.

**C. *Clover Island/Columbia Drive, Gary Hansen PixelSoft Films***

Mr. Arntzen has been working with Mr. Hansen on potential ideas for Columbia Drive and Clover Island including artwork, building layouts, outdoor patios, a public market and box stores and/or art studios comprised of shipping containers; Mr. Hansen shared photographs illustrating conceptual ideas.

**D. *Winery Effluent Treatment Project, Interlocal with West Richland, Roscoe Slade; Resolution No. 2013-12***

Mr. Slade stated he provided an overview of the winery effluent treatment project to the Commission in March, and further stated West Richland has secured a two million dollar public works trust fund loan, has secured \$450,000 in locally matched funds, and had a partner that was going to donate 20 acres of land to construct this facility. While the public works trust fund paperwork was being completed, the Lewis and Clark Ranch changed ownership and they are no longer interested in donating the land. Last March the City was searching for a new location. At that time, Port staff was directed to work with the City of West Richland on an interlocal agreement to move forward in a partnership for this facility. Ms. Slade briefly reviewed the details of the interlocal agreement.

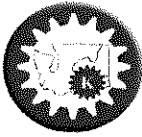
Mr. Arntzen feels the agreement is consistent with the direction provided by the Commission and City Council. Ms. Fine reviewed the agreement with the Port Attorney.

Mr. Novakovich feels it is critical for jurisdictions to support their economic development partners.

***MOTION:*** *Commissioner Barnes moved approval of Resolution 2013-12 as presented; Commissioner Wagner seconded. With no further discussion motion carried unanimously. All in favor 3:0.*

**E. *Urban Growth Area Boundary Amendment Application Interlocal with West Richland, Ruth Swain; Resolution No. 2013-13***

Ms. Swain stated the majority of the property within the City of West Richland is farmland. The Port partnered with the City in 2007 on the City's proposal to expand the urban growth boundary (UGA) to encompass the Port's property at the raceway. Ms. Swain briefed the Commission on the status of the UGA and shared the City would like to use AHBL, a prestigious firm that



# REGULAR COMMISSION MEETING

PORT OF KENNEWICK

MAY 14, 2013 MINUTES

---

provides land use planning, architectural, and engineering services get the buildable lands analysis underway.

Mr. Novakovich reiterated the importance that the City of West Richland follow the proper bid law policies and procedures and that the Port's Executive Director will approve all consultants in association with the Interlocal Agreement.

Mr. Barnes inquired about the application deadline. Ms. Swain explained that West Richland has to file with Benton County by December 1, 2013. The County staff processes the application and presents it to the Planning Commission; the Planning Commission makes a recommendation to the County Commissioners, and then it goes to the State.

***MOTION:*** Commissioner Wagner moved approval of Resolution 2013-13 as presented; Commissioner Barnes seconded. With no further discussion motion carried unanimously. All in favor 3:0.

## REPORTS COMMENTS AND DISCUSSION ITEMS

### A. *Vista Field Update*

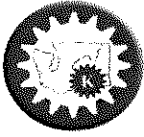
Mr. Peterson submitted an application to amend the Comp Plan designations at Vista Field. Mr. Peterson reviewed the timelines: City of Kennewick Planning Commission will review the docket on Monday, May 20, 2013; City Council will review the applications June 4, 2013 and set docket. All applications will be sent to the State for a 60-day review period. The City Council workshop is August 27, 2013 or September 10, 2013. Mr. Peterson stated if all goes well, the application could go before the City Council on September 17, 2013. Mr. Barnes reiterated if the application is approved on September 17, 2013 that it would be an amendment to the City of Kennewick's Comprehensive Land Use Plan and would not affect the current zoning and current use of the Vista Field property. Mr. Peterson stated this would allow the Port to continue to use the property as an airport until such time the Port submits a rezone application to bring the property from the public facility zoning to commercial zoning. When the commercial zoning is established there are many non-conforming uses that are allowed to remain. The land use does not have to cease because the application was submitted; it impacts future building permits when the zoning is officially changed.

### B. *Vista Field Advisory Committee*

Mr. Arntzen stated redeveloping Vista Field could take 20 years. He suggested the Commission consider a Citizens Advisory Committee and recalled a similar process was used for the Economic Impact Statement (EIS). Mr. Arntzen suggested a large committee be created with a representative from each jurisdiction, as well as any and all community interest groups.

Mr. Barnes feels Vista Field is a community asset and that many more steps will be needed to implement the decision regarding Vista Field. He feels a committee would be useful and helpful. The Commission is in consensus.

Mr. Arntzen will compile some ideas, and will come back with additional ideas on the committee.



# REGULAR COMMISSION MEETING

PORT OF KENNEWICK

MAY 14, 2013 MINUTES

---

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

Commissioners reported on their respective committee meetings and presentations.

**D. Non-Scheduled Items**

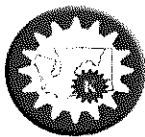
1. Ms. Fine stated she filed the 2012 Annual Financial Report today; the deadline to submit the report is May 30, 2013.
2. Mr. Arntzen commented this is filing week for every office in the County, including the Port Commission. Ms. Luke stated there is very clear guidance in the law concerning the use of public office or agency of facilities in campaigns and referred to RCW 42.17A.555. The primary statute indicates no elected official, nor any employee of his or her office may use or authorize the use of any of the facilities of a public office or agency directly or indirectly for the purpose of assisting a campaign for election of any person to any office facilities of a public office or agency include but are not limited to use of stationary, postage, machines and equipment use of employees of the office or agency during working hours, vehicles, office space publications of the office or agency and clientele list of person served by office or agency. The bottom line is that Port staff and resources may not be used for campaign purposes. Ms. Luke is available to provide additional reminders or guidance. Mr. Novakovich requested Ms. Luke provide a memo to the Port outlining the RCW.

## PUBLIC COMMENTS

Jim Wade, 1813 S. Rainier Place, Kennewick. Mr. Wade inquired if the plans for Resolutions 2013-12 and 2013-13; Clover Island and Columbia Drive will affect taxes. Does the Port have money to accomplish the projects? Mr. Arntzen stated the projects for Resolutions 2013-12 and 2013-13 will be done within the current spending perimeters, so no new taxes will be added. The winery buildings would be built by the private sector.

Mike White, 1118 W. 22<sup>nd</sup> Avenue, Kennewick. Mr. White commented inexpensive surplus shipping containers are readily available because they are unserviceable by the transportation industry. They are dinged up or damaged, especially the doors and hardware. He commented if the Port expects to use the doors for security, they would probably be unserviceable. Mr. White suggested incorporating artwork about the ice age floods, like an erratic boulder, be placed somewhere suitable along with an educational plaque explaining what it is and how it ties in to the area.

Tom Moak, 418 W. Kennewick Avenue, Kennewick. Mr. Moak commented as the scope of what the Vista Field Advisory Committee is determined, whether it will be a small committee that will help structure the public outreach process, or if it will govern the outcome; he stated the DPZ process was very open and transparent. However, the Committee the Port formed to select the consultant was closed. Trying to figure out what is public, and what is private, and how much knowledge goes out to the public, is going to be important. He commented that staff and the commission referenced 125,000 people in the Port District as owners of Vista Field, which is true; but he feels through this process, there are many people outside the District that think this is a regional asset. He shared when he worked with the City of Kennewick that they thought the citizens should make the decisions on Columbia Park. They found out a lot of people who live outside of Kennewick thought differently. He stated if the Port really wants this to be a regional asset, you need to welcome regional prospective and acknowledge that it is taxpayers and the Port District who are paying for certain things and that is a regional asset. He



# REGULAR COMMISSION MEETING

**PORT OF KENNEWICK**

**MAY 14, 2013 MINUTES**

---

feels if the Port is trying to make it into a unique spot, a regional prospective is needed. People who are not taxpayers and will spend a lot of their money to do things here need to be considered in the decisions made.

No further public comments were made.

## **ADJOURNMENT**

With no further business to bring before the Board; the meeting was adjourned at 4:16 p.m.

***APPROVED:***

**PORT of KENNEWICK  
BOARD of COMMISSIONERS**

---

*Skip Novakovich, President*

---

*Don Barnes, Vice President*

---

*Gene Wagner, Secretary*

**PORT OF KENNEWICK**

**Resolution No. 2013-12**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE PORT OF KENNEWICK APPROVING THE INTERLOCAL AGREEMENT  
WITH WEST RICHLAND FOR THE WINERY EFFLUENT TREATMENT PROJECT**

**WHEREAS**, the Interlocal Agreement, as presented, is in a form that staff recommends for adoption by the Port Commission; and

**WHEREAS**, the Port Commission finds that the Interlocal Agreement will formalize a commitment to complete the Winery Effluent Treatment Project; and

**WHEREAS**, the Port Commission finds that approval of the Interlocal Agreement will enhance the economic development and quality of life in the community and Port-owned properties in and adjacent to West Richland; and

**WHEREAS**, the Port Commission finds the approval of the Interlocal agreement is in the best interest of the public.


**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Board of Commissioners of the Port of Kennewick approves the Winery Effluent Treatment Project interlocal agreement as attached, and further authorizes the port's executive director to take all action necessary to implement the agreement.

**ADOPTED** by the Board of Commissioners of the Port of Kennewick on the 14th day of May 2013.

**PORT OF KENNEWICK  
BOARD OF COMMISSIONERS**

By:   
SKIP NOVAKOVICH, President

By:   
DON BARNES, Vice President

By:   
GENE WAGNER, Secretary

**INTERLOCAL COOPERATIVE AGREEMENT**  
*between*  
**THE CITY OF WEST RICHLAND AND THE PORT OF KENNEWICK, WASHINGTON,**  
*for*  
**WINERY EFFLUENT TREATMENT FACILITY PROJECT**

**THIS INTERLOCAL COOPERATIVE AGREEMENT** is entered into this \_\_\_\_ day of \_\_\_\_\_, 2013 between the City of West Richland, Washington, a Washington Municipal Corporation and the Port of Kennewick, Washington, referred to as the "Jurisdictions".

**WHEREAS**, the Jurisdictions are, pursuant to Chapter 39.34 RCW (the Interlocal Cooperation Act), authorized to exercise their powers jointly, thereby maximizing their ability to provide services and facilities which will best fulfill common needs of the Jurisdictions, and;

**WHEREAS**, the Jurisdictions recognized the need for a cost effective solution(s) for treating winery effluent that would mutually benefit both the Port of Kennewick and the City of West Richland, provide Jurisdictions with a competitive advantage, and is in the best interest of the Jurisdictions and the public and;

**WHEREAS**, said solution(s) will improve industrial process water treatment, improve and enhance the appeal of the City to attract economic development within the Port District which serves Port-owned land held for sale and/or lease in the Red Mountain Center, Tri City Raceway, and other parts of the city improving access and/or infrastructure adjacent to Red Mountain Center, Tri City Raceway, and Port-owned property adjacent to City of West Richland;

**WHEREAS**, the Jurisdictions, by their respective governing bodies, have determined this effort may be best implemented on a shared basis in a manner deemed most efficient and effective for the Jurisdictions;

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the Jurisdictions agree as follows:

**Section 1. Purpose.** The purpose of this Agreement is to formalize a commitment to complete the Winery Effluent Treatment Project, which would enhance the economic development and quality of life in the community and Port-owned properties in and adjacent to West Richland.



**Section 2. Administration.** This Agreement shall be administered by the West Richland Public Works Director. Said person shall be responsible for:

(a) Establishing policies for implementing this Agreement;  
(b) Providing periodic progress reports;  
(c) Monitoring progress of the Jurisdictions and other agencies in the fulfillment of their respective responsibilities, and

(d) Following proper Port policies and procedures for consultant selection and Port bid law policies and procedures when awarding the bid for a project.

**Section 3. Funding.** The Port of Kennewick and the City of West Richland commit to splitting project costs as follows:

**Winery Effluent Treatment Facility Study – not to exceed \$19,000  
50/50 split not to exceed \$9,500 from either Jurisdiction**

Funding shall be used for costs associated with consultant services to study and provide a report outlining recommended options for treating winery effluent. Study will include but not limited to a focus on efficiency, upfront capital costs, annual operating costs, and other items needed to determine a cost effective solution(s). The consultant shall also arrange for Port and City staff to tour various installations treating winery effluent. Each Jurisdiction's staff travel expenses associated with said tour shall be in addition to the \$9,500 and be borne separately by each Jurisdiction.

**Section 4 Land Commitment.** The Port of Kennewick is committed to negotiating land use and a partnership arrangement with the City of West Richland for use of Port land from the Port-owned land located at the former Tri-City Raceway along with the necessary access and utility easements for the construction of a Winery Effluent Treatment Facility. The details shall be finalized in a future inter-local agreement once mutually agreed upon terms and conditions have been identified (i.e. location, size, partnership arrangement, etc.).

**Section 5. Modification.** This Agreement may only be modified by written consent of both parties.

**Section 6. Term of Agreement and Termination.**

(a) The Term of this Agreement shall be from date of signature to completion of project or 12/31/2014, whichever occurs first.

**Section 7. Inspection of Records.** The records and documents with respect to all matters covered by this Agreement shall be subject to inspection by either Jurisdiction during the term of this Agreement and for three years after its termination.

**Section 8. No Separate Legal Entity.** It is not the intention that a separate legal entity be established to conduct the cooperative undertaking nor is the acquiring, holding or disposing of real or personal property anticipated.

**Section 9. Severability.** In the event any term or condition of this Agreement or application thereof to any person, entity or circumstance is held invalid, such invalidity shall not effect any other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end, the terms and conditions of this Agreement are declared severable.

**Section 10. Signed in Counterparts.** This Agreement may be signed in counterparts.

**IN WITNESS WHEREOF,** the parties have signed this Agreement as of the day and year written below.

**CITY OF WEST RICHLAND**

\_\_\_\_\_  
Donna Noski, Mayor

Date: \_\_\_\_\_ 2013

**ATTEST:**

\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Bronson Brown, City Attorney

Date: \_\_\_\_\_ 2013

**PORT OF KENNEWICK**

**Resolution No. 2013-13**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE PORT OF KENNEWICK APPROVING THE INTERLOCAL AGREEMENT  
WITH WEST RICHLAND FOR THE 2013 URBAN GROWTH AREA BOUNDARY  
AMENDMENT APPLICATION**

**WHEREAS**, the Interlocal Agreement, as presented, is in a form that staff recommends for adoption by the Port Commission; and

**WHEREAS**, the Port Commission finds that the Interlocal Agreement will formalize a commitment for funding to be used for costs associated with the preparation and submittal of a 2013 Urban Growth area boundary amendment application; and

**WHEREAS**, the Port Commission finds that approval of the Interlocal Agreement will enhance the economic development and quality of life in the community and Port-owned properties in and adjacent to West Richland; and

**WHEREAS**, the Port Commission finds the approval of the Interlocal agreement is in the best interest of the public.


**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Board of Commissioners of the Port of Kennewick approves the attached interlocal agreement, and further authorizes the port's executive director to take all action necessary to implement the agreement.

**ADOPTED** by the Board of Commissioners of the Port of Kennewick on the 14th day of May 2013.

**PORT OF KENNEWICK  
BOARD OF COMMISSIONERS**

By:   
SKIP NOVAKOVICH, President

By:   
DON BARNES, Vice President

By:   
GENE WAGNER, Secretary

**INTERLOCAL COOPERATIVE AGREEMENT**  
*between*  
**THE CITY OF WEST RICHLAND AND THE PORT OF KENNEWICK, WASHINGTON,**  
*for*  
**CITY OF WEST RICHLAND URBAN GROWTH AREA BOUNDARY**  
**AMENDMENT APPLICATION**

**THIS INTERLOCAL COOPERATIVE AGREEMENT** is entered into this \_\_\_\_ day of \_\_\_\_\_, 2013 between the City of West Richland, Washington, a Washington Municipal Corporation and the Port of Kennewick, Washington, referred to as the "Jurisdictions".

**WHEREAS**, the Jurisdictions are, pursuant to Chapter 39.34 RCW (the Interlocal Cooperation Act), authorized to exercise their powers jointly, thereby maximizing their ability to provide services and facilities which will best fulfill common needs of the Jurisdictions, and;

**WHEREAS**, the Jurisdictions have determined that there are several projects that would mutually benefit both the Port of Kennewick and the City of West Richland that will provide significant safety improvements and enhanced aesthetic appeal, and is in the best interest of the Jurisdictions and the public and;

**WHEREAS**, said projects will improve vehicular access, improve industrial waste treatment, improve and enhance the appeal of the City to attract economic development within the Port District which serves Port-owned land held for sale and/or lease in the Red Mountain Center, Tri City Raceway, and other parts of the city improving access and/or infrastructure adjacent to Red Mountain Center, Tri City Raceway, and Port-owned property adjacent to City of West Richland;

**WHEREAS**, the Jurisdictions, by their respective governing bodies, have determined this effort may be best implemented on a shared basis in a manner deemed most efficient and effective for the Jurisdictions;

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the Jurisdictions agree as follows:

**Section 1. Purpose.** The purpose of this Agreement is to formalize a commitment to complete several projects in West Richland, Washington (the Projects), which would enhance the economic development and quality of life in the community and Port-owned properties in and adjacent to West Richland

**Section 2. Administration.** This Agreement shall be administered by the West Richland Community and Economic Development Director. Said person shall be responsible for:

Port of Kennewick ~ City of West Richland 1

- (a) Establishing policies for implementing this Agreement;
- (b) Providing periodic progress reports;
- (c) Monitoring progress of the Jurisdictions and other agencies in the fulfillment of their respective responsibilities, and
- (d) Following proper Port bid law policies and procedures when awarding the bid for project.

However, the Port Executive Director must approve all consultants hired under this Agreement before any consultant contract is entered into as outlined in Section 3. Funding.

**Section 3. Funding.** The Port of Kennewick commits to providing project funding as follows:

**URBAN GROWTH AREA BOUNDARY AMENDMENT APPLICATION Funding \$50,000**

Such Port of Kennewick funding shall be used for costs associated with the preparation and submittal of a 2013 Urban Growth area boundary amendment application. Investment of Port funding in 2013 will include legal, consultant, travel, technical assistance in meeting Benton County, Washington State Department of Commerce, Growth Management Act, and other environmental and regulatory organizations and groups.

- Buildable Lands Analysis Report
- Development of short and long-term strategy
- Boundary line adjustment research, legal review and recommended strategy
- Stakeholder outreach in concert with Port staff – Tri-Cities, Legislative, Legal, Olympia
- Update of the City’s Economic Development Strategic Plan (removal of ranch, incorporate Port Raceway property development)
- Technical and Land use analysis
- UGB Economic Impact analysis and local, state benefits projection – Update from 2009

**Section 4.** The City of West Richland commits to the following leadership and matching resources:

- City staff will lead facilitation of application preparation and submittal in 2013.
- Update facility plan from 2007 UGB technical analysis.
- Staff coordination, meeting preparation, notification and reporting.
- Upon submittal, the City will monitor and facilitate the progress as processed by Benton County and the Washington State Department of Commerce.
- The City will facilitate Ad Hoc committee planning meetings and council/commission reports and workshops.
- Joint Port/City workshop(s) will assess project and determine 2014 strategy and budgetary needs.

**Section 5. Modification.** This Agreement may be modified only by written consent of both parties.

**Section 6. Term of Agreement and Termination.**

(a) The Term of this Agreement shall be from date of signature to completion of projects or 12/31/2013, whichever occurs first.

**Section 7. Inspection of Records.** The records and documents with respect to all matters covered by this Agreement shall be subject to inspection by either Jurisdiction during the term of this Agreement and for three years after its termination.

**Section 8. No Separate Legal Entity.** It is not the intention that a separate legal entity be established to conduct the cooperative undertaking nor is the acquiring, holding or disposing of real or personal property anticipated.

**Section 9. Severability.** In the event any term or condition of this Agreement or application thereof to any person, entity or circumstance is held invalid, such invalidity shall not effect any other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end, the terms and conditions of this Agreement are declared severable.

**Section 10. Signed in Counterparts.** This Agreement may be signed in counterparts.

*IN WITNESS WHEREOF*, the parties have signed this Agreement as of the day and year written below.

**CITY OF WEST RICHLAND**

\_\_\_\_\_  
Donna Noski, Mayor

Date: \_\_\_\_\_ 2013

**ATTEST:**

\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Bronson Brown, City Attorney

Date: \_\_\_\_\_ 2013

STATE OF WASHINGTON            )  
  )  
COUNTY OF BENTON            )        ss.

I certify that I know or have satisfactory evidence that Donna Noski is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Print or stamp name of Notary  
Notary Public for the State of  
Washington, residing at

\_\_\_\_\_  
My appointment expires \_\_\_\_\_

**PORT OF KENNEWICK**

\_\_\_\_\_  
Tim Arntzen, Executive Director

Date: \_\_\_\_\_, 2013

**STATE OF WASHINGTON**            )  
  )  
**COUNTY OF BENTON**            )        **ss.**

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Print or stamp name of Notary  
Notary Public for the State of  
Washington, residing at

\_\_\_\_\_  
My appointment expires \_\_\_\_\_





# REGULAR COMMISSION MEETING

PORT OF KENNEWICK

MAY 28, 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 Inghima, 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

Lucinda Luke led the Pledge of Allegiance.

## PUBLIC COMMENT

No comments were made.

## CONSENT AGENDA

The consent agenda consisted of the following:

- A. Approval of Direct Deposit and Warrants Dated May 15, 2013 (Clerk's Note: Corrected from April 30, 2013)**  
Direct Deposit totaling \$19,682.48 and Expense Fund Voucher Numbers 34367 through 34370 totaling \$3,978.35; for a grand total of \$25,660.83.
- B. Approval of Warrant Registers Dated May 29, 2013 (Clerk's Note: Corrected from May 15, 2013)**  
Expense Fund Voucher Numbers 34371 through 34421 totaling \$137,708.41.  
Construction Fund Voucher Number 3421 through 3428 totaling \$60,255.36.
- C. Approval to Sell and Convey Surplus Property; Resolution 2013-14**
- D. Authorization for Commission President to sign Statement of Support for the Guard and Reserve**

**MOTION:** Commissioner Barnes moved approval to remove Item C from the consent agenda and to table it until the next meeting; Commissioner Wagner seconded. With no further discussion motion carried unanimously. All in favor 3:0.

**MOTION:** Commissioner Barnes moved approval of items A, B & D on the consent agenda; Commissioner Wagner seconded. With no further discussion motion carried unanimously. All in favor 3:0.



# REGULAR COMMISSION MEETING

PORT OF KENNEWICK

MAY 28, 2013 MINUTES

## REPORTS COMMENTS AND DISCUSSION ITEMS

### A. *Oak Street Update*

Mr. Peterson gave a brief history of the property and shared photographs illustrating the renovation process. The remodel project provides six locations for industrial businesses, varying between 4,500 – 6,000 square feet; creating a total of 33,000 square feet of revenue generating space. None of the spaces are uniform, but from an efficiency standpoint, we are making sure every light fixture and plumbing fixture is uniform. The Port will begin marketing the space upon completion of the project. The space will lease for \$.45 - \$.50 per square foot. A lay down yard is available near the property but is not contiguous.

### B. *Vista Field Update*

Mr. Peterson attended the City of Kennewick Planning Commission meeting on May 20, 2013. The Planning Commission recommended the Vista Field Comprehensive Plan Amendment move forward to City Council. The Council will set the docket, send notifications, and hold a public hearing to amend the Comp Plan to change the land use designation from “public facility” to “commercial”. Mr. Peterson estimated it will go before the City Council for a work shop in mid to late September. There were very few questions of the Planning Commission. City staff did a good job covering the City Council’s concerns.

### C. *Vista Field Redevelopment Planning with Young Professionals*

Mr. Peterson gave a district wide presentation to the Young Professionals of Tri-Cities. The Young Professionals did a charrette a few years ago and are considering a charrette specific to Vista Field. The group consists of about 600 people and they would like to get involved in their community’s future.

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

Commissioners reported on their respective committee meetings and presentations.

### E. *Non-Scheduled Items*

1. Ms. Bader Inglima shared the Kennewick Fire Department used the Cable Green Golf Course for non-destructive training for first responders.
2. Mr. Arntzen shared Matt Boehnke met with him to review Port activities. Mr. Boehnke is running for a City Council position.

## PUBLIC COMMENTS

John Givens, 6116 W. 8<sup>th</sup> Avenue, Kennewick. Mr. Givens is very interested in the Oak Street property. A conversation with Mr. O’Brien led him to believe the market lease rates in the Vista Field area are approximately \$.50 per square foot for warehouse space and approximately \$1.00 per square foot for office space. He stated the goal for the Oak Street redevelopment is for the Port to get market rates and which would be close to the \$.50 rate. Mr. Givens asked for clarification. Mr. Novakovich stated that the Public Comments portion of the agenda is not for back and forth conversation, just comments.

Brent Gerry, 5401 Kalakaua Court, West Richland. Mr. Gerry stated the groundbreaking for Jerod Shelby’s SSC North America in West Richland was held today. The media was there and it was well attended by dignitaries and economic development partners. Financing is in place and the building



# REGULAR COMMISSION MEETING

**PORT OF KENNEWICK**

**MAY 28, 2013 MINUTES**

should go up quickly. Mr. Gerry thanked the Port for their involvement. SSC has already received 19 orders to produce vehicles that start at \$750,000. After the first building is complete, Mr. Shelby would like to build a campus for SSC.

No further public comments were made.

Mr. Novakovich anticipates the Executive Session to last approximately 30 minutes for Potential Litigation, per RCW 42.30.110(1)(i); 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 2:44 p.m., for approximately 10 minutes.

Mr. Novakovich reconvened the meeting into Executive Session at 2:55 p.m..

## **EXECUTIVE SESSION**

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

Ms. Fine exited the chambers at 3:23 p.m. to extend the Executive Session for approximately 10 minutes.

Ms. Fine exited the chambers at 3:31 p.m. to extend the Executive Session for approximately 15 minutes.

Ms. Fine exited the chambers at 3:46 p.m. to extend the Executive Session for approximately 10 minutes. The regular meeting reconvened at 3:57 p.m. with no action taken.

## **ADJOURNMENT**

With no further business to bring before the Board; the meeting was adjourned at 3:58 p.m.

**APPROVED:**

**PORT of KENNEWICK  
BOARD of COMMISSIONERS**

\_\_\_\_\_  
*Skip Novakovich, President*

\_\_\_\_\_  
*Don Barnes, Vice President*

\_\_\_\_\_  
*Gene Wagner, Secretary*