

Effective June 30, 2021, and subject to conditions in Governor Inslee's Proclamation 20-28.15 which extends the substantive provisions contained in Proclamation 20.28.14.

Port Commission Meetings will be conducted remotely until further notice.

A GoToMeeting has been arranged to enable the public to listen and make public comments remotely.

To participate remotely, please use the following call-in information:

1-866-899-4679, Access Code 519-667-077

AGENDA

Port of Kennewick

Regular Commission Business Meeting

Port of Kennewick Commission Chambers (via GoToMeeting)

350 Clover Island Drive, Suite 200, Kennewick, Washington

November 9, 2021

2:00 p.m.

I. CALL TO ORDER

II. ANNOUNCEMENTS AND ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF AGENDA

V. PUBLIC COMMENT *(Please state your name and address for the public record)*

VI. CONSENT AGENDA

- A. Approval of Direct Deposit and ePayments Dated November 2, 2021
- B. Approval of Warrant Register Dated November 9, 2021
- C. Approval of Regular Commission Meeting Minutes October 26, 2021

VII. EMERGENCY DELEGATION UPDATE (TIM/AMBER)

VIII. REPORTS, COMMENTS AND DISCUSSION ITEMS

- A. Vista Field
 - 1. Timing to Open Roads (TIM)
 - 2. Deschutes Driveway (LARRY)
 - a. Interlocal Agreement with City of Kennewick; Resolution 2021-22 (LARRY)
 - 3. Design Standards; Resolution 2021-23 (LARRY)
- B. Governance and Management Audit (BRIDGETTE /TIM)
- C. Washington Public Ports Association (WPPA) Annual Conference (BRIDGETTE /TIM)

IX. RECESS

AGENDA

*Port of Kennewick
Regular Commission Business Meeting
November 9, 2021
Page 2*

X. PUBLIC HEARINGS

- A. Levy Certification; Resolution 2021-24 (NICK)
- B. Increase in Tax Capacity; Resolution 2021-25 (NICK)

XI. REPORTS, COMMENTS AND DISCUSSION ITEMS (continued)

- A. Chief Executive Officer Annual Performance Review; Resolution 2021-26 (LUCINDA)
- B. Commission Meetings (formal and informal meetings with groups or individuals)
- C. Non-Scheduled Items
(LISA/BRIDGETTE/TANA/NICK/LARRY/AMBER/LUCINDA/TIM/TOM/SKIP/DON)

XII. PUBLIC COMMENT *(Please state your name and address for the public record, if not stated previously)*

XIII. ADJOURNMENT

PLEASE SILENCE ALL NOISE MAKING DEVICES



PORT OF KENNEWICK REGULAR COMMISSION MEETING

DRAFT

OCTOBER 26, 2021 MINUTES

Commission Meeting recordings, with agenda items linked to corresponding audio, can be found on the Port's website at: <https://www.portofkennewick.org/commission-meetings-audio/>

Commission President Commissioner Don Barnes called the Regular Commission Meeting to order at 2:00 p.m. via GoToMeeting Teleconference.

ANNOUNCEMENTS AND ROLL CALL

The following were present:

Board Members: Commissioner Don Barnes, President (via telephone)
Skip Novakovich, Vice-President (via telephone)
Thomas Moak, Secretary (via telephone)

Staff Members: Tim Arntzen, Chief Executive Officer (via telephone)
Tana Bader Inglima, Deputy Chief Executive Officer (via telephone)
Amber Hanchette, Director of Real Estate and Operations (via telephone)
Nick Kooiker, Chief Finance Officer (via telephone)
Lisa Schumacher, Special Projects Coordinator
Bridgette Scott, Executive Assistant (via telephone)
Lucinda Luke, Port Counsel (via telephone)

PLEDGE OF ALLEGIANCE

Commissioner Novakovich led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

MOTION: Commissioner Novakovich moved to approve the Agenda as presented; 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 October 19, 2021***
Direct Deposit and E-Payments totaling \$112,219.74
- B. Approval of Warrant Register Dated October 26, 2021***
Expense Fund Voucher Number 103260 through 103300 for a grand total of \$123,557.38
- C. Approval of Regular Commission Meeting Minutes October 12, 2021***

MOTION: Commissioner Novakovich moved to approve the Consent Agenda as presented; Commissioner Moak seconded. With no further discussion, motion carried unanimously. All in favor 3:0.

PORT OF KENNEWICK REGULAR COMMISSION MEETING

OCTOBER 26, 2021 MINUTES

DRAFT

EMERGENCY DELEGATION UPDATE

Mr. Arntzen and Ms. Hanchette stated there is nothing to report.

PRESENTATION

A. *Columbia Gardens Playground, Renata Presby*

Mr. Arntzen gave a brief introduction on the Kiwanis Columbia Gardens Playground project and stated recently the Port entered into a contract with Energy Northwest for special services. Mr. Arntzen stated Renata Presby is the Port's consulting project manager for the playground project.

Ms. Presby outlined the goals, the plans, and the potential financing of the project (*Exhibit A*). Ms. Presby indicated that the project needs a firm commitment from the Port, the City, and Kiwanis Club to move the project forward.

Commissioner Novakovich inquired what the value of the land is that is being proposed for the playground and what the Port's total investment in the project would be. Furthermore, what would the City's ongoing maintenance costs would be, and if they are willing to partner with us on the project. Commissioner Novakovich believes Columbia Gardens is not the right place for a playground and would rather see it on Clover Island.

Commissioner Moak inquired if the City has any interest in participating in the project.

Mr. Arntzen has discussed the project with Marie Mosley, City Manager several times and has not received a definitive answer. Mr. Arntzen would like to update Ms. Mosley on the progress and see if the City will support the project. Ms. Presby raised a very significant question regarding the three-way partnership: the City would support the project with funding and take on the obligation of maintenance and repair. Mr. Arntzen believes the maintenance best rests with the City, because the Port has added 103 acres at Vista Field to maintain and the Kiwanis Club has many activities that they pursue.

Ms. Hanchette stated the parcel is waterfront adjacent to the trail and is 22,228 square feet. The parcel is \$10.50 per square foot, which is \$233,400.

Ms. Presby stated the playground will require approximately 3,500 square feet.

Commissioner Barnes stated the playground will take up approximately 15% of this parcel and inquired if there is another purpose for the remaining 18,000+ square feet.

Ms. Hanchette stated the site plan included a building with some parking on that parcel; however, she is not aware if the playground will require parking.

Commissioner Novakovich inquired if the remaining usable land can be sold or if the playground will hinder a sale because of the location.

Commissioner Barnes inquired how the lot was identified for the playground.

PORT OF KENNEWICK REGULAR COMMISSION MEETING

OCTOBER 26, 2021 MINUTES

DRAFT

Mr. Arntzen met with Wayne Bell and Commissioner Moak, and it was suggested that the playground could be installed near the entrance for visibility; however, it was determined that the location was too close to the road and a private business was interested in purchasing that parcel. The location took shape over a few meetings and the Kiwanis believed the waterfront appeared to be most desirable location for the playground.

Wayne Bell, president of the Kiwanis Club of Kennewick stated the location was chosen because of the trail and they thought it would attract families to Columbia Gardens. Mr. Bell stated the club has no interest in installing the playground at Clover Island.

Mr. Arntzen would like to research the questions from the Commission and report back with more detail at the December 14th Commission Meeting and inquired if that is acceptable to the Commission.

It is the consensus of the Commission for staff to provide a final report on the Kiwanis playground project at the December 14th Commission Meeting.

REPORTS, COMMENTS AND DISCUSSION ITEMS

A. Vista Field Development Facilities, 415 N. Roosevelt Building A (Bruker Lease Termination)

Ms. Hanchette presented Resolution 2021-21, early lease termination for Bruker AXS Handheld for Commission consideration. Ms. Hanchette outlined the terms of lease amendment #4, which has been discussed in several meetings by the Commission.

Commissioner Moak stated the amendment corresponds to previous Commission discussion; however, he was concerned about returning the deposit if Bruker left the property in disrepair.

Commissioner Novakovich stated Bruker is an upstanding, honorable company and he does not believe they would leave the property in a state of disrepair.

Ms. Luke stated amendment #4 addresses the early termination of the lease and states that all other terms related to the original lease remain unchanged, which allows for protection of the Port, should the premises be left in an unacceptable condition.

PUBLIC COMMENT

No comments were made.

MOTION: *Commissioner Novakovich moved to approve Resolution 2021-21, approving the lease amendment #4, between the Port of Kennewick and Bruker AXS Handheld Inc; and hereby ratify and approve all action by Port officers and employees in furtherance hereof and authorize the Port's CEO to take all action necessary in furtherance hereof; Commissioner Moak seconded.*

Discussion:

Commissioner Moak stated his previous comments have nothing to do with Bruker, but more the language of the terms. Ms. Luke explained the terms very well and Commissioner Moak is very satisfied with Bruker's work.

PORT OF KENNEWICK REGULAR COMMISSION MEETING

OCTOBER 26, 2021 MINUTES

DRAFT

Commissioner Barnes was reassured Ms. Luke's comments regarding the lease amendment and deposit terms. It is regrettable that Bruker has elected to go in a different direction as they have been a solid citizen in our business community and created numerous jobs. Commissioner Barnes thanked Bruker for their working relationship and wished nothing but the best on future endeavors.

With no further discussion, motion carried unanimously. All in favor 3:0.

B. Vista Field

Mr. Arntzen stated that Mr. Peterson and Carey Roe, City of Kennewick's Public Works Director, have been working on an alternate driveway access for the building across from the Vista Field hangars, which has been impacted by the road changes on Deschutes Drive. Ms. Luke has been working with the City attorney and the property owners on an agreement and inquired if the Commission would authorize an agreement with the City and the property owners, as long as it meets the requirements of the City and Port attorney.

Ms. Luke stated there are five units involved and believes we are close on the finalizing the language. The Port had proposed a broad indemnification hold harmless language; however, the property owners were not comfortable with that language and would like to narrow the waiver language.

Commissioner Barnes stated without a map he is not able to weigh in on the request.

Commissioner Moak stated time is of the essence and City and Port staff have been working in good faith on this agreement. Commissioner Moak stated he is not able to say yay or nay on something he does not know much about but will not stand in the way of staff moving forward.

Commissioner Novakovich agrees with Commissioner Moak's comments and trusts staff to make prudent decisions and will leave it in their hands.

Ms. Luke stated there are two agreements; the first agreement is between the Port and the property owners acknowledging the relocation of the access driveway and the second is an Interlocal Agreement (ILA) between the Port and the City outlining the shared responsibilities.

Commissioner Barnes inquired if the ILA will be brought back to the Commission for approval and if the agreement with the property owners could be addressed at the same time.

Ms. Luke stated the ILA is required to be brought back to the Commission for approval. Furthermore, it would be helpful to have the property owners acknowledge and agree on the relocation of the driveway before moving forward with an ILA with the City.

PORT OF KENNEWICK REGULAR COMMISSION MEETING

OCTOBER 26, 2021 MINUTES

DRAFT

C. Governance Audit Update

Ms. Scott stated per the Commission's direction at the October 12, 2021 Commission Meeting, staff worked with Mr. Darling to finalize the advertisements for the Request for Proposals (RFP) for the project manager and the governance and management audit. Ms. Scott outlined the process and stated the information can be found on the following links:

- www.portofkennewick.org/contracting/#bid (RFP's)
- <https://www.portofkennewick.org/public-records-request/> (additional background history)

Mr. Arntzen stated this has been a completely transparent process and staff did not play a role in the substantive details in this process. Staff worked with Mr. Darling on the procedural and administrative details to advertise the RFP's. Additionally, Mr. Arntzen has no information whatsoever that would lead him to believe there was any disagreement between staff and Mr. Darling on how the process was handled.

D. November 23, 2021 and December 28, 2021 Commission Meetings

Ms. Scott inquired if the Commission would like to cancel the Regular Commission Business Meetings scheduled for November 23rd and December 28th due to the holidays.

The consensus of the Commission is to cancel the November 23rd and December 28th Regular Commission Business Meetings. Furthermore, if there is important business to address, a Special Commission Meeting may be called.

E. Chief Executive Officer Annual Performance Review

Ms. Luke reported that the CEO annual performance review was originally scheduled for today; however, due to unforeseen circumstances, Commissioner Barnes was unable to complete his CEO evaluation. Ms. Luke stated the performance review will be moved to the November 9th Commission Meeting. Ms. Luke outlined the previous timeline of the CEO annual performance review and stated she hopes to receive Commissioner Barnes evaluation by Friday, October 29, 2021. This will provide her adequate time to review and compile the documents for final Commission review on November 3, 2021. The final reviewed documents will be included in the Agenda Packet for the November 9th Commission Meeting. Ms. Luke stated the CEO's contract requires that the evaluation be completed by November 15th.

Commissioner Barnes briefly stated that he suffered an accident at home and as a result, he was unable to complete the performance evaluation. Commissioner Barnes apologized and stated he will do everything he can to meet the deadline Ms. Luke just laid out.

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

Commissioners reported on their respective committee meetings.

G. Non-Scheduled Items

Ms. Bader Inglima stated TDX, the contractor for the 1135 shoreline restoration project, moved their job trailer onto Clover Island this morning. They are beginning to stage the materials and equipment and will begin site work on Monday, November 1st.

PORT OF KENNEWICK REGULAR COMMISSION MEETING

OCTOBER 26, 2021 MINUTES

DRAFT

Commissioner Moak attended the Chamber of Commerce state of the cities presentation and stated it was nice to be recognized by the City of Kennewick for our partnership.

PUBLIC COMMENTS

No comments were made.

ADJOURNMENT

With no further business to bring before the Board; the meeting was adjourned 3:37 p.m.

APPROVED:

**PORT of KENNEWICK
BOARD of COMMISSIONERS**

Don Barnes, President

Skip Novakovich, Vice President

Thomas Moak, Secretary



PORT *of*
KENNEWICK

Columbia Gardens Playground

Port of Kennewick
Kiwanis Club
City of Kennewick

The Goal

PARTNERSHIP

- Port of Kennewick
- Kiwanis Club
- City of Kennewick

END GAME

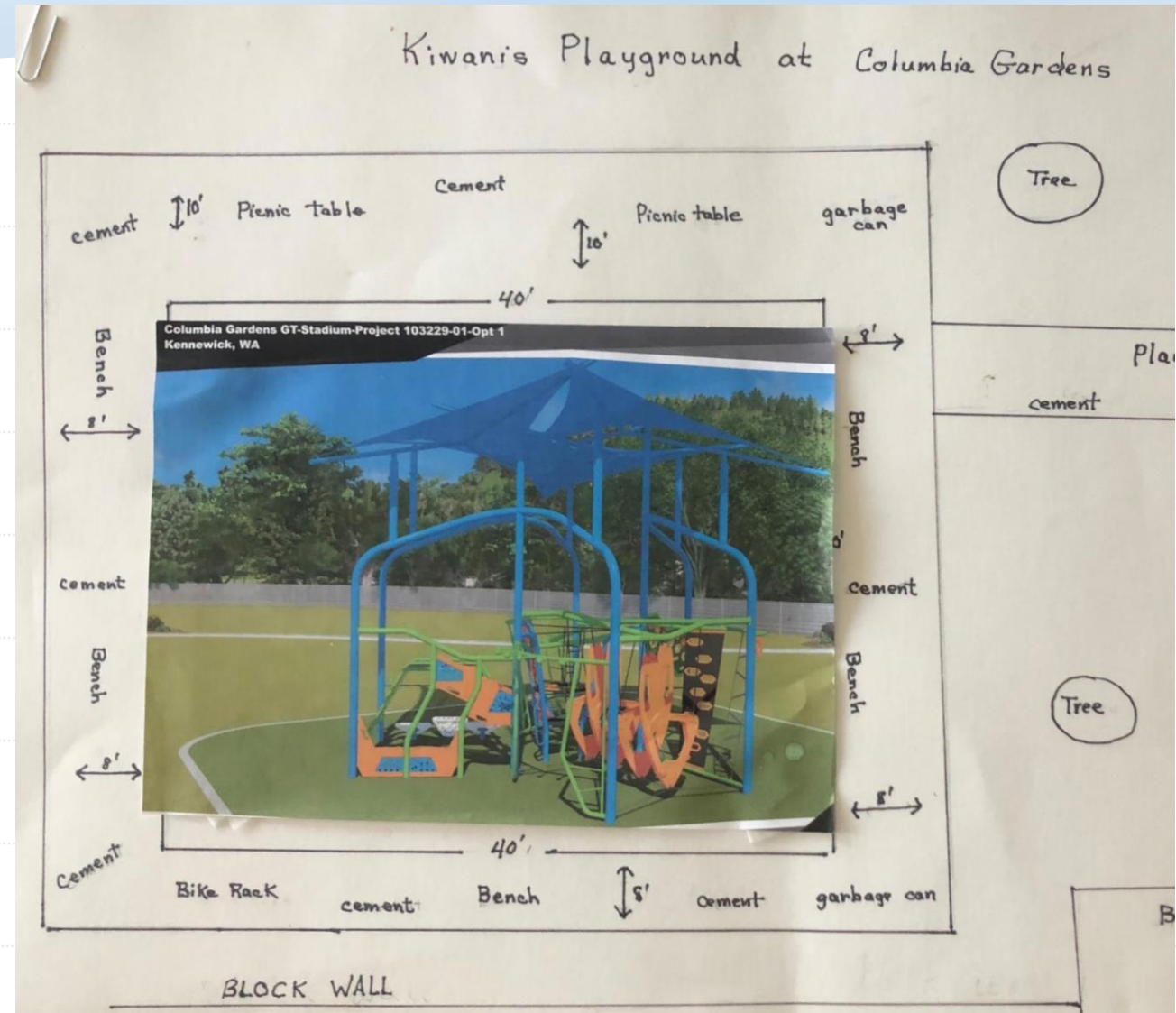
Playground for community
at Columbia Gardens
development



Brief Overview

Kiwanis letter and research – 09-08-2020

- Improve community life
- Cost estimated in 2020 - \$225,000 (\$152,000 in equipment)
- Target Construction Timeline – Spring 2022
- Age Group – 5-12-year olds
- Playground- obstacle course surrounded by concrete paths and area for picnic benches



The Plan

- Port of Kennewick (POK) commissioner's presentation
 - Highlight step needed
 - Identify voids
 - Seek input from commissioners
 - Open questions/comment
- Additional update meeting with POK commissioner in November
- POK to work with (COK) to see what support they can offer to the project. POK to provide monthly updates to PM.
- Prepare and sign tri-party commitment, roles and responsibilities
- POK land donation and potential funds (POK to confirm)
- COK maintenance and potential funds (POK to confirm)
- Kiwanis funds for the project – currently \$30K, more to fundraise



The Plan-Continued

SEPA was complete for the site, playground would not trigger additional land study

- Prepare bid documents – POK standard bid documents.
 - Turnkey playground equipment suppliers
- Project BID – Request for Proposal, small works roster POK. Follow POK procurement procedures.
- Receive bids and select successful bidder
- Award Contract
- Call 1-800-dig, construction plan review/permit is not required.
- Construction
- Closeout of the project
- Ongoing maintenance



Voids and Actions

1. Define commitments
2. **Sign intent and agreement of the commitments**
3. Fundraise and secure funds

Without Solid Commitment and Defined Roles of the three entities, there is no Project.



Questions/Discussion



PORT OF KENNEWICK

RESOLUTION 2021-21

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE PORT OF KENNEWICK AUTHORIZING
EARLY LEASE TERMINATION FOR BRUKER AXS HANDHELD INC.***

WHEREAS, the Board of Commissioners received written notice from Bruker AXS Handheld Inc. to vacate 21,000 square feet of light industrial space at 415 N. Roosevelt Street, Kennewick and terminate their lease early due to corporate restructuring; and

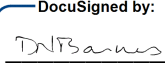
WHEREAS, Bruker AXS proposed to the Commission a lease buyout plan and early termination terms found in Lease Amendment #4 (Exhibit A).

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Port of Kennewick hereby approves and adopts Lease Amendment #4 between the Port of Kennewick and Bruker AXS Handheld Inc.

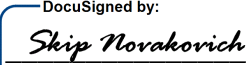
BE IT FURTHER RESOLVED that the Port of Kennewick Board of Commissioners hereby ratifies and approves all action by port officers and employees in furtherance hereof; and authorizes the port Chief Executive Officer to take all action necessary in furtherance hereof.

ADOPTED by the Board of Commissioners of the Port of Kennewick this 26th day of October 2021.

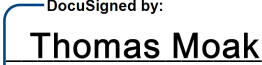
***PORT of KENNEWICK
BOARD of COMMISSIONERS***

By: 
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DON BARNES, President

By: 
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SKIP NOVAKOVICH, Vice President

By: 
A35176A2D2CD413...

THOMAS MOAK, Secretary

AMENDMENT #4 TO COMMERCIAL LEASE AGREEMENT

THIS AMENDMENT, entered into this ____ day of October, 2021, by and between the Port of Kennewick, a Washington municipal corporation (hereinafter referred to as "Port"), and Bruker AXS Handheld, Inc., a Delaware corporation (hereinafter referred to as "Tenant"),

W I T N E S S E T H

WHEREAS, on June 1, 2018, Port and Tenant entered into a Commercial Lease for the lease of the premises located at Vista Field Development Building A, Suite No. 1 located at 415 N. Roosevelt Street (formerly known as Quay Street), Kennewick, Washington (hereinafter referred to as the "Premises"). The Commercial Lease, Exhibits (including full legal description), and Amendment Nos. 1 – 3 (hereinafter collectively referred to as the "Lease") are attached hereto and incorporated herein by reference as Exhibit "A".

AND, WHEREAS, the Port and Tenant wish to amend the Lease to address Tenant's request to terminate the Lease before the end of the Lease term.

NOW, THEREFORE, it is agreed by and between the parties that they adopt the following amendments to the Lease:

1. Tenant shall vacate the Premises on or before May 31, 2022.
2. On or before May 31, 2022, Tenant shall pay Port a lump sum equivalent to the monthly rent (\$12,054.20 per month, plus leasehold tax) for the period June 1, 2022 through December 31, 2022 for a total payment of \$84,379.40 plus leasehold tax)
3. Tenant shall be relieved of monthly rent for the period January 1, 2023 through the end of the Lease term (May 31, 2023).
4. Port shall return the Lease deposit (\$24,115.00) to Tenant on or before June 30, 2022.
5. Port may begin efforts to market the Premises effective with the signing of this Amendment. Tenant shall cooperate with Port's efforts to market the Premises.

All remaining terms and conditions of the Lease remain unchanged.

PORT OF KENNEWICK**BRUKER AXS HANDHELD INC****By:**Tim Arntzen, Chief Executive**Title:**Officer**By:**John H Landefeld**Title:**John Landefeld, Executive VicePresident**Reviewed:****Approved as to form:****By:**Nick Kooiker, Port CFO**Title:****By:**Lucinda Luke, Port Legal Counsel**Title:**

BRUKER AXS HANDHELD, INC.

By: _____

Printed Name and Title:

_____STATE OF WASHINGTON)
) ss.
County of Benton)

On this day personally appeared before me Tim Arntzen to me known to be the **Chief Executive Officer** of the **Port of Kennewick**, the municipal corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated he is authorized to execute the said instrument.

GIVEN under my hand and official seal this _____ day of _____ 2021.

Notary Public in and for the State of Washington
Residing at: _____
My Commission Expires: _____STATE OF WASHINGTON)
) ss.
County of Benton)

On this day personally appeared before me _____ to me known to be the _____ of the **Brucker AXS Handheld, Inc.**, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated he/she is authorized to execute the said instrument.

GIVEN under my hand and official seal this _____ day of _____ 2021.

Notary Public in and for the State of Washington
Residing at: _____
My Commission Expires: _____



AGENDA REPORT

TO: Port Commission

FROM: Larry Peterson, Director of Planning & Development

MTG. DATE: November 9, 2021

AGENDA ITEM: Resolution 2021-22 Interlocal Agreement with the City of Kennewick for Deschutes Driveway Relocation

I. REFERENCE(S): Access Driveway Issue, Process & Solution document (Attachment 1), Port of Kennewick Resolution 2021-22 and Interlocal Agreement (Exhibit A) and Access Driveway Relocation Agreement (Exhibit B).

II. FISCAL IMPACT: Estimated up to \$75,000

III. DISCUSSION: The Port's Phase #1 improvements at Vista Field resulted in significant reconfiguration of Deschutes Avenue in the 6600 west block to create a 3-way intersection resulting in the southern origin point of Crosswind Boulevard. Improvements within the existing Deschutes Avenue right-of-way to create this 3-way intersection complied with the City approved construction plans. However only after the physical improvement were completed was the impact to an existing property on Deschutes Avenue identified. The new construction and specifically the left turn lane from eastbound Deschutes Avenue onto northbound Crosswind Boulevard resulted in the sole driveway serving the property at 6601 West Deschutes Avenue being changed from full access to right turn only access.

Once this concern was identified, the City and Port worked with the property owners to identify options to regain full access by either sharing access with a neighboring property or relocating the driveway elsewhere onsite. Initially the Port and City inquired with the adjacent property owner about the potential to create a joint access easement wherein an existing driveway could serve the 6601 property; however no agreement could be reached. The City Traffic Engineer then refined driveway relocation options and development preliminary costs estimates to help all parties assess the implications of each option. Eventually the property owners agreed that relocating the driveway from the NW corner to the SE corner of their property would be acceptable.

Since the Port's new construction which was approved by the City resulted in the access impact to the 6601 property, those property owners felt strongly the financial responsibility for the driveway relocation not become their responsibility. Port and City staff developed a proposed cost split for the project with the City covering all expenses related to design, permitting, bidding and construction management and the Port reimbursing the City for the actual construction cost of the project. The City bid the project in later September 2021 and

is holding award of the bid until after the Port takes action of the proposed Interlocal Agreement. The proposed Interlocal Agreement is based upon the staff proposed cost split mentioned above. Attachment #1 is a five (5) page document which walks through the process and contains maps and text to help the Commission understand the where, what and why of this issue.

- IV. STAFF RECOMMENDATION:** Approve Resolution 2021-22, adopting the Interlocal Agreement between the Port of Kennewick and City of Kennewick and authorizing the CEO to execute an Access Driveway Relocation Agreement with the owners of the property at 6601 W. Deschutes allowing for the relocation of a driveway serving the property directly south of the Vista Field Phase #1 redevelopment area.
- V. ACTION REQUESTED OF COMMISSION:** *Motion: I move approval of Resolution 2021-22, adopting the Interlocal Agreement between the Port of Kennewick and the City of Kennewick related to relocation of a driveway serving the property at 6601 W. Deschutes Avenue located directly south of the Vista Field Phase #1 redevelopment area; and to take all other action necessary to close this transaction; and further authorizes the CEO to execute an Access Driveway Relocation Agreement with the owners of the property; and ratifies and approves all action by port officers and employees in furtherance hereof.*

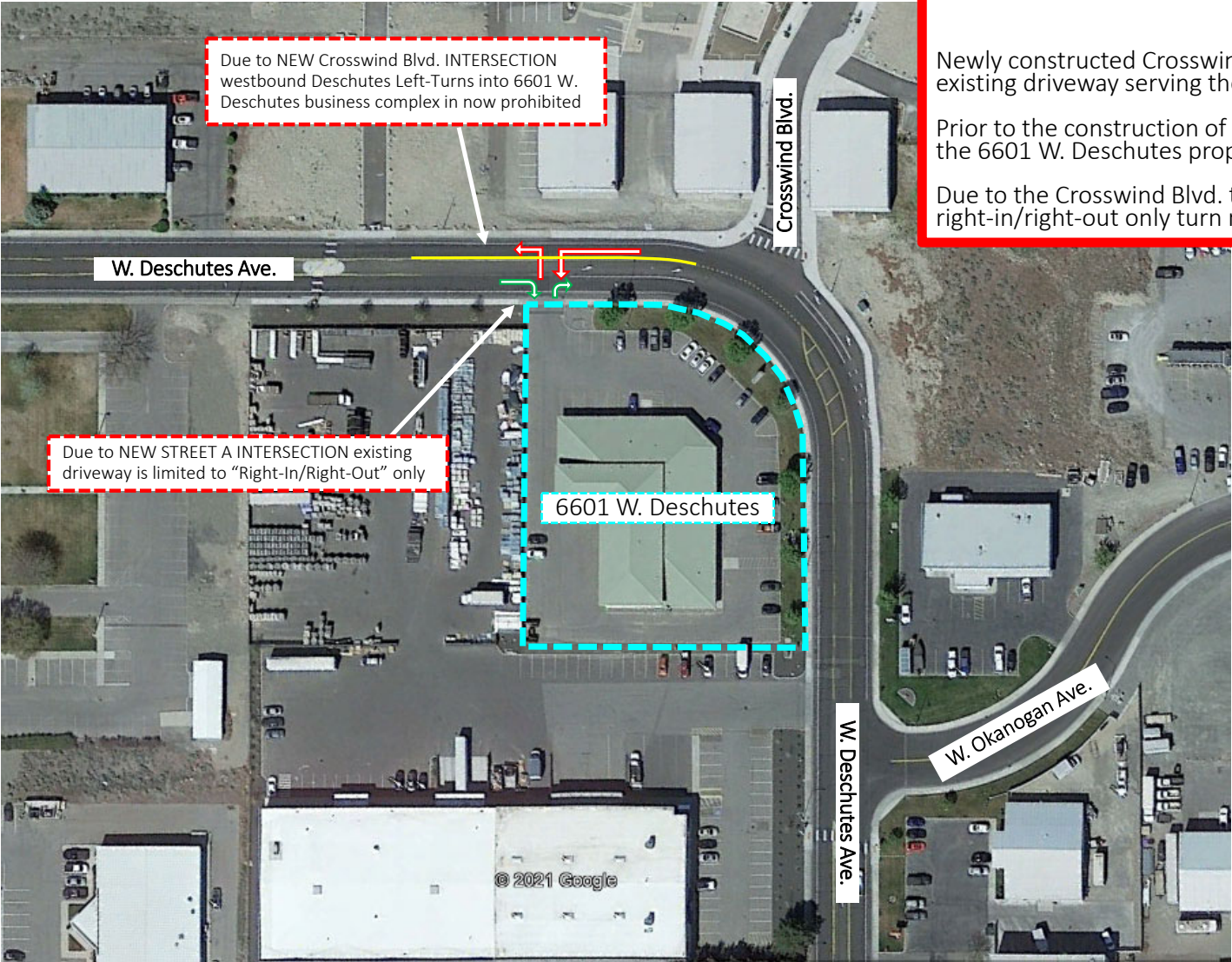
6601 W. Deschutes Access Limitations due to Crosswind Blvd. Turning Lane

PROBLEM

Newly constructed Crosswind Blvd. resulted in a Left Turn Lane blocking the sole existing driveway serving the property at 6601 W. Deschutes Ave.

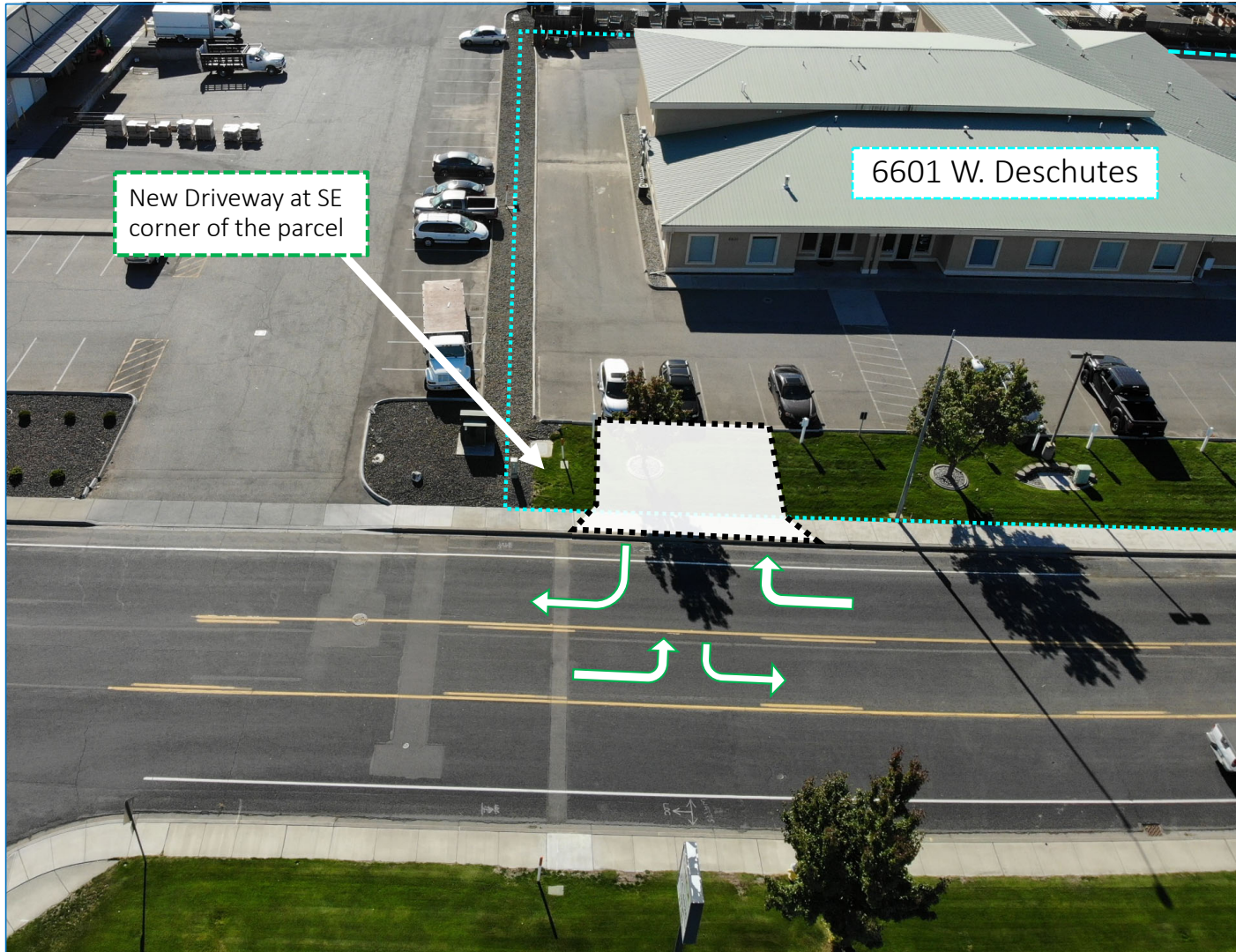
Prior to the construction of Crosswind Blvd. the driveway at the NW corner of the 6601 W. Deschutes property was a full access driveway.

Due to the Crosswind Blvd. turn lane this existing driveway is now limited to right-in/right-out only turn movements.



6601 W. Deschutes Access – Relocated Driveway

Attachment "1"



SOLUTION

Part #1) Create a New Driveway at the SE corner of the property which allows Unrestricted Turning Movements.

Part #2) Closure/removal of the existing driveway at the NW corner of the property

Closure of Existing Driveway is necessary for two reasons.

#1) Property Owners are concerned about the loss of parking spaces, therefore closure yields no net loss of parking area.

#2) City concerned simple painted and signed No left Turn would be ignored therefore additional cost would be involve to construct a raised curb in Deschutes Ave. to prohibit vehicles crossing the Crosswind Blvd. turn lane.

6601 W. Deschutes Ave. Driveway – Solution Process

W Deschutes Ave & Vista Field Driveway Access Options

City of Kennewick Public Works
Port of Kennewick
July 19, 2021
Sorin Juster, P.E., P.T.O.E.
Transportation Manager



Option B – Entrance Through Keller Supply



Option C – Driveway Matching Vista Field



Option A – Alternate Side Entrance



Various access options were identified, and approximate costs established, the Port and City meet with the owners of the 6601 W. Deschutes parcel and the neighboring parcel to determine which if any proposals were acceptable.

Following negotiations with the property owners and adjacent owner the consensus was reached that a replacement driveway at the SE corner of the parcel was acceptable to all.

City of Kennewick Public Works Dept. created the biddable construction documents (plans & specifications) and solicited bids. City desires to complete the work in the 2021 construction season.

Proposed City/Port Partner solution involves:

Port preparing and both Port & City executing an Interlocal Agreement

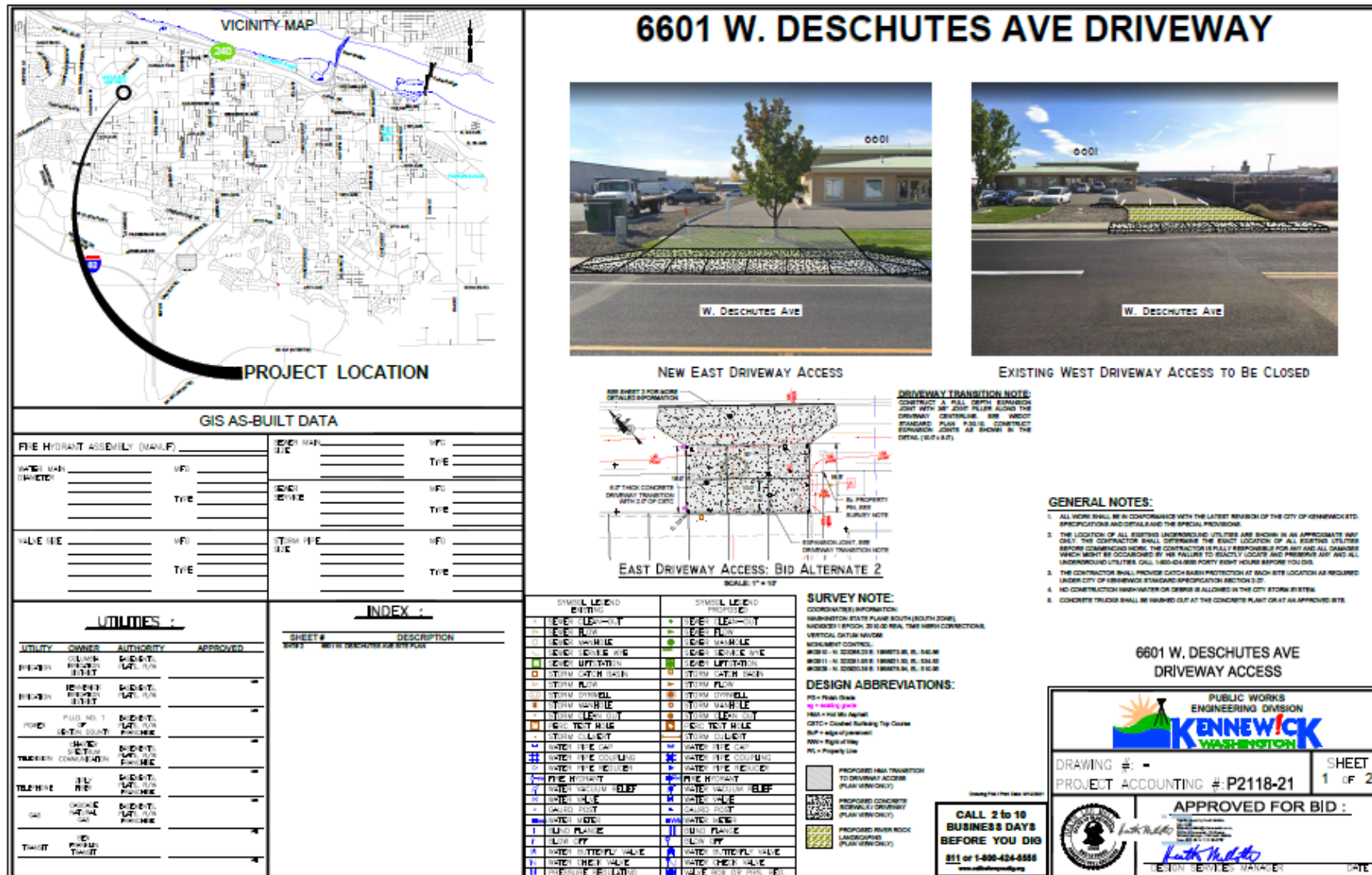
Port preparing and executing a TBD document with property owners effectively limiting future claims of harm by relocating the driveway.

City covering expenses to design, and manage the project {following all applicable bid laws};

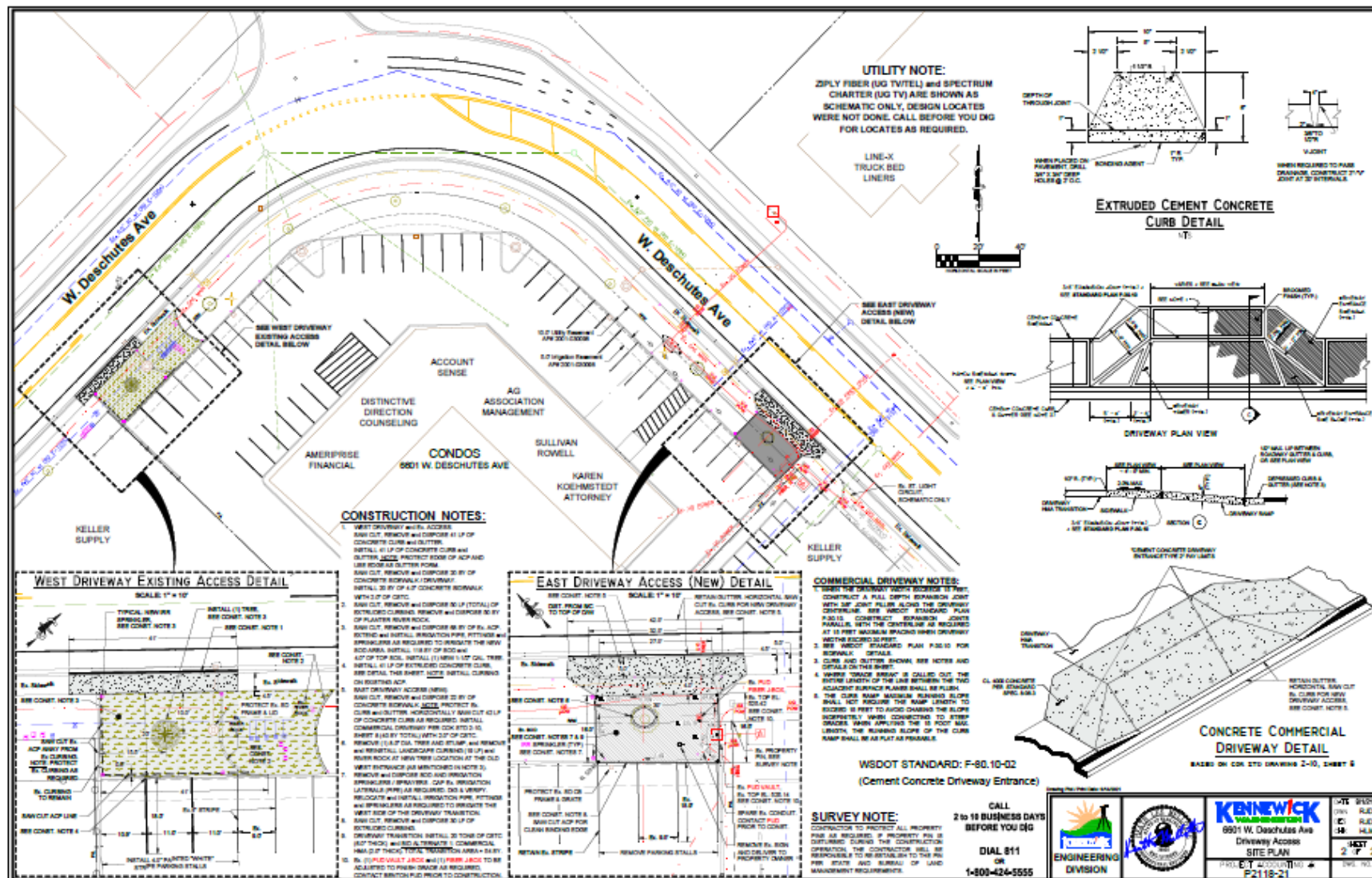
City bidding and awarding the construction project;

Port reimbursing the City for the actual construction expenses;

Attachment "1"



Attachment "1"



PORT OF KENNEWICK

Resolution No. 2021-22

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE PORT OF KENNEWICK AUTHORIZING THE PORT CHIEF EXECUTIVE
OFFICER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF
KENNEWICK FOR CONSTRUCTION FUNDING FOR THE RELOCATION OF
A DRIVEWAY ON DESCHUTES AVENUE IMPACTED BY
THE PORT'S VISTA FIELD PHASE #1 IMPROVEMENTS***

WHEREAS, the City of Kennewick and the Port worked in partnership with the owners of the property at 6601 W. Deschutes Avenue to resolve a driveway turning movement conflict resulting from the approved first phase of improvements at Vista Field; and

WHEREAS, the City will design, bid, construct and manage a project to relocate the driveway serving the properties at 6601 W. Deschutes Avenue; and

WHEREAS, the Port will reimburse the City for actual construction costs associated with this activity and the City will absorb all costs related to design, bidding and construction management; and

WHEREAS, the Port and City have outlined the general provisions in the Interlocal Agreement and identified as Exhibit A; and

WHEREAS, an Owner's Agreement for relocation of access driveway has been prepared by the Port for the owners of the property at 6601 W. Deschutes Avenue and is identified as Exhibit B.

NOW, THEREFORE; BE IT HEREBY RESOLVED that the Board of Commissioners of the Port of Kennewick approves the Interlocal Agreement and the Owner's Agreement and instructs the Port CEO to execute the Agreements, and take all action necessary to implement the Agreements.

ADOPTED by the Board of Commissioners of the Port of Kennewick on the 9th day of November, 2021.

**PORT OF KENNEWICK
BOARD OF COMMISSIONERS**

By: _____

DON BARNES, President

By: _____

SKIP NOVAKOVICH, Vice President

By: _____

THOMAS MOAK, Secretary

**INTERLOCAL AGREEMENT
BETWEEN PORT OF KENNEWICK AND CITY OF KENNEWICK
REGARDING 6601 W. DESCHUTES DRIVEWAY REALIGNMENT**

I. PARTIES

This Interlocal Agreement ("Agreement") is entered into this ____ day of _____, 2021, between the PORT OF KENNEWICK, a Washington municipal corporation ("Port"), and the CITY OF KENNEWICK, a Washington municipal corporation, ("City") referred to collectively as the "Parties." The Parties agree as follows:

II. RECITALS

- 2.1 Economic Development Authority. The Port and the City are authorized, including under Chapters 39.33 and 39.34 of the Revised Code of Washington, to contract with each other and other public agencies in order to effectively and efficiently operate, administer and carry out their programs and public projects.
- 2.2 Overview of Project Area. The Port owns approximately 103 acres of land in the Vista Field area of Kennewick, Washington. The Port is developing the land under the principles of New Urbanism and according to the Master Plan and Development Agreement the Port has in place with the City of Kennewick. The Port's Vista Field Phase 1A included work with the City of Kennewick to realign certain roadways and intersections. One such realignment resulted in the creation of the Deschutes Avenue and Crosswind Boulevard intersection that includes a left turn lane into Vista Field. That intersection requires the relocation of a driveway access for the property located at 6601 W. Deschutes Avenue (the "Property"). The City and Port met with the Property owners and have identified a new Southeast driveway location (the "Driveway") to replace the existing Northwest driveway. The Parties recognize that successful construction of the Driveway described herein benefits the economic and social welfare of the City and the Port district.
- 2.3 Driveway Construction. The City will design, bid, manage, and pay for the construction of the Driveway. Because the Street will benefit future Port activities at Vista Field, the Port agrees to reimburse the City for the construction costs incurred.
- 2.4 Opportunity for Collaborative Development. The Parties recognize that successful economic development of the Project Area benefits the economic and social welfare of the City and the surrounding area. The Parties seek to memorialize their understanding related to the Driveway.

III. ADMINISTRATION

- 3.1 Responsibilities. This Agreement shall be administered by the City Manager or her designee and the Port Chief Executive Officer or his designee. Working in partnership and on behalf of their respective agencies these individuals shall be responsible for:

- a. Establishing policies for implementing this Agreement;
 - b. Providing periodic progress reports;
 - c. Monitoring progress of the Parties and other entities in the fulfillment of their respective responsibilities; and
 - d. Following applicable City and Port bid and prevailing wage laws, policies and procedures when awarding contracts for this project.
- 3.2 Port Obligation. The Port shall reimburse the City for the actual construction costs incurred by the City for construction of the Driveway.
- 3.3 City Obligation. The City shall design, bid, manage, and pay for the construction of the Driveway.
- 3.4 Document Review. The Parties shall cooperate by sharing all relevant information, including planning, financial and environmental documents, to the extent allowed by law.
- 3.5 Expenses and Financial Contingency. Except as otherwise provided, the obligations of each Party shall be performed at the sole expense of said Party.

IV. GENERAL

- 4.1 Amendment. This Agreement shall not be altered except in writing signed by each Party.
- 4.2 Governing Law. Each of the Parties has independent authority to contract; and this Agreement is pursuant to that authority and shall be governed by, construed and enforced in accordance with the substantive laws of the State of Washington.
- 4.3 Venue. The venue for any action arising out of this Agreement shall be the Superior Court for Benton County.
- 4.4 Non-Waiver. Nothing in this Agreement and no actions taken pursuant to this Agreement shall constitute a waiver or surrender of any rights, remedies, claims or causes of action a Party may have against the other Party or others under any provision of this Agreement or any provision of law.
- 4.5 Agreement Term. The term of this Agreement shall commence on its execution by both Parties and upon completion of the Parties' respective obligations but not later than December 31, 2022 ("Agreement Term"). By mutual agreement, the Parties may elect to renew the Agreement on mutually agreeable terms and conditions.
- 4.6 Inspection of Records and Filing. The records and documents with respect to all matters covered by this Agreement shall be subject to inspection by the Parties during the term of

this Agreement and for three years after its termination. This Agreement shall be filed or listed pursuant to RCW 39.34.040.

- 4.7 No Separate Legal Entity. It is not the intention that a separate legal entity be established to conduct the cooperative undertaking nor is the joint acquisition, holding or disposing of real or personal property anticipated.
- 4.8 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 affect 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.
- 4.9 Defense and Indemnity. Each party shall indemnify, defend, protect, hold harmless, and release the other, its officers, agents, and employees, from and against any and all claims, loss, proceedings, damages, causes of action, liability, costs or expense (including attorneys' fees and witness costs) arising from or in connection with or caused by any act, omission, or negligence of such indemnifying party.
- 4.10 Breach. In the event of a breach of this Agreement, the non-breaching Party shall retain all legal and equitable remedies against the breaching Party.

V. EXECUTION AND APPROVAL

- 5.1 Warranty of Authority. Each Party to this Agreement warrants that it has the authority to enter into this Agreement.
- 5.2 Execution. The person executing for a respective Party has been duly authorized to and does execute the Agreement on behalf of that respective Party.

PORT OF KENNEWICK

Date: _____

By: _____
TIM ARNTZEN, Chief Executive Officer

Approved as to Form:

Approved:

LUCINDA LUKE
Attorney for Port of Kennewick

NICK KOOIKER
Port Auditor/CFO

CITY OF KENNEWICK

Date: _____

By: _____
MARIE E. MOSLEY, City Manager

Approved as to Form:

LISA BEATON, City Attorney

AGREEMENT FOR RELOCATION OF ACCESS DRIVEWAY

THIS AGREEMENT is made as of the ____ day of November, 2021, by and between the Port of Kennewick, a Washington municipal corporation, and following listed unit owners of Deschutes Professional Center, a condominium recorded in Volume C of Condominiums, Page 69, according to the Declaration thereof recorded under Auditor's File No. 2004-022317, and any amendments thereto, records of Benton County, Washington (the "Property"), located at 6601 West Deschutes Avenue, Kennewick, Benton County, Washington:

1. Unit A: Juergens Deschutes, LLC, a Washington limited liability company
2. Unit B: Sullivan Rowell Properties, L.L.C., a Washington limited liability company
3. Unit C: J2 Holdings LLC, a Washington limited liability company
4. Unit D: James Batch and Nancy Jones Batch, husband and wife
5. Unit E: Marvin L. McKenzie and Cinda Klages-McKenzie, husband and wife

Hereinafter the above-listed unit owners shall be referred to collectively as the "Owners". The Port of Kennewick and above-listed unit owners may hereinafter be collectively referenced as the "Parties."

Acceptance of Relocated Access Driveway. As part of Phase 1A of the Port's Vista Field redevelopment project an intersection at Deschutes Avenue and the new Crosswind Boulevard was created. This new intersection results in the need to relocate the access driveway for the Property. The City of Kennewick and the Port of Kennewick have worked with the Owners to identify a new location for the access driveway. The Owners have agreed to the relocation of the existing access driveway from the Northwest corner of the Property to the Southeast corner of the Property, as shown on the diagram marked Exhibit A, attached hereto and incorporated herein. The City of Kennewick and the Port of Kennewick have entered an interlocal agreement related to the project to relocate the access driveway. The Owners understand that they will remain responsible for the maintenance of the new access driveway consistent their obligations for the prior access driveway.

Waiver. The Parties agree that by entering into this contract, the Owners are waiving any objection or claim related to the relocation of their driveway access.

Miscellaneous Terms. The terms of this Agreement are governed by the following miscellaneous terms:

1. This Agreement is binding on and inures to the benefit of the parties hereto and their respective heirs, successors and assigns.
2. In the event of any dispute on account of this Agreement, venue and jurisdiction shall lie exclusively with the State Courts for Benton County and the substantially prevailing party in any such action shall be entitled to the recovery of its costs and reasonable attorney fees.
3. The validity, interpretation, and performance of this Agreement shall be controlled by and construed under the laws of Washington.
4. This Agreement contains the entire agreement of the parties and shall not be modified or changed in any respect except by a writing executed by the parties.
5. The parties may execute this Agreement in counterparts, each of which shall be deemed an original, and all of which taken together shall constitute one and the same instrument. Delivery of an executed counterpart's signature page of this Agreement by email in portable document format, facsimile, or by other electronic means intended to preserve the original graphic and pictorial appearance of the document has the same effect as delivery of an executed original of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the above-referenced date.

Port of Kennewick, a Washington municipal corporation

DATED: _____

By _____
Tim Arntzen, Chief Executive Officer

Approved: _____

Approved as to form:

Nick Kooiker, Port Auditor/CFO

Lucinda J. Luke, Port Counsel

Juergens Deschutes, LLC, a Washington
limited liability company

DATED: _____

By: _____

Sullivan Rowell Properties, L.L.C., a
Washington limited liability company

DATED: _____

By: _____

J2 Holdings LLC, a Washington limited
liability company

DATED: _____

By: _____

DATED: _____

James Batch

DATED: _____

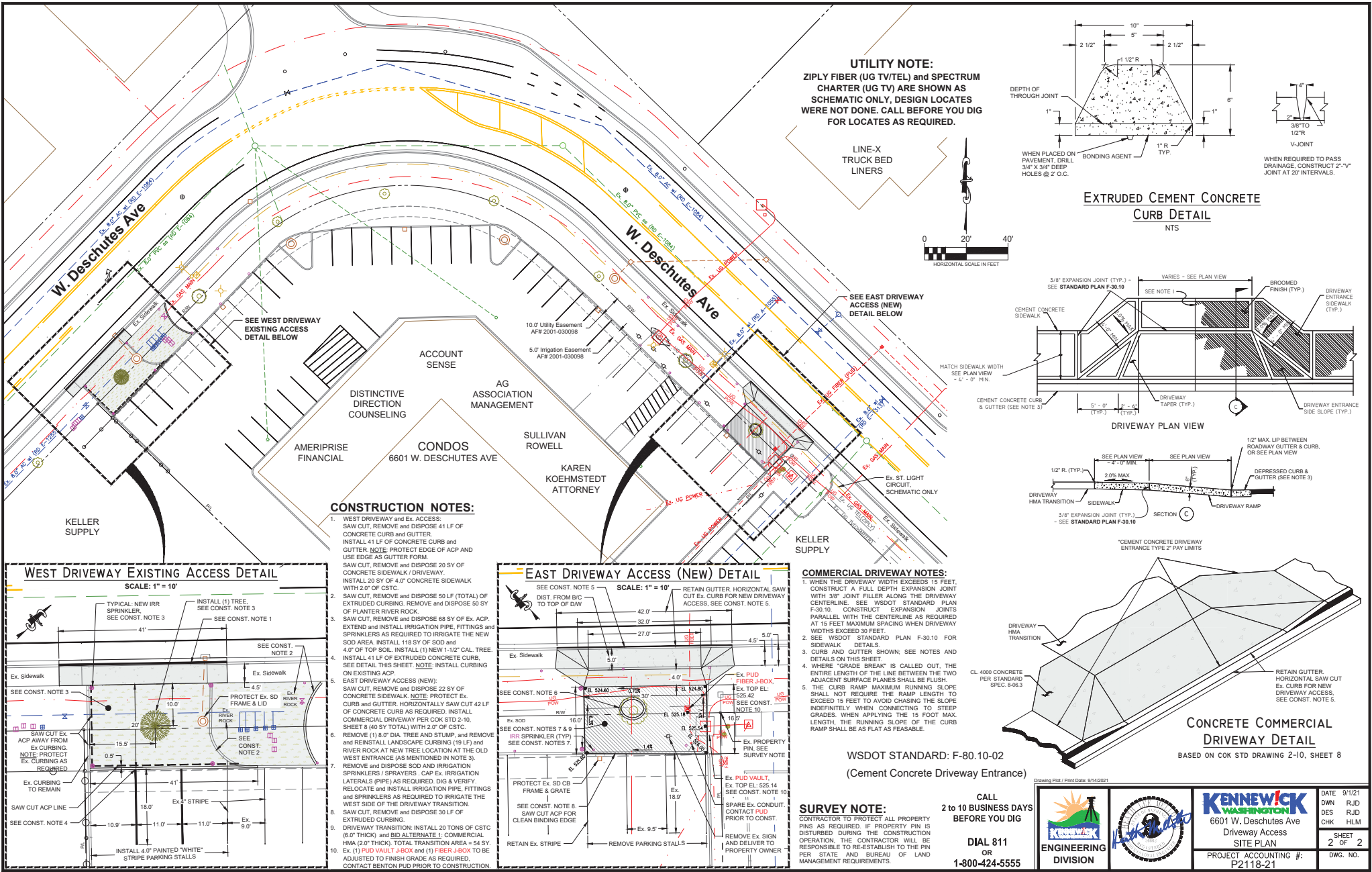
Nancy Jones Batch

DATED: _____

Marvin L. McKenzie

DATED: _____

Cinda Klages-McKenzie





AGENDA REPORT

TO: Port Commission

FROM: Larry Peterson, Director of Planning & Development

MEETING DATE: November 9, 2021

AGENDA ITEM: Port of Kennewick Vista Field Design Standards

I. REFERENCE(S):

Resolution 2021-23;
Vista Field Design Standards dated November 3, 2021

II. FISCAL IMPACT: N/A

III. DISCUSSION: The properties in the Vista Field Redevelopment project are zoned Urban Mixed Use (UMU) by the City of Kennewick. The UMU zoning was specifically crafted to allow great flexibility regarding uses, building dimensions and design. The UMU zoning for Vista Field was established with the understanding the Port impose additional site and building design criteria. These Design Standards would not replace the UMU zoning but rather functional as an additional layer to help assure the new urbanism vision is obtained.

Staff has been working with DPZ CoDesign team (Elizabeth Plater-Zyberk, Matt Lambert, Michael Mehaffy and Laurence Qamar) for over a year on general phasing, site and buildings design issues. The Commission may recall in June 2020 directing a list of 70+ site and building oriented questions submitted to DPZ CoDesign for their recommendation. These recommendations along with building design suggestions were shared at a 3-hour Commission meeting on December 11, 2020. During the spring and summer of 2021 staff worked in earnest with the DPZ CoDesign team to prepare and refine the Vista Field Design Standards which were shared with the Commission during the August 10th and 24th meetings.

Following the presentation on August 24th the Commission asked that the document be shared with the City of Kennewick planning department which occurred, and one minor City requested change has been made to the document. Additional coordination between the Design Standards document prepared by DPZ CoDesign and the property owners association documents being prepared by Doris Goldstein and Ben Floyd has been completed, resulting in minor format tweaks.

IV. ACTION REQUESTED OF COMMISSION:

Commission discussion and action to either approve the attached resolution enacting the Vista Field Design Standards or discussion and clear direction to staff on changes desired that would likely result in approval as a subsequent Commission meeting.

MOTION: I move approval of Resolution 2021-23 approving and adopting the Vista Field Design Standards; and ratify and approve all action by port officers and employees in furtherance hereof; and authorize the port Chief Executive Officer to take all action necessary in furtherance hereof.

PORT OF KENNEWICK

RESOLUTION No. 2021-23

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE PORT OF KENNEWICK ADOPTING THE
VISTA FIELD DESIGN STANDARDS***

WHEREAS, DPZ CoDesign was contracted to assist the Port with preparation of the Design Standards for the Vista Field Redevelopment project; and

WHEREAS, DPZ CoDesign prepared the Design Standards to complement the City's underlying Urban Mixed uses (UMU) zoning and the Port adopted 2017 Vista Field Redevelopment Master Plan; and

WHEREAS, the Board of Commissioners has reviewed the Vista Field Design Standards.

NOW, THEREFORE, BE IT RESOLVED that the Port of Kennewick Board of Commissioners hereby approves and adopts the Vista Field Design Standards as prepared and revised by DPZ CoDesign (Exhibit A).

BE IT FURTHER RESOLVED that the Port of Kennewick Board of Commissioners hereby ratify and approve all action by port officers and employees in furtherance hereof; and authorize the Port Chief Executive Officer to take all action necessary in furtherance hereof.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 9th day of November, 2021.

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

By: _____

DON BARNES, President

By: _____

SKIP NOVAKOVICH, Vice President

By: _____

THOMAS MOAK, Secretary



VISTA FIELD DESIGN STANDARDS

Adopted November 9, 2021
Resolution 2021-23 Exhibit A



Michael Mehaffy, Structura Naturalis
Laurence Qamar, Qamar and Associates
Doris S. Goldstein, Walkable Mixed-Use

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VISTA FIELD DESIGN STANDARDS

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VISTA FIELD DESIGN STANDARDS

SECTION 1 INTRODUCTION

1.1 GENERAL

The Vista Field Standards produce for the new community a visual identity that emerges from the location, climate and history of its site. The Standards guide the implementation of the Vista Field Master Plan.

The goal of the Master Plan and Design Standards is to enable a walkable, connected community. Workplace, retail and entertainment, and housing for a variety of ages and incomes are all in close proximity, with appealing open spaces and gathering places. Buildings designed individually contribute to a harmonious whole and combined with the Vista Field streets create a comfortable and interesting public realm of shared spaces.

The interface between the private properties and the public realm determines the community's physical character. Perceived in the streets and squares, and in views established for public benefit, this harmony in the public realm is the aim of the urban, architecture, landscape, and thoroughfare standards that follow.

Other goals include sustainability and climate resilience, in consideration of the health of natural systems and human well-being. This is reflected in a master plan and building types intended to reduce use of non-renewable resources: a compact, mixed-use pedestrian friendly plan to reduce automobile dependence for daily activities, buildings scaled to allow cross-ventilation, and construction materials and methods specified for longevity in a dry climate.

These Standards for the first phase of Vista Field intentionally allow room for exploration and experimentation. With the help of the Town Architect, the first buyers and their architects will design buildings and other improvements that carry out the themes established by the Standards. This collaboration will serve as a learning process for the community, further defining what works well with the Master Plan and environment, what creates the community's identity and what is most beautiful. Future iterations of these Design Standards will integrate that wisdom and expand that knowledge to a larger number of lot types than what is available in the first phase.

1.2 LIST OF STANDARDS

The Design Standards for Vista Field consist of eight components to be used together to implement the community vision:

Section 2. Definitions: capitalized terms apply wherever used in the Design Standards.

Section 3. Regulating Plan: a map showing the various lot types, Building Types, location and form of public spaces, including streets and squares.

Section 4. Building Types: graphic design instructions for each Building Type, corresponding to the Urban Standards. For this first phase, there are a limited number of building types.

The illustrations are intended to show possible configurations and to serve as inspiration, with the actual design to be developed by lot owners and their architects in cooperation with the Town Architect.

Section 5. Urban Standards: text that regulates those aspects of buildings which affect the public realm, guiding building placement, configuration, and parking.

Section 6. Architectural Standards: text that specifies the materials and configurations permitted for walls, roofs, openings, and other building elements, intended to produce visual compatibility among disparate building types, and promote a unique identity for the community. These Standards relate to the vernacular building traditions of the region, thus inheriting a suitable response to the climate.

Section 7. Landscape Standards: text that specifies materials and configuration of site improvements, separated into those pertaining to public areas and to private lots, reflecting the overall site goals of creating an ecosystem harmonious with the region, and developing a unified character for the new community with a forestation that is coordinated with the urban fabric.

Section 8. Thoroughfare Standards: text that guides the quality of the pedestrian experience in the streets, alleys, and pedestrian passages than organize community mobility.

Section 9. Design Review Procedures: sample forms for application and review.

Together, the Design Standards address the quality and character of buildings, landscape and public spaces of Vista Field. The relatively high degree of specificity in these Standards will ensure that investments in homes and businesses are supported by consistent and predictable development. The highest quality of design and construction is desired. Poorly proportioned or executed details are unacceptable.

Provisions of all the Standards are activated by “shall” when required; “should” when recommended; and “may” when optional.

1.3 AUTHORITY

The Design Standards, the role of the Town Architect and the requirement for design review are all established under the Declaration of Covenants, Conditions and Restrictions for Vista Field, recorded or to be recorded in the public records of Benton County, Washington (the “Declaration”), which is binding upon all purchasers of property within Vista Field. The Declaration requires review and approval of all plans to build any type of improvements within Vista Field, including choice of materials, and of any modifications of those plans. The Declaration also allows for enforcement.

For the Vista Field development, the Design Standards shall take precedence over other typical regulations. In matters of health and safety, the City of Kennewick, State of Washington and national regulations shall take precedence.

The City of Kennewick, WA Code of Ordinances Mixed-Use Design Standards District that includes standards for street frontage, blocks, site design, and building design, shall prevail in case of difference.

1.4 USES

Vista Field mixes residential and commercial uses within a block and often within a building. The Design Standards anticipate that a well-designed building can have many possible uses, and that uses may evolve over time.

Building Types describe in general terms the kinds of uses expected. Variations from these Building Types shall be subject to TA approval. The Vista Field Declaration of Covenants, Conditions and Restrictions for Commercial Property (the "Commercial Declaration") further regulates types and mixtures of commercial uses.

Temporary exterior commercial uses, seating, dining and displays in shopfront setbacks, where permitted under the Commercial Declaration, shall be subject to approval of TA.

1.5 ADMINISTRATION

As further described in Part VII of the Declaration, the Vista Field Town Architect (TA) shall administer these Standards, and all the approvals required by these Standards. Properties and improvements are required to conform to the Vista Field Design Standards unless an exception is granted in writing.

Exceptions to these Standards may be approved by the Town Architect on the basis of architectural merit, site conditions and/or other extenuating or unusual circumstance, and as described in the Declaration. Where appropriate, the design intention of the Standards and the Regulating Plan may support an exception to the Standards. Each exception should be considered unique and shall not set a precedent for future exceptions. A specific description of each deviation shall be clearly recorded in writing prior to the start of construction.

Sample forms to submit applications for design review may be found in Section 9 of this document.

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SECTION 2 DEFINITIONS

All capitalized words in the Design Standards shall be interpreted as defined below.

Alley: a thoroughfare, or access easement, designated to be a secondary means of vehicular access to the rear or side of properties; an Alley may connect to a vehicular driveway located to the rear of lots providing access to outbuildings, service areas and parking, and may contain utility easements.

Awning: a fixed or movable shading structure, cantilevered or otherwise entirely supported from a building, used to protect outdoor spaces from sun, rain, and other natural conditions. Awnings are typically used to cover outdoor seating for restaurants and cafes.

Blade Sign: a sign made from rigid material mounted perpendicular to a building wall with one side attached or supported by a device extending from a building wall.

Block: the aggregate of private lots, passages, and rear alleys, circumscribed by thoroughfares. **Build-to Line:** a line on the Regulating Plan at which the building Facade is required to be placed.

Building Height: the vertical extent of a building measured in feet or stories. Building Height shall be measured from the sidewalk or if there is no sidewalk from the street pavement at the front of the building, at the centerline of the lot width. Building Height shall be measured to the highest point of the roof for flat roofs; to the midpoint between the eaves and the highest point of the roof for pitched roofs.

Building Type: the categorization of a building according to its location on the master plan and its relationship to public space such as the street it faces.

Civic: the term defining organizations dedicated primarily to community benefit through the arts, culture, education, recreation, government, transport, and municipal parking.

Civic Building: a building operated by an organization dedicated to arts, culture, education, recreation, government, transit, and municipal parking, or other community benefit public use.

Civic Space: an outdoor area dedicated for public use and operated by a Civic organization or by the Vista Field Property Owners Association.

Configuration: the form of a building or a building component based on its relation to the overall building and adjacent public space.

Elevation: an exterior wall of a building not facing a Frontage. See: Facade.

Floor Elevation: the height of a floor level.

Encroachment: any building element that breaks the plane of a vertical or horizontal regulatory limit, extending into a setback, or into the public frontage.

Exception: a ruling that would permit a practice that is not consistent with a specific provision of this Code, but that is justified by its intent.

Facade: the exterior wall of a building facing a Frontage Line. See Elevation.

Frontage: the area between a building facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into Private Frontage and Public Frontage which are defined below.

Frontage Line: a lot line bordering a public frontage. Facades facing frontage lines define the public realm and are therefore more regulated than the elevations facing other lot lines. Lots at inter- sections have two Frontage Lines.

Lot: a parcel of land accommodating a building or buildings of unified design.

Lot Coverage: the percentage of Lot area that may be covered by building.

Lot Line: the boundary that legally and geometrically demarcates a Lot.

Lot Width: the length of the principal Frontage Line of a Lot.

Outbuilding: an accessory building, usually located toward the rear or the front of the same Lot as a Principal Building; connected to or separated from the Principal Building.

Parking Lot or Area: A designated space for auto access and arrival, with or without access to a garage, usually detailed as a pedestrian space with garden landscaping and pavement.

Pedestrian Passage: a right-of-way with pedestrian access only.

Porch: An exterior roofed space attached to a Principal Building.

Principal Building: the main building on a lot, usually located to face and be entered from a street.

Principal Frontage: the Private Frontage designated to bear the address and principal entrance to the building, and the measure of minimum lot width.

Private Frontage: the privately held layer between the Frontage Line and the Principal Building Facade.

Public: wherever used in these Design Standards, the word “public” shall refer to areas that are shared with others in the general community but does not mean that the areas are necessarily dedicated to the public nor does it confer any rights in the general public.

Public Frontage: the area between the pavement of the vehicular lanes and the Frontage Line.

Regulating Plan: a map or set of maps that shows general areas of Building Type zones, Civic zones, thoroughfares, special districts if any, and special requirements if any, of areas subject to, or potentially subject to, regulation by the Guidelines.

Setback: the area of a lot measured from the Lot Line to a building Facade or Elevation that is maintained clear of permanent structures, with the exception of Encroachments.

Shopfront: that part of a building that is designed for potential retail use.

Sidewalk: the paved or graveled section of the public frontage dedicated exclusively to pedestrian activity.

Story: a habitable level within a building, excluding an attic or raised basement.

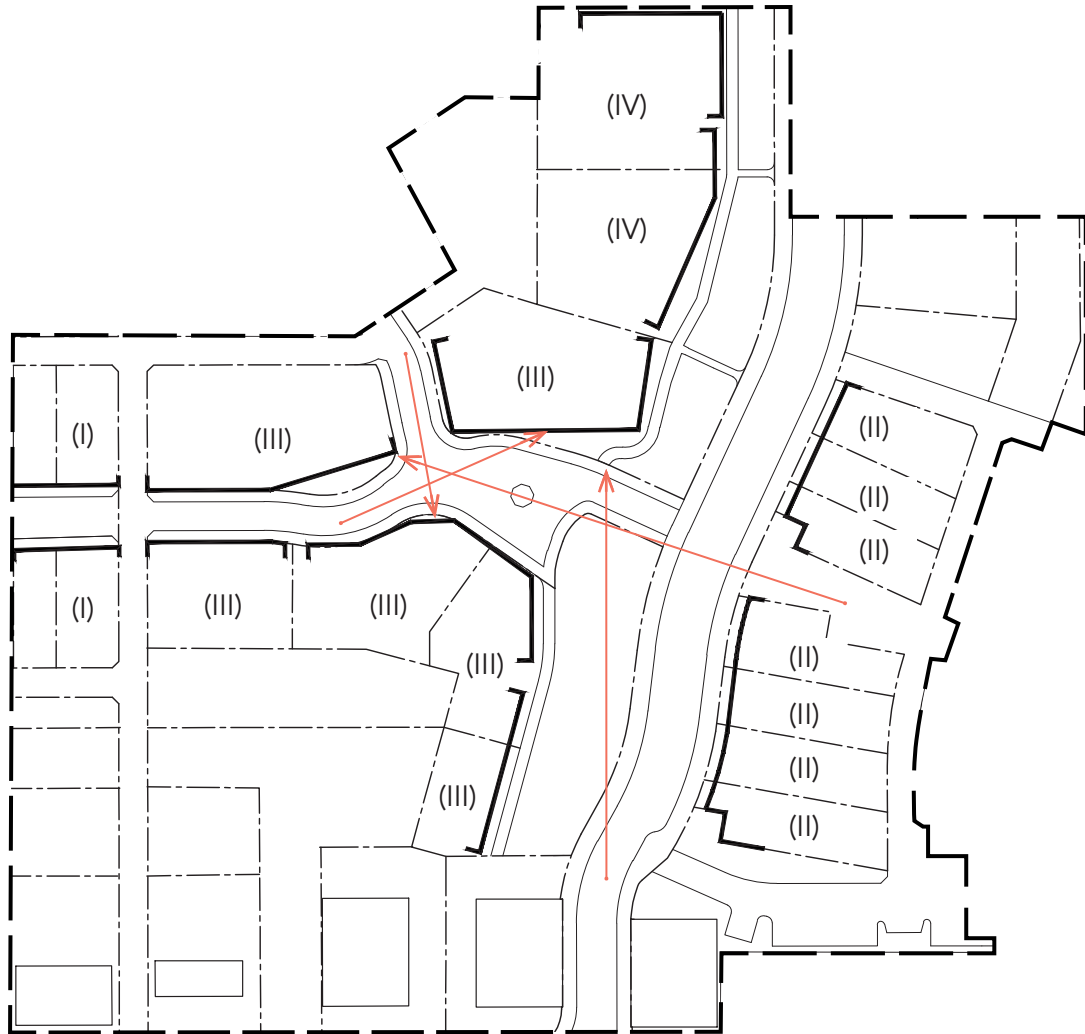
Streetscreen: a freestanding wall built along the Frontage Line, or coplanar with the Facade.

Terminated Vista: a location visible at the end of a street or other public space. Terminated Vistas are often focal points in a community, serving as landmarks or points of interest.

Turning Radius: the curved edge of a thoroughfare at an intersection, measured at the inside edge of the vehicular tracking. The smaller the turning radius, the smaller the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn.

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SECTION 3 REGULATING PLAN



Regulating Plan

Vista Field Phase 1

- Phase 1 Boundary
- Build-To-Line
- ← Terminated Vistas
- (I) Type I: Residential
- (II) Type II: Live Work
- (III) Type III: Mixed Use
- (IV) Type IV: Main Street

Scale
0 50 100 200 feet



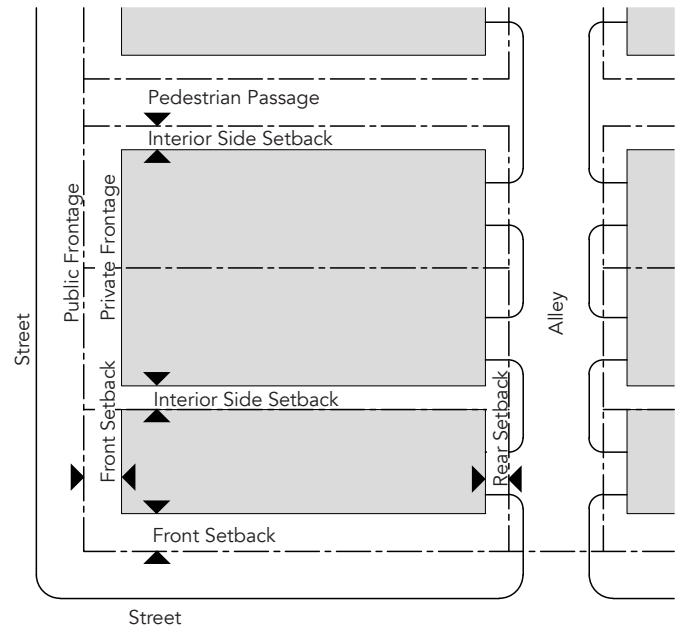
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SECTION 4 PHASE ONE BUILDING TYPES

Type I. Residential: two stories, single-family houses. Townhouses, cottage courts, and small apartment houses may be included in later phases.

Type II. Live Work: two to three stories, with individual identity, business space at ground level, and residential use behind and above.

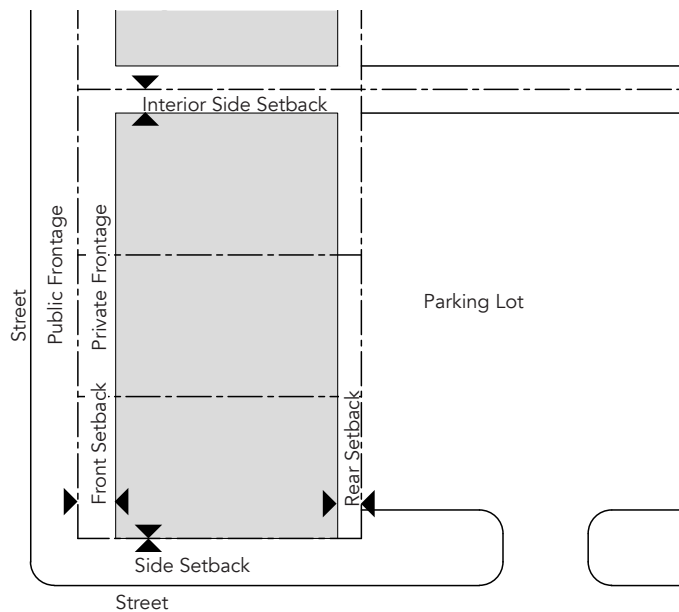
Illustration 4.A. Building Types I & II



Type III. Mixed Use: two to three stories, with restaurant, retail, and service space below, and commercial or residential uses above.

Type IV. Main Street: one to two stories, welcoming a variety of business and residential uses.

Illustration 4.B. Building Types III & IV



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4.1 BUILDING TYPE I: RESIDENTIAL

Type I Residential allows single family houses on a single platted lot, with alley-accessed parking. Townhouses, cottage courts and small apartment buildings may be included in later phases.

Use:	Residential						
Lot width:	20' minimum, 100' maximum						
Lot depth:	50' minimum, 100' maximum						
Lot area:	1,000 sf minimum, 5,000 sf maximum						
Building setbacks:	<table><tr><td>Front:</td><td>Build-to Line at 8', 50% of Lot width minimum</td></tr><tr><td>Sides:</td><td>0' interior side, and 5' minimum end unit side, including at pedestrian passage</td></tr><tr><td>Rear:</td><td>5' minimum</td></tr></table>	Front:	Build-to Line at 8', 50% of Lot width minimum	Sides:	0' interior side, and 5' minimum end unit side, including at pedestrian passage	Rear:	5' minimum
Front:	Build-to Line at 8', 50% of Lot width minimum						
Sides:	0' interior side, and 5' minimum end unit side, including at pedestrian passage						
Rear:	5' minimum						
Building height:	35' maximum (3 stories above basement level) Basement shall not extend above street elevation.						
Parking:	Alley access, garage or parking pad						

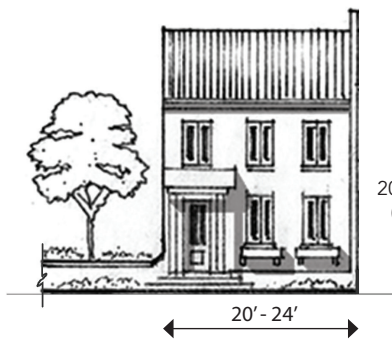
Additional Standards:

- Build-to Lines for individual buildings shall be according to the Regulating Plan.
- Porches, stoops, and lightwells for basement windows may encroach into front setback, and end unit side setback, up to 50%. Balconies and bay windows may encroach into the front, end unit side, and rear setback up to 50%.
- Walls and fences shall be required on internal side property lines, shall not encroach on front and rear setbacks, and shall be a maximum height of 6'.



4.1 BUILDING TYPE I: RESIDENTIAL

Illustration 4.1.A. Illustrative Elevations



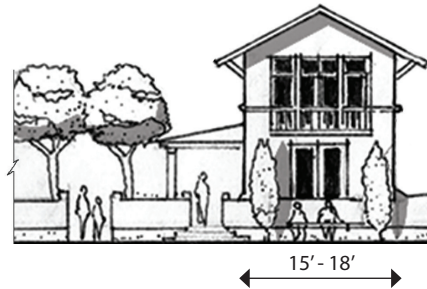
TYPE I
A
20' lot width min.
0' side setback



TYPE I
E
30' lot width min.
0' side setback



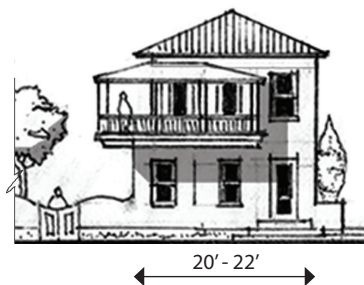
TYPE I
B
20' lot width min.
0' side setback



TYPE I
F
35' lot width min.
5' side setback min.
both sides



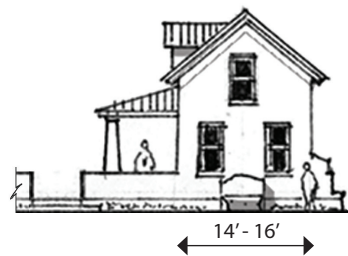
TYPE I
C
25' lot width min.
0' side setback



TYPE I
G
35' lot width min.
5' side setback min.
both sides



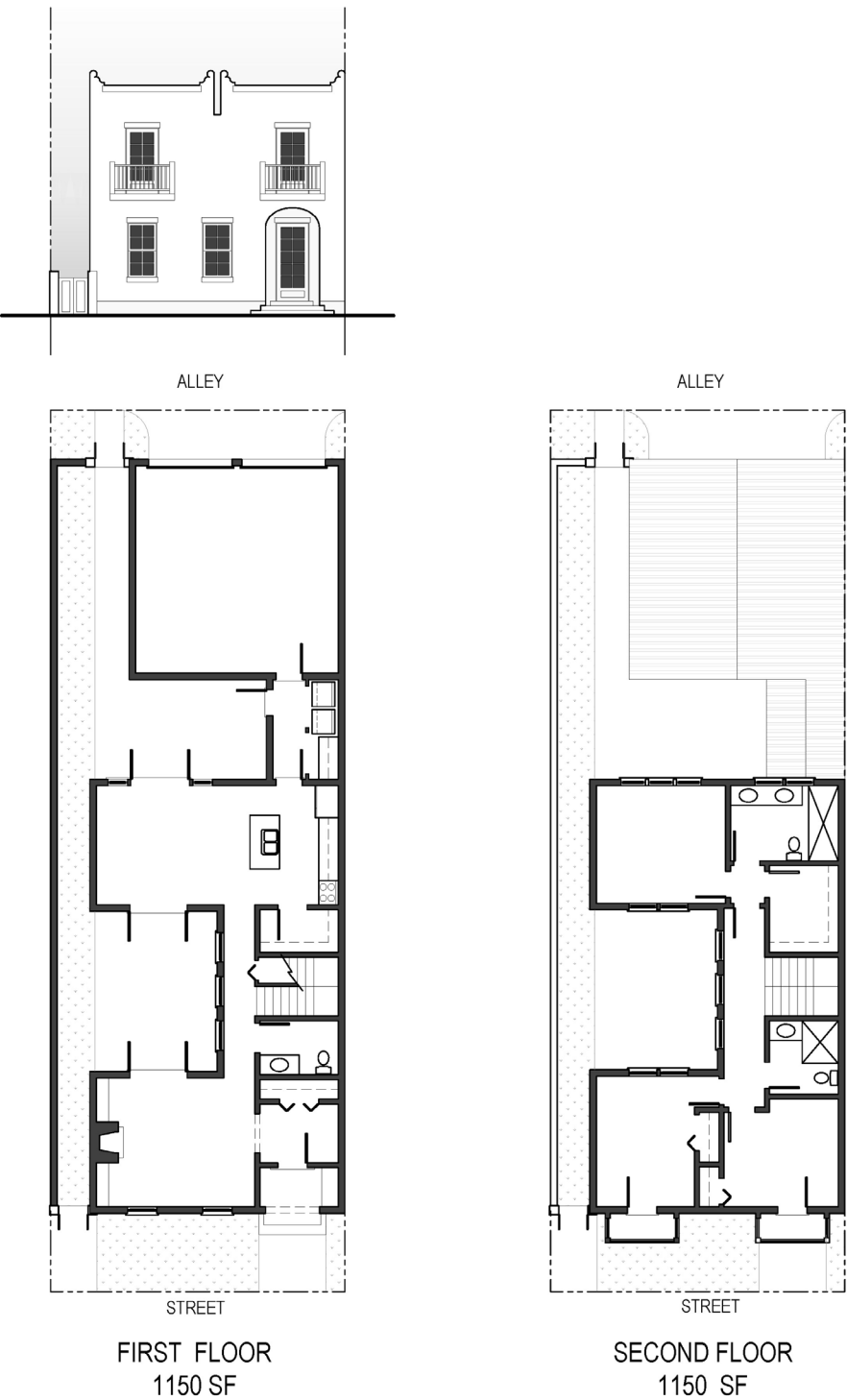
TYPE I
D
30' lot width min.
0' side setback



TYPE I
H
35' lot width min.
5' side setback min.
both sides

4.1 BUILDING TYPE I: RESIDENTIAL

Illustration 4.1.B. Illustrative Elevation and Plans



TYPE I - RESIDENTIAL (1)



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4.2 BUILDING TYPE II: LIVE WORK

Type II Live-Work Building allows residential and commercial uses of a small scale on a single platted lot, with alley-accessed parking. This type serves as a transitional type between commercial and residential uses. It is intended to facilitate working at home, and to encourage incubation of new businesses.

Use:	Residential, commercial						
Lot width:	25' minimum, 50' maximum						
Lot depth:	50' minimum, 100' maximum						
Lot area:	1,250' sf minimum, 5,000' sf maximum						
Building setbacks:	<table><tr><td>Front:</td><td>Build-to Line at 8', 50% minimum of Lot width</td></tr><tr><td>Sides:</td><td>0' interior side, and 5' minimum end unit side, including at pedestrian passage</td></tr><tr><td>Rear:</td><td>5' minimum</td></tr></table>	Front:	Build-to Line at 8', 50% minimum of Lot width	Sides:	0' interior side, and 5' minimum end unit side, including at pedestrian passage	Rear:	5' minimum
Front:	Build-to Line at 8', 50% minimum of Lot width						
Sides:	0' interior side, and 5' minimum end unit side, including at pedestrian passage						
Rear:	5' minimum						
Building height:	35' maximum (3 stories above basement level) Basement shall not extend above street elevation						
Parking:	Alley access, garage or parking pad						

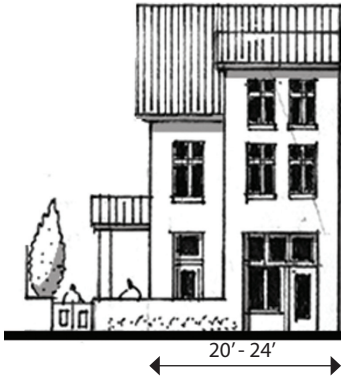
Additional Standards:

- Build-to Lines for individual buildings shall be according to the Regulating Plan.
- Porches, stoops, and light wells for basement windows may encroach into front setback and end unit side setback, up to 50%. Balconies and bay windows may encroach into the front, end unit side, and rear setback up to 50%.
- Walls and fences shall be required on side internal property lines, shall not encroach on front and rear setbacks, and shall be maximum height of 6'.

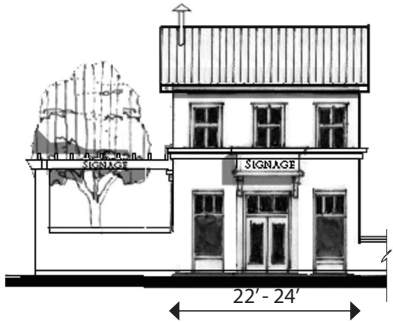


4.2 BUILDING TYPE II: LIVE WORK

Illustration 4.2.A. Illustrative Elevations



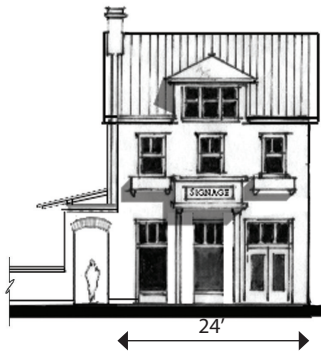
TYPE II
A
30' lot width min.
0' side setback



TYPE II
E
30' lot width min.
0' side setback



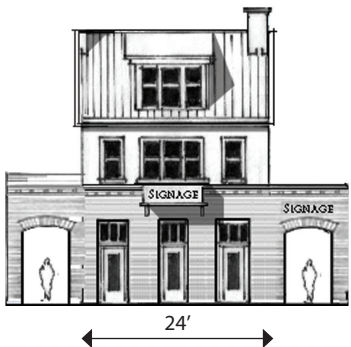
TYPE II
B
25' lot width min.
0' side setback



TYPE II
F
30' lot width min.
0' side setback



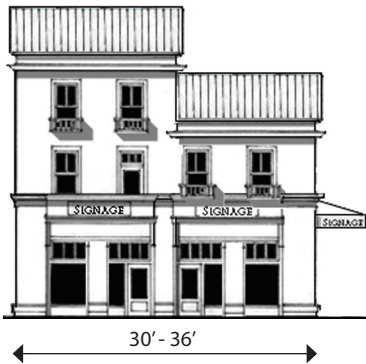
TYPE II
C
25' lot width min.
0' side setback



TYPE II
G
40' lot width min.
0' side setback



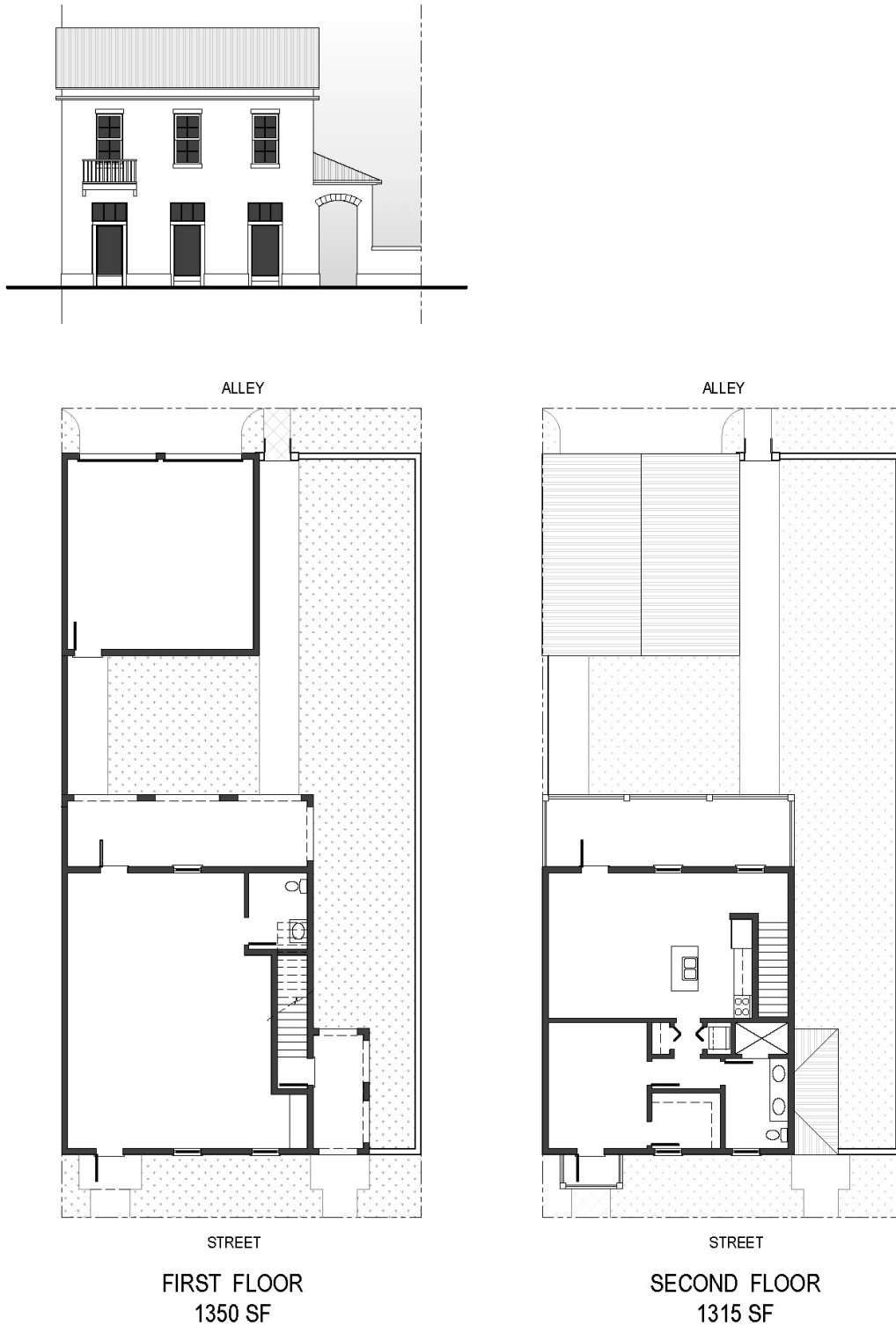
TYPE II
D
30' lot width min.
0' side setback



TYPE II
H
30' lot width min.
0' side setback

4.2 BUILDING TYPE II: LIVE WORK

Illustration 4.2.B. Illustrative Elevation and Plans



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4.3 BUILDING TYPE III: MIXED USE

Type III Mixed Use allows a flexible arrangement of commercial and residential uses with alley access or shared lot parking.

Use:	Retail, office, services, and residential		
Lot width:	20' minimum, 150' maximum		
Lot depth:	50' minimum, 10,000' maximum		
Lot area:	1,000' sf minimum, 15,000' sf maximum		
Building setbacks:	Front:	0' or Build-to Line at 8' according to Regulating Plan	
	Sides:	0'	
	Rear:	5' minimum	
Building height:	45' maximum (2 stories minimum and 3 stories maximum above basement level)		
	Minimum first floor finished height 14'		
	Basement shall not extend above sidewalk elevation		
Parking:	Rear access shared parking lot as per Regulating Plan.		

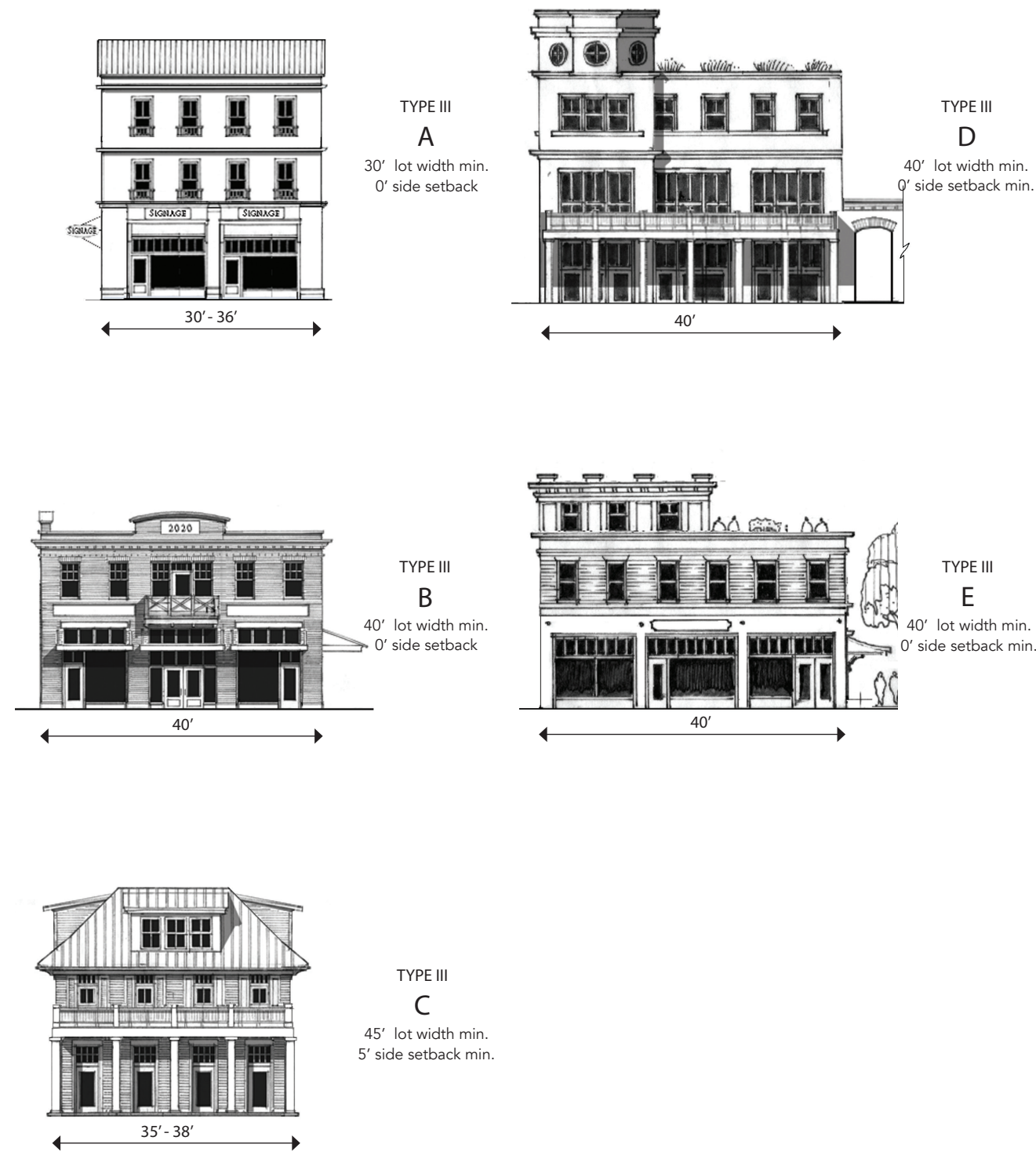
Additional Standards:

- Adjacent to residential Type I, a ground floor residential use with at-grade ADA level entry is acceptable.
- Build-to Lines for individual buildings shall be according to the Regulating Plan.
- Balconies and bay windows may encroach into the front, side, and rear setback up to 50%.
- Retractable awnings may encroach into setbacks and beyond front property line, by approval of the TA.



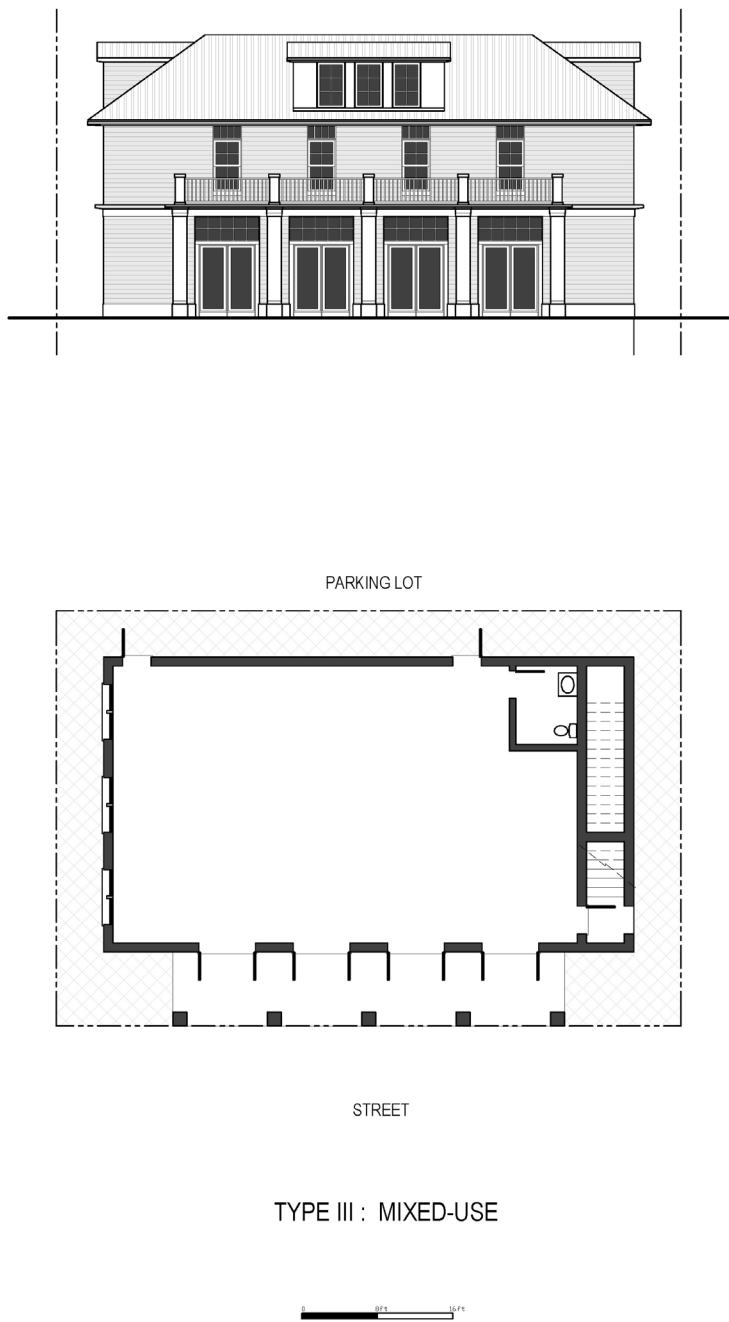
4.3 BUILDING TYPE III: MIXED USE

Illustration 4.3.A. Illustrative Elevations



4.3 BUILDING TYPE III: MIXED USE

Illustration 4.3.B. Illustrative Elevation and Plan



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4.4 BUILDING TYPE IV: MAIN STREET

Type IV Main Street allows retail use at ground level with or without upper story commercial and residential uses in a single structure, with alley access or shared lot parking.

Use:	First floor retail, office and services	
	Second floor office, services, and residential	
Lot width:	20' minimum, 100' maximum	
Lot depth:	50' minimum, 100' maximum	
Lot area:	1,000' sf minimum, 10,000' sf maximum	
Building setbacks:	Front:	0' or Build-to Line at 8' according to Regulating Plan
	Sides:	0'
	Rear:	5' minimum
Building height:	35' maximum (2 stories above basement level)	
	Minimum first floor finished height 14'	
	Basement shall not extend above sidewalk elevation.	
Parking:	Rear access shared parking lot as per Regulating Plan	

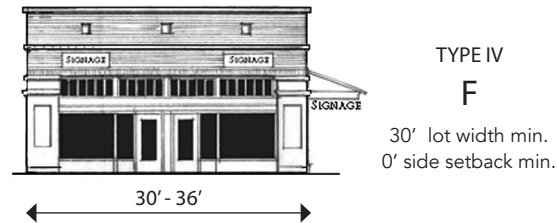
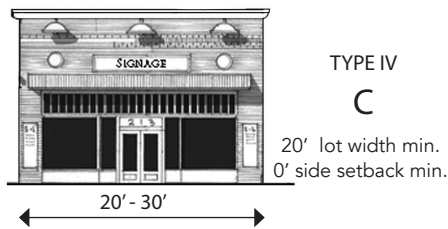
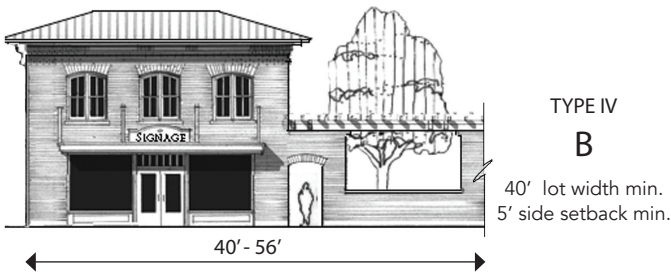
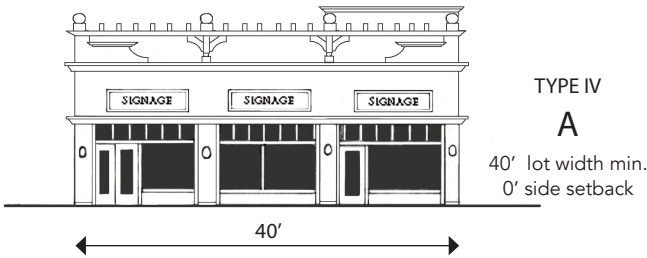
Additional Standards:

- Adjacent to residential Type I, a ground floor residential use with at-grade ADA level entry is acceptable.
- Build-to Lines for individual buildings shall be according to the Regulating Plan.
- Balconies and bay windows may encroach into the front, side, and rear setback up to 50%.
- Retractable awnings may encroach into setbacks and beyond front property line, by approval of the TA.



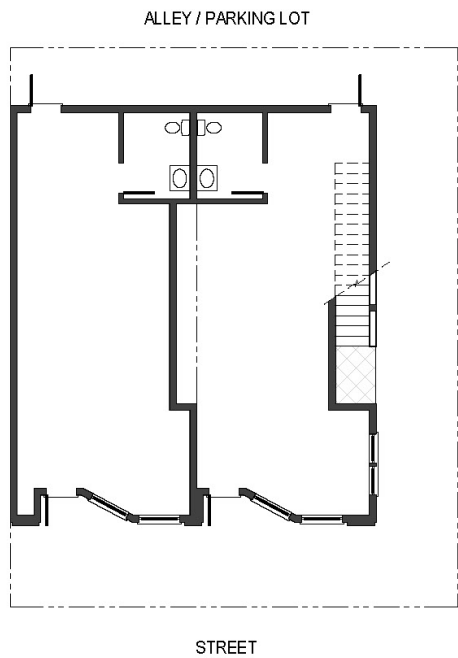
4.4 BUILDING TYPE IV: MAIN STREET

Illustration 4.4.A. Illustrative Elevations



4.4 BUILDING TYPE IV: MAIN STREET

Illustration 4.4.B. Illustrative Elevation and Plans



FIRST FLOOR
1350 SF



SECOND FLOOR
1315 SF

TYPE IV : MAIN STREET (1)



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SECTION 5 URBAN STANDARDS

The Urban Standards are organized by these categories:

5.1 General

5.2 Building Placement

5.3 Building Placement

5.4 Building Configuration

5.5 Parking and Driveway Standards

5.1 GENERAL

- a. The Urban Standards apply to all Building Types, unless otherwise stated below, and are coordinated with the requirements of the specific Building Types.

5.2 BUILDING PLACEMENT

5.2.1 Building Type

- a. Buildings and all building elements shall be placed in relation to their Lot lines, Setbacks, Build-to Lines, and Frontage Lines according to the Regulating Plan and the Building Types.
- b. Platted lots shall be dimensioned according to Building Types.
- c. One Principal Building, and in certain Types, one Outbuilding or multiple buildings, may be built on each lot as shown in Building Types.
- d. Civic Buildings are not regulated under the Design Standards, but shall develop their site plans in conjunction with the TA.

5.2.2 Frontages

- a. Lot lines that coincide with a right-of-way or public space are designated Frontage Lines.
- b. Buildings shall have their principal pedestrian entrances on a Frontage Line.
- c. Facades shall be built parallel to the Principal Frontage Line of a straight line and parallel to the chord if broken or curved. Elevations may deviate from the trajectory of Lot Lines.
- d. Lots facing two streets shall be considered to have two Frontages, in regard to Setbacks, attachments, and other details, for the purposes of these Standards. Thus, corner buildings have two fronts, two Facades, one back, and one side.
- e. Lots with Pedestrian Passage access only shall treat the Passage side as the Lot Frontage.
- f. The TA may determine that a certain lot or portions thereof may be held to Principal Frontage (streets and public spaces) standards if it is highly and easily visible from the

public realm, even if it does not meet the definition of Principal Frontage.

5.2.3 Terminated Vistas

- a. Buildings shall be placed on Lots with attention to view corridors and Terminated Vistas of the Master Plan.
- b. A building Façade that terminates a vista shall be designed to recognize its focus and importance. Driveways and service areas shall not be permitted at Vista Terminations.
- c. Set-backs and Build-to Lines
- d. In the case of adjacent Building Type difference, Setbacks may be adjusted by approval of TA.
- e. Setbacks shall be measured perpendicular to the property line of the Lot; at curved property lines (as at a street), the measure shall be taken perpendicular to the tangent at the centerline of the Lot.
- f. Streetscreens shall be aligned with the building Façade.
- g. Encroachments into Setbacks and beyond the Build-to Line shall be according to Building Types.
- h. Alleys
- i. Lots with Alley access shall restrict auto access to the Alley and shall not have auto access from adjacent streets.
- j. Lots with Alley access shall provide a space for pedestrians to pass from the Building to the Alley without having to go through the garage
- k. Alleys shall be screened from street view by walls or landscape extending from buildings along the Frontage. When alleys intersect at other than 90 degrees, buildings shall align, to avoid exposing to the street the parking or garage entry behind an extended building.

5.2.4 Accessory Uses

- a. Basketball hoops, croquet courts, and gardens (including vegetable gardens) may be permitted in front yards by approval of TA.
- b. The following outbuildings and landscape constructions may be permitted by approval of TA, and shall adhere to the Vista Field Standards: garages, workshops, guest houses, artisan studios, garden pavilions, greenhouses, storage sheds, gazebos, trellises, swimming pools and pool houses. Swimming pools and hot tubs shall maintain a low profile and shall be screened from surrounding lots and street views.

5.2.5 Concealment from View

- a. All outdoor storage, trash containers, electrical, plumbing, mechanical and communications equipment, tanks, generators, utility meters, clotheslines, satellite dishes, play equipment, hot tubs, permanent grilles, firewood (except on porches), and the like shall be permitted only behind the front façade, at enclosed rear and side yards and shall conform to required Setbacks; or on roofs concealed by parapet walls; and shall be concealed from view from Frontages and adjacent yards. Trash containers shall be enclosed to prevent animal access.

- b. Loading docks and service areas in Types III and IV shall be concealed from street and sidewalk views. When Alley or rear parking lot access is not available, service areas at a frontage concealed from public view by a Street Screen may be permitted by approval of TA.
- c. Trash containers in Types III and IV shall be concealed from street view, located within a permanent enclosure, and accessed from an Alley or rear parking lot.

5.3 BUILDING CONFIGURATION

5.3.1 Building Massing and Height

- a. Building massing shall be simple, with a maximum of two gables per building facing the street, and a maximum of six exterior corners, exclusive of attachments, facing the street.
- b. Building Heights shall be as shown in Building Types.
- c. Chimneys, stairwells, trellises, and other portions of a structure up to 215 sf in area, may be allowed to exceed maximum building height by an additional story.

5.3.2 Entries, Porches and Balconies

- a. Each Building shall have a clearly indicated front entry that is visible and accessible from a street.
- b. Porches shall be a minimum of 7' deep.
- c. Balconies that cantilever shall be maximum 3' deep.

5.3.3 Concealment from View

- a. All Building and deck crawl spaces shall be enclosed and screened from public view.
- b. Mechanical equipment on a roof shall be enclosed by a parapet of the minimum height necessary to conceal it from any public view.
- c. Solar power equipment shall be regulated consistent with the Declaration and applicable State and Federal law.
- d. Antennas shall be concealed to the greatest extent consistent with Federal law, and when possible concealed from public view.

5.4 PARKING AND DRIVEWAY STANDARDS

- a. Required off-street parking placement shall be according to Building Type.
- b. Required parking quantities shall be as per Kennewick, WA Code of Ordinances Off-Street Parking Standards.
- c. Parking shall be accessed by Alley or in a Parking Lot at the rear of a Lot, and may be unsheltered or in a garage or carport.
- d. Parking lots shall be masked from the Frontage by a Liner Building or Street Screen.
- e. Where a driveway crosses a sidewalk, any elevation change or slope shall occur within the Lot to maintain a sidewalk without uneven slopes.
- f. Shared parking lots shall have a minimum of one bicycle rack space for every 20 vehicular parking spaces.

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SECTION 6 ARCHITECTURE STANDARDS

The Architecture Standards are organized by these categories:

- 6.1 General*
- 6.2 Walls*
- 6.3 Elements and Attachment*
- 6.4 Roofs and Eaves*
- 6.5 Openings*
- 6.6 Colors*
- 6.7 Lighting*
- 6.8 Signs*

6.1 GENERAL

- a. The goal of the Architecture Standards is the achievement of a unique architectural identity for Vista Field through a balance of uniformity and variety. A suitable response to the climate and geography can be learned from the vernacular traditions. Inspiration and lessons can be taken from historical regional buildings, including High Desert, Agrarian Vernacular, Bungalow and Craftsman, Spanish Revival, Neo-Classical and Mission styles. Historical styles when employed should strive to be exemplary of the origins. The use of limited materials, focused on those locally sourced, and a defined color palette provide a background of uniformity for variations in form. Constraints on form seek to produce building design of the highest quality, avoiding clichés and kitsch, in support of the urban and environmental goals and community identity.
- b. Materials and their details and applications for the individual units or other portions of a multi-unit building shall be consistent.
- c. Where a material is specified, it is that material that is specified not others that may resemble it. For example, “wood” means “wood”, not wood chips pressed and glued together, or recycled plastic melted and molded to resemble wood. Materials other than those specified in this document may be approved by the TA.
- d. Where previously approved materials have since been prohibited or are no longer permitted, the previously approved material may be used only for repairs.
- e. All dimensions shall be considered nominal.

6.2 WALLS

6.2.1 Materials:

- a. Foundation and pier materials shall be concrete, stone or brick. Block with light coating of stucco for exposed foundation walls may be permitted by approval of TA.
- b. Wall materials and columns above foundation walls and piers shall be stone, concrete, stucco, tile, brick, metal, cementitious boarding, wood, and composition wood.

- c. Shingles shall be smooth cut sawn cedar, 4" to 6" to the weather, sealed with oil or stain only. Coarse variety may be permitted by approval of TA. Single panels are prohibited.
- d. Horizontal lap and ship lap siding shall be: smooth face clear redwood or western red cedar, 4" to 6" to the weather, painted or sealed and stained; or composition siding smooth side only, Hardie, Hardie Artisan or Boral, 4 to 6" to the weather, painted or prefinished.
- e. Board and batten shall be clear redwood, western red cedar, or composition panel smooth face only, with 2x3 battens, 16" o.c. maximum, painted or sealed and stained. Application shall initiate batten at the centerline of each wall plane.
- f. Brick shall be laid in a horizontal running bond pattern with mortar joints no greater than 3/8", shall have minimal color variation, and shall not be painted.
- g. Stone shall be natural rock, should be of the region, and shall be individual stones 8" minimum average; laid dry-stack or mortared, uniform in style ranging from coursed ashlar to uncoursed rubble; and shall appear to be weight bearing and not applied.
- h. Concrete shall be architectural cast-in-place or board form.
- i. Metal shall be brass, bronze, wrought iron, galvanized, stainless or enameled steel or marine-grade aluminum, and shall be permitted only by approval of TA.
- j. Nails, screws, fasteners, hinges exposed to the elements shall be galvanized or stainless steel.
- k. Mailboxes, newspaper boxes, flower boxes, lettering and numbering shall not be plastic or vinyl.

6.2.2 Configuration and Technique:

- a. All Elevations of a single building shall maintain a uniform level of quality in materials and detailing.
- b. Facades should be designed to emulate traditional width to height proportions such as the golden section, square and double square; and with tri-partite assemblies: base, middle, and top; and center and edges.
- c. Porch openings shall be vertical in proportion.
- d. Wall cladding shall be of two materials maximum; and shall be in two configurations of the material maximum.
- e. Materials changes shall be along a horizontal line and not along a vertical or diagonal line, typically at a floor line, gable or water-table, and shall place the heavier material below the lighter, expressing a continuous transfer of building loads from the roof to the foundation. Foundations shall appear to carry the weight of the building.
- f. Decorative shingles may be permitted by approval of TA.
- g. Trim such as corner boards, framing for openings and fascia, shall be no less than 1 1/4".
- h. Wood posts shall be 6" minimum in width or depth, chamfered at the corners, and with spacing of traditional proportions.
- i. Siding spacing shall butt into corner boards and openings trim. Siding shall not extend in front of trim.
- j. Façade stone or brick shall return onto the adjacent side wall 8" to 12".

- k. Foundation piers of masonry or concrete shall be 12" in width and 8" in depth minimum. Foundation walls and piers shall be exposed a maximum of 8". Above 8" an architectural finish shall be required. Exposed crawlspace shall be a maximum 18" above grade.
- l. Porch columns shall be brought to grade as masonry piers or masonry foundation walls. Piers shall have openings framed and filled with wood or brick lattice. Wood skirts covering piers are prohibited.
- m. Stone or pre-cast lintels shall extend horizontally beyond the opening spanned a dimension equal to the height of the lintel. Brick soldier lintels shall extend a minimum of one brick beyond the opening.
- n. Lintels and sills should generally align to create a harmonious facade. When used, window sills should receive more emphasis than lintels, since the lintel already casts a shadow line. The window sill should extend beyond the window opening and surrounding trim a maximum of 2" and shall be detailed with a drip to prevent wall staining.
- o. Arches shall be permitted only in masonry or stucco wall surfaces. Keystones shall be centered on the arch and have sides radial to the arch.
- p. Metal columns shall be steel and shall be round in section and of a minimum 6" diameter.

6.3 ELEMENTS AND ATTACHMENTS

6.3.1 Materials:

- a. Bay windows, porches and balconies shall be made of the wall materials, or they may be made of wood, painted or sealed and stained to match the building wall materials; or metal finished to match other metal of the building including windows and doors.
- b. Awnings shall be made of structural building materials such as metal, wood, glass or concrete, and shall have visible architectural support, such as brackets, integral to the awning design. Awnings made of canvas or synthetic woven material resembling canvas may be permitted by approval of TA.
- c. Glazing shall be clear glass. Reflective glass is prohibited. Frosted, etched, and other decorative glass may be permitted by approval of TA.
- d. Porch and deck floors shall be wood or concrete; brick, stone and composite decking may be allowed by approval of TA.
- e. Front entrance porch steps and stoops shall be stone, brick or concrete, and shall be faced on all exposed sides with stone, brick or concrete. Secondary porch steps and stoops may be permitted in wood or composite wood by approval of TA.
- f. Balcony, porch, deck and stair railings shall be of a single material in wood or composite simulated wood, subject to TA approval of the material. Metal railings may be permitted by approval of TA.
- g. Pergolas and trellises shall be made of wood, metal or vinyl; trellis wire shall be stainless steel held by 6" stand-offs.
- h. Window air-conditioners are prohibited. Wall air-conditioners facing an alley or parking lot may be allowed by approval of the TA.

6.3.2 Configuration and Technique:

- a. Awnings shall be sloping rectangles with a free-hanging drip edge, without side or bottom soffit panels, and shall be of a solid color to match the wall color or trim or a dark accent color. Half-dome and plastic awnings are prohibited.
- b. Awnings for Types III and IV shall be a minimum of 36 inches wide, shall have a maximum slope of 1:3 from the building to the edge, shall be at height minimum 9' above the pedestrian, and shall not extend closer than two feet to the edge of the adjacent street curb. All awnings shall be integral to the overall design of the storefront and shall respect vertical column and window spacing. Awnings shall be at least nine feet high from the adjacent sidewalk.
- c. Bay windows shall cantilever 2 feet maximum, and shall be supported by knee-braces, or other architectural support. Bay windows may be supported by foundation walls.
- d. Balconies shall cantilever 3 feet maximum, and shall be supported with brackets or other architectural support.
- e. Chimneys shall have a foundation at grade, and for height shall replicate wood-burning standards. Chimney top flues shall be metal or tile. Horizontal flues may be permitted by approval of the TA, and shall not face a street or other public space frontage. Metal flues shall be painted the color of the roof, flat black or left natural.
- f. Wood railings shall be clear cedar, 2x2 minimum pickets. Railings shall have top and bottom rails; top rails shall be eased for handling comfort and bottom rails shall have a vertical section. Railings 1x4 minimum flat face to façade with 1/2" gaps maximum may be permitted by approval of TA. Top and bottom rails shall be centered on the pickets.
- g. Metal railings may be permitted by approval of TA.
- h. Flagpoles less than 6' long may be mounted at an angle to porch columns or posts and building walls.

6.4 ROOFS AND EAVES

6.4.1 Materials:

- a. Pitched roofs cladding shall be slate, terracotta tile, metal or asphalt shingles.
- b. Metal roof cladding shall be prefinished standing seam, galvalume or zincalume; prefinished corrugated; or unfinished copper; with roof attachments to match main roof.
- c. Asphalt shingles shall be multi-ply architectural in a single color.
- d. Flat roof surfaces may be reflective roofing, wood decked, and concrete, ceramic or terracotta tiled.
- e. Green (vegetated) roofs may be permitted by approval of TA.
- f. Gutters and downspouts shall be copper, steel or anodized/natural finish aluminum. Copper-anodized aluminum is prohibited.
- g. Flashing shall be copper, lead or anodized aluminum.
- h. Copper roofs, flashing, gutters and downspouts shall be allowed to age naturally and shall not be painted or sealed.

- i. Roof penetrations such as vents, attic ventilators, turbines, and flues, shall be painted to match the color of the roof or flat black, except those made of metal may be left natural.
- j. Splash blocks shall be stone, brick, concrete or gravel.

6.4.2 Configuration and Technique:

- a. Roofs shall be simple and symmetrically gabled or hipped, or flat. Two roof types maximum per building, one primary and one secondary, shall be the allowed.
- b. Primary roofs shall be gable end or hip. Primary single shed roofs (roofs that pitch in one direction) are prohibited.
- c. Secondary roofs shall be hip, gabled; or flat with a parapet to conceal slopes and equipment.
- d. Primary roof pitch shall be between 6:12 and 14:12. Secondary roof pitch may be shallower by approval of TA.
- e. Roof slope breaks may be permitted at 25% maximum of overall width of roof by approval of TA.
- f. Shed roofs shall be permitted when the ridge is attached to an exterior wall of a building and shall have a pitch between 2:12 and 4:12.
- g. Eaves shall cantilever 2 feet maximum. Gable end eaves shall cantilever 2 1/2 feet maximum.
- h. Exposed soffits shall have rafter tails maximum 2x6, with 1x4 or 1x6 tongue-in-groove, or ACX plywood. Gable end rake rafters and fascia shall be minimum 2x8.
- i. Enclosed soffits shall be 1x4 tongue-in-groove, skip sheathing with a 1/2" gap, or stucco.
- j. Brackets shall be 4x6 vertical, 6x6 horizontal, 4x6 strut.
- k. Gutters shall be 1/2 round, J-style, or box and shall be the same profile on any one building.
- l. Downspouts shall be round or square on a stand-off pin and shall be placed by approval of TA. Rain chains and barrels may be permitted by approval of TA. In the absence of gutters, gravel shall be placed at the dripline.
- m. Dormers shall be habitable, roofed with a symmetrical gable, hip, or shed, and placed minimum 3' from side building walls.
- n. Skylights shall be flat in profile. Skylights, vent stacks and other roof applications and protrusions shall be placed on roofs facing away from streets.
- o. Solar tiles and solar panels may be permitted by approval of TA, and shall be integrated into the surface of the roof and shall not expose an independent structure. Roofs should be designed to accommodate panels; panels applied to an unrelated roof design shall be prohibited as shall be stair-stepping rectangular patterns. Solar energy panels are further regulated under paragraph 7.6.6 of the Declaration.
- p. Turbines may be permitted by approval of TA.
- q. Flat roofs shall be surrounded by a parapet wall tall enough to conceal any roof-top equipment, and no less than 1' above the roof deck. The parapet may be interrupted by drainage scuppers.

6.5 OPENINGS

6.5.1 Materials:

- a. Windows:
 - i. Windows shall be made of wood, aluminum clad wood, fiberglass, vinyl, Westeck true-divided grid vinyl, or steel sash.
 - ii. Glass shall be clear and free of color. Frosted, etched, tinted or other decorative glass and glass blocks may be permitted by approval of TA, except at street frontages where they may be applied in clerestories only. Reflective or dark glass is prohibited.
- b. Doors:
 - i. Doors shall be made of wood, aluminum-clad wood, wood-veneered fiberglass, glass panel, or steel.
 - ii. Garage doors shall be made of wood, composite wood, steel or wood-veneered fiberglass, and may have glass or framed panels.
- c. Screens and Shutters:
 - i. Screens for windows and doors shall be made of bronze, aluminum, dark colored fiberglass or black vinyl.
 - ii. Shutters shall be made of wood, painted or sealed and stained, Boral, metal, or vinyl.
- d. Storefronts:
 - i. Type III and Type IV storefronts shall be made of wood, brick, composite board, stone, custom metal work or steel frame and clear glass. Painted surfaces shall be white or a dark color glossy painted finish. Masonry and anodized aluminum storefronts may be permitted by approval of TA.

6.5.2 Configuration and Technique:

- a. Windows:
 - i. Windows facing frontages, streets, and public spaces shall be located within wall sections such that wall thickness is perceived from the exterior of the building. Flush mounted windows are prohibited.
 - ii. A minimum of 30% of the total Façade area shall be made of glass windows and doors.
 - iii. Windows shall be square or vertical in proportion, such as 1:1.5, golden section, double square, triple square. Transoms may be horizontal. Windows may be circular, semi-circular, oval, hexagonal or octagonal in shape, but only one such window may be placed on a façade. Windows may be quarter-circular in shape when paired in a gable end.
 - iv. Windows may be sub-divided into panes that shall be square or vertical in proportion, with similar proportions throughout the building. Muntins shall be true-divided light, or three-part simulated divided lite, and shall match the color of the exterior sash. Muntins shall not be snap-ons.

- v. Windows shall be operable, single-hung, double-hung, casement, awning or fixed. Sliding windows are prohibited.
 - vi. Two or more windows in the same rough opening on a facade shall be separated by a minimum 4" wide post.
 - vii. Windows facing streets shall be no closer than 2' to the corners of the building, except in Types III and IV.
 - viii. Single panes of glass shall be in area a maximum 20 square feet, except in Types III and IV.
- b. Doors:
- i. Doors facing frontages, streets, and public spaces shall be located within wall sections such that wall thickness is perceived from the exterior of the building. Flush mounted doors are prohibited.
 - ii. Doors facing Frontages shall be made of visible boarding or stiles with glass panels or recessed or raised panels, half-lite, full-lite, or three-quarter lite, that express construction technique. Door lites that are arches, rounds, fans or ovals are prohibited. Flush doors with applied trim are prohibited.
 - iii. Double doors shall not exceed 5'-6" in overall width except where intermediate 4" minimum posts are provided.
 - iv. Sliding glass doors shall not be permitted on facades facing streets.
 - v. Screen doors, if provided, shall be full view or three quarter view, and may have a center cross rail finished to match the screen door. Screen doors shall be finished to match the door they serve or the trim around it.
 - vi. Garage doors shall be configured as a sectional overhead or hinged carriage door, and should be an individual door for each parking space.
 - vii. Garage doors facing an alley may be maximum 18' for double width, and may be permitted taller than 8' in height by approval of TA.
- c. Screens, Shutters and Security:
- i. Window screens, if provided, shall be full view screens. Half view screens may be permitted by approval of TA. Window screens shall be finished to match the window they serve or the trim around it.
 - ii. Porch screens may be allowed and shall be framed to reflect column spacing proportions.
 - iii. Shutters, if provided, shall be applied to all of the typical windows on a Façade or elevation; shall be shaped and sized to the opening they serve; shall match the color of the wall or the building trim; shall be fully functional except with approval of TA. If fixed, shutters shall be mounted as if hinged to the window sash.
 - iv. Security doors and windows may be permitted by approval of TA. For residences these shall be designed as decorative window grills and doorway gates. For storefronts, these shall be interior links or grills that are completely hidden from view when not in use. Solid metal gates or roll-down shutters shall not be permitted.

d. Storefronts:

- i. Storefronts shall be designed as a unified composition of doors, windows, bulkheads, transoms, signage, awnings, lighting and other details.
- ii. Type III and IV storefront entrance doors shall be recessed to allow the door to swing out without obstructing pedestrian flow on the sidewalk. Each tenant space shall have at least one three-foot wide door at the main entry. Storefront entrances shall be encouraged at building corners. Where appropriate, folding doors and windows that allow the activity of the business to open adjacent to and onto the public sidewalk may be installed for restaurants and food services. Rear and side doors and windows facing service alleys and parking lots shall be encouraged, but not required.
- iii. Total fenestration on the first floor for Types III and IV shall be a minimum of 70% of the first floor facade area and shall have a continuous kickplate 12 – 36" above the sidewalk.

6.6 COLORS

- a. Colors shall be selected from the Benjamin Moore Historic Colors Palette or equivalent with the addition of pure white and shall be approved by TA.
- b. Residential buildings shall be a maximum two colors, including walls, doors, windows, and trim. Trim shall be one color only. Window sashes and entrance doors may be a third color.
- c. Wall colors shall be lighter than the trim or attachments and other elements, except white trim is permitted. Contrasting trim other than white shall be avoided.
- d. Awnings may have a maximum of two colors by approval of TA.

6.7 LIGHTING

- a. Lighting shall adhere to Dark Sky Friendly standards. Path and area lighting shall have shields to direct light to ground area of use.
- b. All exterior lighting, including lampposts, lighting on building walls, wall sconces, pendants and surface mounted ceiling lights shall be downlights, max 2700K LED or equivalent. Type III and Type IV signs may be lit by a gooseneck fixture with focus specific to the sign. Type II and Type IV service entries shall have fixtures with photocells that light from dusk to dawn.
- c. Two exterior light fixtures maximum per house or live-work may face the street. Other light sources should be concealed from exterior views. Fixtures should be located to preclude glare.
- d. Exterior light fixtures shall be compatible with the style of the building to which they are attached.
- e. Doors facing a street or a public space, and garage doors opening onto an alley, shall have a light fixture with a photocell that lights from dusk to dawn.
- f. Uplighting, floodlighting and wall washing lighting shall be prohibited.
- g. All lighting should have a functional purpose. Additional decorative lighting for Types III and IV only may be allowed by approval of TA. External lighting of awnings may be

permitted by approval of TA. Backlighting of awnings from under or inside shall be prohibited.

- h. Interior lighting of storefronts and exterior lighting of signs for Types III and IV is recommended throughout nighttime hours (or at a minimum until 11pm) to accentuate storefront displays, illuminate building details, and promote public safety.

6.8 SIGNS

- a. Postal numbers shall be placed on the principal building facade and on alley or rear parking entrances, and shall be maximum 6" tall.
- b. Signs for streets and other public spaces, wayfinding, civic and shared facilities shall be of a unified design.
- c. Signs for private buildings shall be made of wood, synthetic wood, brass, bronze, copper, wrought iron, ceramic, cast aluminum or thickly enameled steel. All signs shall be subject to approval by TA. Plastic signs or letters, backlit signs, and electronic or video screen signs shall be prohibited.
- d. One sign advertising a home-based business shall be permitted at each Frontage of a Type I or Type II building. Signs advertising a home-based business shall be blade or window signs, a maximum size of 2 square feet. Signs may be mounted to a freestanding post, hung below a porch roof, or mounted to a building wall.
- e. One sign advertising a shopfront business shall be permitted at each Frontage of a Type III or Type IV building. Signs advertising a shopfront business shall be blade or window signs, or a first floor sign band.
- f. Blade signs for shopfront businesses shall be attached perpendicular to the façade; shall be at a height minimum 9' above the pedestrian; shall extend horizontally maximum 3'; shall be maximum 2.5' in vertical dimension, with a maximum overall size of 2.5 square feet, and a 15' minimum distance between blade signs. Blade signs may be a representational silhouette in metal.
- g. Window signs for shopfront businesses shall be inscribed on the shopfront glass or shall be made of permanently affixed cut-out lettering or hand-painted letters. Neon signs on the inside of a Type III or Type IV shopfront window may be allowed by approval of TA.
- h. Sign bands for a shopfront businesses shall be an integral design with the storefront's elevation and details, and may be a contrasting color to the building. Sign bands may be up to 12 inches in height and may extend the entire length of the storefront. Sign bands shall not be internally illuminated but may be externally lit subject to the approval of TA.
- i. Signs for civic and shared facility buildings may be façade signs; shall be made of material and color to be integral with the building design; shall be maximum 2 feet in height by any length; shall not be translucent or internally illuminated; and may be externally lit. Brass or stainless steel may be used for signs mounted to masonry building walls.
- j. One business hours sign of maximum 1 square foot advertising hours of operation and credit card acceptance shall be permitted at storefront entry.

- k. One security system sign per frontage and one per service entry shall be permitted, maximum 5" x 8", attached to the building wall or a window.
- l. Temporary A-frame signs of maximum 6 square feet each side may be placed on the sidewalk adjacent to the business during business hours, shall be made of wood, synthetic wood or metal, shall have a hand-crafted design, and shall be approved by TA.
- m. One sign advertising a property for sale or rent is permitted at each frontage, maximum 5" x 8", affixed to the building or on a post maximum 4 feet in height, for a maximum duration of 90 days per year.
- n. One sign per lot identifying the building contractor is permitted, maximum 2' x 3', on posts maximum 4 feet in height, for the duration of the construction only.

SECTION 7 SITE AND LANDSCAPE STANDARDS

The Site and Landscape Standards are organized by these categories:

7.1 General

7.2 Public Space

7.3 Gardens

7.4 Fences, Walls and Pavements

7.1 GENERAL

- a. The goal for the outdoor spaces and landscape improvements of Vista Field is to construct a landscape of plants native to the high desert location of Kennewick, including drought tolerant materials that can provide shade.
- b. Site designs shall minimize grading.
- c. Topographic transitions between improvements and existing grades or between Lots shall appear to be natural slopes or to be garden terraces.
- d. All site drainage and water runoff from impervious surfaces shall be retained on the Lot that generates it.
- e. Tree planting shall be considered permanent improvement of the community landscape. Trees shall be selected from the 2018 Community Tree List of the Mid-Columbia Community Forestry Council. Removal of trees larger than 4" caliper deciduous and 6" caliper conifer shall require approval by TA.

7.2 PUBLIC SPACE

7.2.1 Materials:

- a. Public Space site materials shall be according to a site plan masterplan that specifies location, dimensions, at installation and at maturity, durability, and other characteristics that provide maximum safety and comfort, and are conceived of as part of a visually harmonious public realm.
- b. Public Space pavements shall be stone, brick, or concrete pavers and designed for maximum permeability: asphalt for driveways and parking lots, and poured concrete pavement for streets and sidewalks may be permitted by approval of TA. All pedestrian pavements shall have a non-skid finish.

7.2.2 Configuration and Techniques:

- a. All site utilities shall be placed underground. Above ground equipment shall be located in alleys or parking areas behind buildings and screened from view with walls and landscape.

7.3 GARDENS

7.3.1 Materials:

- a. Garden planting materials shall be selected from the following plant lists: the Tree Lists by Mature Heights of the Community Tree List of the Mid-Columbia Community Forestry Council; and the Washington Native Plant Society's WNPS Native Plants of Eastern WA brochure.
- b. Garden pavements shall be stone, brick, or concrete pavers and shall be designed to provide maximum permeability.

7.3.2 Configuration and Techniques:

- a. Fenced areas and lawn areas shall be located and designed to be functional and geometrically defined for privacy, protection from the wind, and security of children and pets. Lawn areas shall be restricted to a functional space to minimize irrigation.
- b. Landscape irrigation shall be an underground or drip irrigation system and shall have retracting sprinkler heads or shall be otherwise visually unobtrusive.
- c. Garden planting may provide shade for adjacent Public Frontage, but shall not interfere with Public Space landscaping.
- d. Hot tubs and pools shall be recessed in the ground and visually screened with a fence, wall or hedge.
- e. Woodburning outdoor fireplaces and firepits may be allowed by approval of TA, and shall be separated from all combustible structures and trees by a minimum distance of 15 feet.

7.4 FENCES, WALLS, PAVEMENTS

7.4.1 Materials:

- a. Fences shall be made of wood pickets, painted or sealed and stained, or steel, wrought iron painted, or ESP aluminum. Fence gates shall be made of the fence material.
- b. Garden walls and retaining walls shall be made of architectural finish concrete, segmental block, brick or brick veneer, local stone or local stone veneer, and shall be capped. Wall gates shall be made of wood, painted or sealed and stained, steel, wrought iron painted, or ESP aluminum.
- c. Trash yard and dumpster enclosures shall be made of concrete, wood sealed and stained or painted, or steel painted, with gates of wood or steel.
- d. Hedges shall be made of plants selected from the Plant List. Hedge gates shall be made of wood, painted or sealed and stained, steel, wrought iron painted or ESP aluminum, with framing structure of the same material.
- e. Garden pavement shall be permeable and shall be made of, stone, concrete pavers, brick, brick pavers, wood, or gravel with aggregate maximum 1/4".
- f. Gravel in front yards and at frontages shall be edged to prevent runover.
- g. All pedestrian pavements shall have a non-skid finish.

- h. Driveway and parking lot pavement shall be made of asphalt, brick, brick pavers, or concrete. Concrete may be patterned but stamped concrete patterns shall be prohibited. Driveway and parking lot materials shall be approved by TA.
- i. Gravel in front yards and at frontages shall be edged to prevent runover.

7.4.2 Configuration and Techniques:

- a. Fences, garden and retaining walls, and hedges, and their location and height shall be designed to coordinate with the design of the adjacent Public Frontage and neighboring lots.
- b. Fences, garden walls and hedges shall be located no closer to the street than the front façade of the building, and in Type III and Type IV located to screen parking lots from the street.
- c. Fences and garden walls shall provide closure, starting and ending at a building wall or terminal post that is larger than the other fence posts.
- d. Fences and walls shall be a maximum 6' above grade. Trashcan and dumpster enclosures shall be minimum as tall as the containers they conceal.
- e. Garden and retaining walls shall be minimum 8" wide and capped with overhang of 1/2" to 1' on each side to protect from water intrusion.
- f. Retaining walls shall be part of building foundations or shall be part of garden terracing. Retaining walls shall follow required building setbacks, and shall be a maximum 4' in height.
- g. Hedges may be a single type of plant or a mix of plants. At installation plants shall be 18" o.c. and a minimum 24" in height. Hedges shall be maintained to allow light to penetrate to all branches, tapered slightly to create a base that is wider than the top.
- h. Parking lots for Type III and Type IV buildings shall be planted to provide maximum shading of the pavement, with continuous tree islands perpendicular to the parking stalls, or tree diamonds with corners intersecting the striping with a maximum separation of four parking spaces. Each tree shall have a minimum of 5'x 5' planting area.

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SECTION 8 THOROUGHFARE STANDARDS

8.1 GENERAL

- a. The streets are the primary shared experience of Vista Field. Their dimensions, pavements, lighting, and trees planted provide the visual ambience of the public realm. Streets are also the main conveyance of utilities throughout the community and an important component of over- all storm-water management. These Standards are intended to encourage pedestrian mobility, minimize vehicular use, and minimize the intrusion of utilities on the visual and pedestrian experience.
- b. Shared facilities in the street rights-of-ways and other public spaces, including street lighting, street signs, trash cans, benches, electrical transformers, dumpster enclosures, and other utilities, shall be of uniform design, approved and located by TA.
- c. Above ground utility components shall be placed at the rear of buildings rather than at Frontages, shall be grouped and screened with landscape elements to minimize their visual impact.
- d. Each street on a block by block basis shall have pavement and Public Frontages designed to provide place-specific character, taking into account topography, on-street parking, driveway entries, et al.
- e. Street intersections shall have a curb radius of 10', with a clear zone radius of 25'. Parking shall be held back from an intersection minimum 20'.
- f. Alley and lane intersections with streets shall be designed to minimize visual impact of alley or lane on street frontage with building extensions and landscape screening.

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SECTION 9 DESIGN REVIEW PROCEDURES

9.1 GENERAL.

- a. All Public and Private building and landscape improvements shall be reviewed by the Vista Field Town Architect (TA) and shall require TA's approval prior to commencement of construction.
- b. The TA shall approve, conditionally approve, or disapprove, submitted applications with explanatory notification in writing to the applicant, including if possible the changes necessary for approval, within ten days of each of the following reviews. The TA may approve deviations from the Standards based on the determination that the proposal fulfills the basic intent of the Standards, offers a standard superior to that in the Standards that is to be set aside, and is compatible with adjacent development.

9.2 SCHEMATIC DESIGN REVIEW.

This review confirms conceptual conformance with the Development Standards. More than one scheme may be submitted. Submit (two sets):

- ☐ Lot Plan at 1"=20'
- ☐ Floor Plans at 1/8"=1'-0"
- ☐ Elevations (at frontages) at 1/8"=1'-0" (or photo of each elevation if previously built on another lot)

9.3 DESIGN REVIEW.

This review confirms compliance of the design details with the Standards and verifies that previous recommendations made by TA have been incorporated. Submit (two sets):

- ☐ Lot Plan at 1/8"=1'-0"
- ☐ Landscape Plan at 1"=20'
- ☐ Floor Plans at 1/4"=1'-0"
- ☐ Roof Plan at 1/4"=1'-0"
- ☐ Elevations (all) at 1/4"=1'-0"
- ☐ Building Section at 1/4"=1'-0"
- ☐ Wall Section & Details at 1-1/2"=1'-0"
- ☐ Material List & Samples
- ☐ Schematic Design Review comments

9.4 CONSTRUCTION DOCUMENTS REVIEW. SUBMIT (TWO SETS).

- ☐ Construction Documents
- ☐ Design Review comments

If essentially the same building has been previously built on another lot, submit the following to apply for simultaneous A, B and C reviews:

- ☐ Lot Plan at 1/8"=1'-0"
- ☐ Landscape Plan at 1"=20'
- ☐ Previously reviewed Construction Documents.
- ☐ Photo of each elevation of each previously built structure on most recent lot.
- ☐ All changes from previously built structure(s) clearly noted.

9.5 CONSTRUCTION.

Plans approved by the Vista Field TA may proceed to the City of Kennewick for building permit, and subsequent inspections shall take place according to the City of Kennewick requirements.

9.6 CHANGE DURING CONSTRUCTION.

- ☐ Changes during construction shall be approved by Vista Field TA prior to approval by City of Kennewick
- ☐ Change during Construction Form
- ☐ Additional information to describe changes

9.7 DESIGN REVIEW PROCEDURES CHECKLIST.

a. Lot Plan

- ☐ North arrow, scale
- ☐ Property lines, dimensions and area
- ☐ Easements
- ☐ Building footprints with entries noted
- ☐ Encroachments, if any, dimensioned
- ☐ Sidewalks, driveways and patios
- ☐ Finished floor elevations, existing & proposed grades
- ☐ Existing trees over 3" caliper and other natural features
- ☐ HVAC and other exterior equipment including lighting

b. Landscape Plan

- ☐ Names of all material
- ☐ Size, quantity and location of all material, at installation and at maturity
- ☐ Garden elements such as retaining walls, paved surfaces, trellises, arbors, fences, gates, etc.

c. Floor Plans

- ☐ Room dimensions and uses labeled
- ☐ Encroachments, if any, dimensioned
- ☐ Roof drip line

d. Roof Plan

- ☐ All roof penetrations

e. Elevations

- ☐ Openings, doors, and windows
- ☐ Materials rendered and specified, including color
- ☐ Finished grade and finished floor elevations
- ☐ Building height to eaves, ridges & parapet walls
- ☐ Overall height from grade at front setback
- ☐ Roof pitches
- ☐ Open or closed eave condition if any
- ☐ Awnings, signs, and lights if any

f. Building Section

- ☐ Structure
- ☐ Openings, doors and windows
- ☐ Finished grades
- ☐ Dimensions, horizontal and vertical

g. Wall Sections And Details

- ☐ Openings, doors & windows (including heads and sills)
- ☐ Porches and balconies including railings
- ☐ Ornamental elements and trim
- ☐ Inside & outs corners (pilasters, cor. boards, etc.)
- ☐ Eaves and cornices

- Dimensions of column centerline to:
 - Face of pier
 - Face of column at bottom of shaft (1st floor)
 - Face of column at top of shaft (1st floor)
 - Face of beam (1st floor)
- If two-story porch:
 - Face of column at bottom of shaft (2nd floor)
 - Face of column at top of shaft (2nd floor)
 - Face of beam (2nd floor)
- Fences and garden walls
- Chimneys

9.8 MATERIALS LIST (WITH MANUFACTURER AND PRODUCT).

- Roof, gutters and downspouts
- Exterior walls and trim
- Windows, doors and garage doors
- Shutters and screens
- Fence and garden walls
- Sidewalk, driveway and patios

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From: [James Darling](#)
To: [Bridgette Scott](#)
Cc: [Tim Arntzen](#)
Subject: Re: Governance and Management Audit - Project Update
Date: Thursday, October 14, 2021 4:20:13 PM

Bridgette, great update, nice work. I know I tried a few calls and some of the folks were unresponsive. The good thing is that with the DJC ads almost the entire consulting community will see it. Thanks for the update! Jim

On Thu, Oct 14, 2021 at 3:56 PM Bridgette Scott <bscott@portofkennewick.org> wrote:

Good afternoon.

Here's an update on the project:

1. Additional background information is posted on our website:
<https://www.portofkennewick.org/public-records-request/>
2. The RFP's are posted on our website: www.portofkennewick.org/contracting/#bid
3. An email address has been created for responses to the Audit RFP –
PortRepresentative@portofkennewick.org
4. The Project Manager RFP has been emailed to Tim Nies, Terry Walsh, Stephanie Dewey and Vanessa Bronsema.
 - a. I left voicemail messages 10/13/21 at approximately 3:15 pm for Janelle Domaratsky, Laura Todd and Lyn Wilse **with no responses so far**.
 - b. I spoke with Marilyn Beard 10/13/21 at 3:19 pm. She does not have the time to participate.
5. 10/14/21 - Emailed the Project Manager RFP to the Tri-City Herald (ads run 10/17, 10/20, 10/24, & 10/27) and Daily Journal of Commerce (ads run 10/15 & 10/22)
6. 10/14/21 - Emailed the Audit RFP to the Tri-City Herald (ads run 10/18, 10/20, 10/25 & 10/27) and Daily Journal of Commerce (ads run 10/19 & 10/26).
7. On Monday, 10/18/21, I will email the Audit RFP to all interested parties on Jim's list except two (unless I hear from them):
 - a. Kelly Evans, Sound View Strategies – I sent a message 10/14/21 at 2:29pm through their website contact page requesting Kelly Evans email address
 - b. Nick Hanauer, Second Avenue Partners - the voice mailbox for the Operator and Nick Hanauer are both full and not accepting messages and I could not find an email address for anyone on their website or searching Google.

I think that's everything. Let me know if you have any questions or concerns.

Thank you.

Bridgette Scott

Executive Assistant

PORT OF KENNEWICK

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Please note the Port of Kennewick is open for business, but we are working remotely.

--

James Darling



leewardstrategies.com

1 (360) 739-1595



AGENDA REPORT

TO: Port Commission

FROM: Nick Kooiker, CFO/Auditor

MEETING DATE: November 9, 2021

AGENDA ITEM: Resolution 2021-24; Levy Certification
Resolution 2021-25; Increase in Tax Capacity

- I. REFERENCE(S):** None.
- II. FISCAL IMPACT:** Estimated \$4,500,000. Depends on final tax certification.
- III. DISCUSSION:** Every year, the Port must take action in order to certify their tax levy for the next calendar year. The first resolution (Levy Certification) is the formal document certifying the amount of property taxes to be certified in 2022. The second resolution (Increase in Tax Capacity) allows the Port to take the statutory 1% levy increase.
- IV. STAFF RECOMMENDATION:**
Approve the resolutions.
- V. ACTION REQUESTED OF COMMISSION:**

***Motion:** I move approval of Resolution 2021-24, certifying the Port of Kennewick's tax levy for 2022 collections, and Resolution 2021-25, increasing the Port of Kennewick's tax levy capacity in 2022.*

PORT OF KENNEWICK

RESOLUTION NO. 2021-24

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE PORT OF KENNEWICK CERTIFYING THE PORT'S 2022 LEVY

WHEREAS, the Board of Commissioners of the Port of Kennewick met and considered its budget for the calendar year 2021 and 2022 at a regular meeting on November 10, 2020, a quorum of the Commission being present; and

WHEREAS, a legal notice of public hearing on the Preliminary Budget of Port of Kennewick for the calendar year of 2021 and 2022 was published in accordance with RCW 53.35.020, RCW 53.35.045 and RCW 84.52.020; and

WHEREAS, the Port's actual levy amount from 2021 year was \$4,518,713; and

WHEREAS, the population of the Port is more than 10,000; and

WHEREAS, the Board of Commissioners of Port of Kennewick after hearing and after duly considering all relevant evidence and testimony presented, determined that the Port of Kennewick requires a regular levy for the 2022 tax year in the amount of \$5,200,000, which includes an increase in property tax revenue from the previous year, amounts resulting from the addition of new construction, improvements to property, any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the district and in its best interest.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Port of Kennewick substantiate that an increase in the regular property tax levy is hereby authorized for the levy to be collected in 2022 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be approximately \$46,000, which is a one-percent increase from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

BE IT FURTHER RESOLVED that the Board of Commissioners of the Port of Kennewick hereby direct the Chief Financial Officer/Auditor to certify a copy of this resolution and forward the same to the Clerk of the Board of the County Commissioners in accordance with RCW 84.52.020.

APPROVED and dated by the Commissioners of the Port of Kennewick at a Regular Meeting on November 9, 2021.

**PORT of KENNEWICK
BOARD of COMMISSIONERS**

By: _____
DON BARNES, *President*

By: _____
SKIP NOVAKOVICH, *Vice President*

By: _____
THOMAS MOAK, *Secretary*

CERTIFICATION OF TAX LEVY

STATE OF WASHINGTON County of Benton

In accordance with RCW 84.52.020, I, **Nick Kooiker**, CFO/Auditor for Port of Kennewick, do hereby certify to the Benton County legislative authority that the Commissioners of said district request that the following levy amounts be collected in 2022 as provided in the district's budget, which was adopted following a public hearing held on November 10, 2020. I hereby request the Board of County Commissioners of Benton County, Washington, to make said regular levy of the Kennewick Port District, as set forth below, and that said regular levy is for operation, maintenance, land acquisition, construction, and the levy is to be distributed as follows:

Expense (General) Fund	\$5,190,000
Administration Refund Fund	\$10,000

<i>Total Regular Levy</i>	<i>\$5,200,000</i>
----------------------------------	---------------------------

<i>Population Certification:</i>	<i>Above 10,000</i>
----------------------------------	---------------------

If the above certification is more than the Assessor's levy calculations, the Assessor's Office is directed to reduce the Expense (General) Fund amount to the actual Assessor's levy calculation.

CERTIFIED this 9th day of November, 2021.

CERTIFIED BY:

**PORT of KENNEWICK
CFO/AUDITOR**

DocuSigned by:

Nick Kooiker

DAC096A4B5BD4FB

Nick Kooiker

Ordinance / Resolution No. 2021-24
RCW 84.55.120

WHEREAS, the Commission of The Port of Kennewick has met and considered
(Governing body of the taxing district) (Name of the taxing district)
its budget for the calendar year 2022; and,

WHEREAS, the districts actual levy amount from the previous year was \$ 4,518,713.00; and,
(Previous year's levy amount)

WHEREAS, the population of this district is ☒ more than or ☐ less than 10,000; and now, therefore,
(Check one)

BE IT RESOLVED by the governing body of the taxing district that an increase in the regular property tax levy
is hereby authorized for the levy to be collected in the 2022 tax year.
(Year of collection)

The dollar amount of the increase over the actual levy amount from the previous year shall be \$ 46,000
which is a percentage increase of 1.0 % from the previous year. This increase is exclusive of
(Percentage increase)

additional revenue resulting from new construction, improvements to property, newly constructed wind turbines,
solar, biomass, and geothermal facilities, and any increase in the value of state assessed property, any annexations
that have occurred and refunds made.

Adopted this 9 day of November, 2021.

If additional signatures are necessary, please attach additional page.

This form or its equivalent must be submitted to your county assessor prior to their calculation of the property tax levies. A certified budget/levy request, separate from this form is to be filed with the County Legislative Authority no later than November 30th. As required by RCW 84.52.020, that filing certifies the total amount to be levied by the regular property tax levy. The Department of Revenue provides the "Levy Certification" form (REV 64 0100) for this purpose. The form can be found at: <http://dor.wa.gov/docs/forms/PropTx/Forms/LevyCertf.doc>.

To ask about the availability of this publication in an alternate format, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For tax assistance, call (360) 534-1400.

PORT OF KENNEWICK

RESOLUTION NO. 2021-25

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PORT OF KENNEWICK AUTHORIZING AN INCREASE IN TAX LEVY CAPACITY PURSUANT TO RCW 84.55.120 AND WAC 458-19-005

WHEREAS, a public hearing was held by the Board of Commissioners for the Port of Kennewick regarding the 2021 and 2022 budget; and

WHEREAS, pursuant to RCW 84.55.120 and WAC 458-19-005, the rate of inflation (IPD rate) for 2022 is 3.860% and the limit factor for property taxes for 2022 is 101%; and

WHEREAS, the Port of Kennewick's levy amount from the previous year was \$4,518,713; and

WHEREAS, the Port has set its increase in tax levy capacity for the 2021 and 2022 budget at one percent (1%) and finds there is substantial need to set the levy limit at one hundred and one percent (101%); and

WHEREAS, the Board of Commissioners of the Port of Kennewick Taxing District, after hearing and after duly considering all relevant evidence and testimony presented, finds there is a substantial need to set the levy limit at one hundred one percent (101%), in order to discharge the expected expenses and obligations of the district and in its best interest; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Port of Kennewick Taxing District that an increase in the regular property tax levy, in addition to the increase resulting from the addition of new construction and improvements to property and any increase in levy value of state assessed property, is hereby authorized for the 2022 levy in the amount of approximately \$46,000 which is a one (1%) percentage increase from the previous year.

ADOPTED by the Board of Commissioners of the Port of Kennewick at a Special Meeting held this 9th day of November 2021; and duly signed by its proper officers in the authentication of its passage on said date.

**PORT of KENNEWICK
BOARD of COMMISSIONERS**

By: _____

DON BARNES, *President*

By: _____

SKIP NOVAKOVICH, *Vice President*

By: _____

THOMAS MOAK, *Secretary*

AGENDA REPORT

TO: Port Commission

FROM: Lucinda Luke, Port Legal Counsel

MEETING DATE: November 9, 2021

AGENDA ITEM: Resolution 2021-26; 2021 CEO Performance Evaluation

I. REFERENCE(S): Exhibit "A" - CEO Performance Evaluation
Exhibit "B" - 2021 CEO Performance Evaluation Packet
submitted to Port Commissioners
Exhibit "C" – CTUIR Letter submitted to Port Commissioners

II. FISCAL IMPACT: Contractual adjustment to CEO's compensation package per CEO's Employment Agreement.

III. DISCUSSION:

The Port Commission conducts an annual evaluation of the Port's Chief Executive Officer's performance pursuant to the CEO's Employment Agreement. On September 30, 2021, the Port Commissioners were provided with the 2021 CEO Performance Evaluation Packet. On October 6, 2021 a letter received from the CTUIR regarding the CEO was provided to the Port Commissioners.

As directed by the Port Commission, Port Counsel has gathered preliminary drafts of performance evaluations from all three individual Commissioners. Exhibit A includes i) the compiled version the individual evaluation forms received from Commissioners Moak and Novakovich, and ii) a copy of the evaluation received from Commissioner Barnes.

The CEO has made a written request that all aspects of his 2021 performance review be conducted in open session.

IV. COUNSEL RECOMMENDATION:

I recommend that the Commissioners take action to complete the CEO 2021 evaluation process in accordance with the CEO Employment Agreement and do so in accordance with the current November 15, 2021 deadline.

V. ACTION REQUESTED OF COMMISSION:

***Motion:** I move approval of Resolution 2021-26 adopting the CEO's 2021 Annual Performance Review [as set forth in Exhibit A or _____ alternative].
Furthermore, in accordance with the CEO's Employment Agreement, I deem the CEO's performance as _____. [SATISFACTORY, ABOVE SATISFACTORY OR EXCEPTIONAL]*

PORT OF KENNEWICK

Resolution No. 2021-26

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE PORT OF KENNEWICK APPROVING THE PORT CHIEF EXECUTIVE
OFFICER'S 2021 PERFORMANCE EVALUATION**

WHEREAS, the Port Commission conducts an annual evaluation of the Port's Chief Executive Officer's performance pursuant to the CEO's Employment Agreement.

WHEREAS, on September 30, 2021, the Port Commissioners were provided with the 2021 CEO Performance Evaluation Packet.

WHEREAS, as directed by the Port Commission, Port Counsel gathered preliminary drafts of performance evaluations from all three individual Commissioners and attached is the CEO's performance evaluation including the verbatim comments and appraisals of all three individual Commissioners.

WHEREAS, the CEO has made a written request that all aspects of his 2021 performance review be conducted in open session.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Port of Kennewick Board of Commissioners hereby approves the CEO's performance evaluation attached as Exhibit "A".

NOW, THEREFORE, BE IT HEREBY FURTHER RESOLVED that the Port of Kennewick Board of Commissioners, in accordance with the CEO's contract, hereby deems the CEO's performance _____ for 2021.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 9th day of November, 2021.

By: _____

DON BARNES
President

By: _____

SKIP NOVAKOVICH
Vice President

By: _____

THOMAS MOAK
Secretary

2021 ANNUAL PERFORMANCE REVIEW
Commission Evaluation of
Chief Executive Officer Performance*

IMPORTANT DUTIES/EXPECTATIONS	PERFORMANCE APPRAISAL		COMMISSIONER COMMENTS
<ul style="list-style-type: none"> ➤ Attach extra papers as necessary ➤ Factors should be reviewed in terms of quality, quantity and timeliness 	Met	Not met	
<p>I. <u>Vision and Purpose</u></p> <p>Collaborates with the Commission to advance the Port's vision and purpose. Leads senior staff to develop a concise vision. Advocates the vision by strategic resource allocation toward attainment.</p>	X	X[TM]	<p>Tim does his best to communicate with all three commissioners but over the past few years Commissioners Barnes and Moak have refused to meet with him on advancing Port vision. There is no doubt he has led senior staff the best he was able when not over ruled by two commissioners.[SN] This year, the strategic vision for Vista Field seemed not-so-visible. Resource allocation toward attainment was very slow. There did not seem to be collaboration by Tim with the Commission on how to get that vision implemented better or faster. Staff appeared reluctant to share work towards achieving the VF vision. Consultants seemed to turn out work very slowly. When there was a suggestion to allocate more resources towards Vista Field, there was no acknowledgement by Tim how more resources could be allocated.</p> <p>While there was much better vision on the Kennewick Waterfront, inability to really crystalize the VF vision results in a "not met" score.[TM]</p>

POK022-0011

<p>IV. <u>Integrity</u></p> <p>Sets the tone for the Port by exemplifying consistent values and high ethical awareness, honesty and fairness.</p>	XX		<p>Perhaps no one exemplifies consistent values of high ethical awareness and impeccable integrity than Tim who has been working in an environment that most leaders would not tolerate, would explode or simply resign.[SN] Tim worked through many COVID-related issues to keep commissioners, staff, and the public safe. Tim worked to be fair to tenants during the pandemic and with “squatters” on Verbena property.[TM]</p>
<p>V. <u>Financial Stewardship</u></p> <p>A. Maximizes the Port’s ability to serve and expand the public purpose while maintaining taxation stability.</p> <p>B. Administers the Port’s financial affairs consistent with state law and adopted policies, budget and financial guidelines.</p>	XX XX		<p>Tim has done the best possible job related to Financial Stewardship – in spite of commissioner Barnes forcing the Port to spend a ridiculous amount of money needlessly on his defense of a complaint for which he was found guilty on more charges than commissioner Moak. Commissioner Barnes did not follow Port policy and had the Port spend over \$170,000 on public records request he never used. Tim has done an outstanding job regarding financial stewardship he could control.[SN] The port has had taxation stability.[TM] Clean audit again for POK. Financial affairs seem consistent with laws, policies, and guidelines.[TM]</p>
<p>VI. <u>Political and Institutional Sensitivity</u></p> <p>A. Maneuvers through complex political and institutional situations effectively; anticipates potentially negative reactions, recommends and plans a course of action accordingly; views politics as a necessary part of organizational and public sector</p>	XX		<p>Tim is an excellent strategic thinker with an uncanny visionary mind he uses for the benefit of the Port. His knowledge of political and institutional sensitivity is excellent. Tim is able to foresee how current decision may develop into future complex issues and he is able to pre-plan creditable</p>

<p>life and works to be effective within that reality. Unless otherwise not practical, obtains commission concurrence prior to publicly stating position.</p> <p>B. Develops solutions to complex issues that challenge the Port's ability to recognize its vision and purpose. Demonstrates sensitivity to resource availability when developing solutions.</p>	XX	<p>solutions to address these before they become problematic.[SN] Tim consistently helped keep POK out of political situations that were outside the scope of port activities when other entities wanted the port to endorse. Tim worked with commission on helping define courses of action stemming from federal requests for infrastructure funding and "earmarks". He helped defuse efforts by some who wanted to use Waterfront Master Plan to attack port's federal partnership.[TM]</p>
<p>VII. <u>Stakeholder Relations</u></p> <p>A. Leads the Port in building effective relationships with tenants, customers and community.</p> <p>B. Effective relations are maintained with other governmental officials, community leaders, citizens, news media, etc., to resolve problems and complaints; to coordinate functions, to gain and provide information and to assemble outside assistance for Port activities.</p>	<p>XX</p> <p>XX</p>	<p>The letters received by stakeholders offer more substantiation of Tim's ability to positively handle Stakeholder Relationships for the benefit of the Port.[SN] Tim was able to use his delegated authority during the pandemic to assist at least one tenant with rent deferral. Heard no other concerns from tenants or port customers. One major tenant, Bruker, is vacating considerable space due to a corporate consolidation, and not because of dissatisfaction with the port. Some community members were unhappy with some of the port's efforts to respond to requests for federal assistance, but Tim helped keep that from disrupting the Waterfront Master Plan.[TM] There do not appear to be any issues with relationships with officials or community leaders, but the port did not pursue much new this year with any of our partners, either. Governmental partners are generally happy with the port when we support their projects with cash.[TM]</p>

	Met	Not met	
<p>VIII. <u>Priority Setting</u></p> <p>Spends time and the time of others on what is important; can quickly sense what will help or hinder accomplishing a goal; eliminates obstacles; creates focus.</p>	X	X[TM]	<p>Tim has done the best he can despite dealing with constant interference and micro-management by Commissioners Barnes and Moak.[SN] Vista Field did not seem to be Tim's priority this year. I did not see Tim eliminating obstacles or creating focus on VF. There seemed no urgency to getting Crosswind Blvd open and hanger designs completed that would help tell the story of Vista Field.[TM]</p>
<p>IX. <u>Knowledge</u></p> <p>A. Knows how successful public ports work; knowledgeable in current and possible future practices, trends and information affecting port management, the port industry and our Port; knows the competition; is aware of how strategies and tactics work in the marketplace.</p> <p>B. Maintains a favorable presence within the region, state and industry that results in an increased knowledge of initiatives, trends, practices and legislation that may affect the Port.</p>	XX	XX	<p>Tim has assembled a very proficient, extraordinary staff of highly skilled, knowledgeable people. He understands that he cannot possibly keep up with the everchanging work environment of Ports specifically as well as the United States, and global economy in general. He utilizes the knowledge and expertise of his staff to brief him on a regular basis allowing him to make the most strategic decisions then implement actions that most benefit the Port, its' jurisdictional partners and the public we serve.[SN] Port of Kennewick is quite different in what it does from most of the other ports. I think Tim knows how to fit into the port arena and is aware of the direction of other ports. Because of the lack of travel due to the pandemic, Tim probably had less contact with other ports and port managers during the year.[TM]</p>

<p>X. <u>Decision Quality</u></p> <p>Makes good decisions based on analysis, wisdom, experience and judgment; most solutions and suggestions turn out to be correct when judged over time.</p>	XX		<p>See comments immediately above which also apply here.[SN] Tim's decision-making appears good. Whether his suggested solutions and suggestions turn out to be correct when judged over time...time will tell.[TM]</p>
<p>XI. <u>Entrepreneurial</u></p> <p>A. Demonstrates an entrepreneurial spirit by identifying ways to generate revenue, investment capital and maximizes the financial potential of existing port assets.</p> <p>B. Brings recommended opportunities to the Commission's attention. Recommendations include financial projections, as well as potential public opinion concerns (risk/reward analysis).</p>	<p>X</p> <p>X</p>	<p>X[TM]</p> <p>X[TM]</p>	<p>Tim has been a small business owner, grew up in a small business family and was brought up with an entrepreneurial spirit and knowledge of what it takes maximize all available resources to attain the greatest possible results. When allowed by the commission to exercise his abilities he has done an outstanding job. Unfortunately, due to the way he has been treated by Commissioners Barnes and Moak he has become hesitant to bring forward his well thought out recommendations.[SN] I guess I didn't see anything entrepreneurial this year. In looking over Tim's self-evaluation, I didn't find anything that would fit that category. This is an area where I might be persuaded to change my score with better information.[TM]</p>
<p>XII. <u>Leadership/Management</u></p> <p>A. Rallies support behind the vision and strategic plan; can inspire and motivate staff and community.</p> <p>B. Creates an environment where employees at all levels contribute their knowledge, skills, abilities and ideas in a way that maximizes their potential. Employee potential is not limited by divisional walls or job title. Appropriately delegates to others. Is a good judge of talent; hires the</p>	<p>X</p> <p>X</p>	<p>X[TM]</p> <p>X[TM]</p>	<p>Considering that Commissioner Moak and to a greater degree Commissioner Barnes were both found to have created a Hostile Work Environment at the Port of Kennewick Tim has done an amazing job of holding his staff together, encouraging them to perform to the best of their abilities while supporting them in every way possible while subjecting himself to retaliation tactics by Commissioners Moak and especially Commissioner</p>

best people available inside or outside the organization.			Barnes.[SN]
C. Creates a climate in which people want to do and can do their best; can motivate team or project members; empowers others; invites input and shares ownership and visibility. Makes each person feel his/her work is important.	X	X[TM]	Unfortunately, the work environment over the past several years created by Commissioners Barnes and Moak have prevented the Commission from accepting Tim's vision, knowledge and expertise.[SN]
D. Assists the Commission in defining its shared vision. Communicates that direction to the organization. Advises the Commission on challenges and threats to the Port's ability to be successful.	X	X[TM]	See above as responses to E.[SN] Tim has been relegated by Commissioners Barnes and Moak to a role not allowing him to perform per his delegation of authority.[SN]
E. Effectively manages staff relations consistent with port policies.	X	X[TM]	
F. Manages the administration and operations of the Port consistent with the delegation of authority as adopted and/or modified by the Board of Commissioners.	X	X[TM]	I didn't see much rallying behind a shared vision this year. Some of this can be attributed to COVID and the lack of ability to meet in person. I did not see much motivation and inspiration about Vista Field, not just with the commission, but also with the community. The Kennewick Waterfront, definitely more so. I think Tim did a good job there and there was good leadership. I think internally, Tim probably does a good job leading his staff—I know nothing to the contrary. However, in assisting the Commission in defining a shared vision, during this year, it was much less so. [TM] Being asked to provide one score when there are six different sub-items that deal with different aspects of leadership and management is difficult. How Tim leads or manages staff, I have no direct knowledge, other than what I observe in a public commission

			meeting.[TM]
<p>XIII. <u>Initiative</u></p> <p>Self-starting ability. Promptly takes hold and follows through with minimum direction.</p>	XX		<p>Tim without doubt has the initiative to perform but again has been stifled by Commissioners Barnes and Moak to adhering to their non-productive direction.[SN] Tim's getting the federal requests for projects quickly was done well.[TM]</p>
<p>XIV. <u>Courage</u></p> <p>Willingness to state opinions and reasons without concern about the popularity of the views. Forthrightness in dealing with customers, suppliers, and others in the organization.</p>	XX		<p>See response to XIII above.[SN] Tim speaks up on issues when he thinks appropriate. He appropriately advises the commission on areas of sensitivity. I am unaware of any issues with Tim's forthrightness in dealing with customers, suppliers, and others in the organization.[TM]</p>
<p>XV. <u>Persuasiveness</u></p> <p>Ability to sell a sound course of action. Persuasive ability in oral and written presentations.</p>	XX		<p>See response to XIII.[SN] While Tim does not put much in writing to the commission, his oral arguments are generally sound and persuasive.[TM]</p>
<p>XVI. <u>Adaptability</u></p> <p>Ability to adjust to changing conditions or unusual assignments. Flexibility in undertaking a variety of assignments, acceptance of decisions which go counter to own opinion.</p>	XX		<p>Tim has had to become a master in flexibility not knowing what Commissioner Moak but particularly Commissioner Barnes may require of him yet will always do his best to comply with the direction given by the majority of the Commission.[SN] The federal request for suggestions for projects was new and ideas were cogently presented. The Port Audit was new, and Tim responded with hiring a trusted consultant to assist. The handing of issues with the Verbena property was unusual and dealt with appropriately within the constraints of the eviction moratorium.[TM]</p>

<p>XVII. <u>Stamina</u></p> <p>Physical vigor. Ability to stand up under heavy requirements including foreign or domestic travel.</p>	XX		<p>The working environment created by Commissioners Moak and Barnes has taken its toll on Tim's physical vigor, yet he has been able to approach each day working for the Port as if it has had no affect on him. Amazing![SN] I have no knowledge of any stamina issues. Because of the pandemic, there was no foreign or domestic travel.[TM]</p>
<p>XVIII. <u>Ambition</u></p> <p>Desire to get ahead and willingness to make sacrifices necessary for progress.</p>	X	X[TM]	<p>Tim has made more personal sacrifices for the Port of Kennewick than anyone of us could possibly list on paper.[SN] This is a year where I did not see enough demonstrated ambition by Tim to get all parts of the port's largest project, Vista Field, moving. There seemed to be a very slow walk towards opening a road, getting designs for the hangar buildings, and getting activity on the site, even absent property sales.[TM]</p>
<p>XIX. <u>Loyalty</u></p> <p>Understanding and acceptance of goals and policies of the organization. Willingness to support organization and management.</p>	XX		<p>Considering the environment created by Commissioners Barnes and Moak as written in responses above there is no sane reason his loyalty needs to be questioned.[SN] Tim understands and accepts the goals and policies of the organization and is willing to support organization and management.[TM]</p>
<p>XX. <u>Communications</u></p> <p>Effectiveness of exchanging significant information throughout all levels of the organization; with clients, vendors, and the public.</p>	XX		<p>Tim communicates very effectively with all levels of the organization who are willing to listen to him. He has no control over Commissioners who refuse.[SN] I don't have much knowledge of Tim's communication within the organization or with clients or</p>

			vendors but have heard nothing to the contrary. When the public has spoken at commission meetings, Tim has responded to questions appropriately.[TM]
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	Met	Not met	
XXI. <u>Listening</u> Interest in and ability to receive and process information accurately. Able to overcome personal biases or defensiveness in so doing.	XX		Excels at listening and accurately processing received information for the benefit of the Port of Kennewick.[SN] Tim generally listens well and processes information accurately. His tone of voice, when questioned, is less defensive and more helpful.[TM]

Additional Commissioner Comments: Perhaps I have been repetitive in my responses regarding the negative impact Commissioner Barnes and Commissioner Moak have had on Tim Arntzen and the Port of Kennewick. But I feel very strongly that the comments I have written need to be a part of Tim's record of employment at the Port. Frankly I have been embarrassed by the treatment given Tim, Port staff, our jurisdictional partners, and the public by Commissioners Barnes and Moak. I have observed Commissioner Moak's actions and listened to his words when dealing with others since the mid 1990's so his actions and words do not surprise me. Commissioner Barnes words and actions do surprise me. I advocated for him to be appointed to the Commission initially only now realizing I was mistaken thinking he was a team player. Tim is an outstanding, highly skilled, highly regarded CEO everywhere except by two people on the Commission he serves. He deserves better treatment as does his staff and with the change in the Commission composition after the first of

the year I believe he will once again take the Port of Kennewick to even greater heights of excellence while serving the taxpayers of the Port of Kennewick and those we partner with for their benefit.[SN] Tim does many good things for the Port and his self-appraisal lists quite a few of them. I don't quibble with the content of that self-appraisal, and I am proud of the work Tim and his team have done. Those accomplishments are real, and they stand as a reflection of the work accomplished during the year. I think work done on and around the Kennewick Waterfront was commendable, from the 1135 Corps of Engineers project to the Master Plan to the federal funding proposals. However, the port's #1 project, Vista Field, is moving too slowly and momentum has been lost. The Commission has never heard that Tim wanted to move faster, but that the commission was holding him up. The commission has not heard options or alternatives that could advance VF faster. Too many VF items remain incomplete—hangar design, owner's association, Vista Field team, road opening, vibrancy. Were it not for the slowness of Vista Field, I would have given Tim better marks. And if Vista Field were not the #1 priority, maybe it would not be so critical. I understand it was a trying year. But I can't say everything is great when there are areas of improvement needed. I still have confidence in Tim's ability to lead the Port and to move the Port forward and I anticipate good things ahead. Notes on the evaluation process: For the record, I think this is a lousy performance appraisal form, but because it is tied to the Manager's contract, it cannot be altered. As far as the self-appraisal is concerned, while I thought the writing of previous self-appraisals was sometimes "over-the-top", it did align with the categories that the commission was required to evaluate on.

This year's self-appraisal, while more factual and less dramatic, was more difficult to fit into the prescribed boxes. [TM]

***See attached Commissioner Barnes' evaluation and comments.**

Port of Kennewick:

By: _____

Date: _____

I acknowledge that I have received a copy of the 2021 CEO Evaluation:

Chief Executive Officer:

Tim Arntzen

Date: _____

Perf Eval (Rec'd via email from Commissioner Don Barnes on 11/5/21 at 11:52 am)

I. Vision and Purpose

“Collaborates with the Commission to advance the Port’s vision and purpose. Leads senior staff to develop a concise vision. Advocates the vision by strategic resource allocation toward attainment.”

When in peaceful times, his performance met my expectations. However, during times of division or dissent, his ability to work with the Commission fails to advance the Port’s vision and purpose.

II. Strategic Agility

“Is proactive; anticipates future trends, benefits and consequences; has broad knowledge and perspective; can objectively state possibilities and probabilities.”

Again, in peaceful times, his performance objectives are met. However, in times of polarization and division, he loses the ability to objectively state or objectively recognize the possibilities and probabilities. As an example, his decision to move ahead with an investigation into an anonymous citizen complaint that a judge later found to be unsubstantiated in its entirety.

III. Operating Plans

“A. Develops, maintains and implements strategic plans and operational goals that effectively brings the Port’s vision to fruition.

B. Critical performance elements are monitored to help assure effective and efficient operations and to identify opportunities for policies and procedures improvement.”

Performance objectives were mostly met during times of collaboration and cooperation. However, his decision to move forward with the investigation of the anonymous citizen complaint (ACC) did not result in effective and efficient operations. (ie a waste of ~\$450K of taxpayer dollars)

IV. Integrity

“Sets the tone for the Port by exemplifying consistent values and high ethical awareness, honesty and fairness.”

In tranquil times, his performance generally meets my expectations. In times of polarization and division (ie processing of the ACC) his integrity is well short of my expectations.

V. Financial Stewardship

A. Maximizes the Port’s ability to serve and expand the public purpose while maintaining taxation stability.

B. Administers the Port’s financial affairs consistent with state law and adopted policies, budget and financial guidelines.

In tranquil times, performance traits score very high. During the processing of the ACC, his decisions resulted in very poor overall stewardship of Port financial resources (~\$450K waste of taxpayer funds).

VI. Political and Institutional Sensitivity

A. Maneuvers through complex political and institutional situations effectively; anticipates potentially negative reactions, recommends and plans a course of action accordingly; views politics as a necessary part of organizational and public sector life and works to be effective within that reality. Unless otherwise not practical, obtains commission concurrence prior to publicly stating position.

B. Develops solutions to complex issues that challenge the Port’s ability to recognize its vision and purpose. Demonstrates sensitivity to resource availability when developing solutions.

More of the same here in that expectations were generally met during peaceful times. However, serious inadequacy and failure to meet expectations when it came to anticipating negative reactions and the course of action in investigating the ACC. In deciding to pursue this investigation, he completely failed to demonstrate sensitivity to resource availability.

VII. Stakeholder Relations

A. Leads the Port in building effective relationships with tenants, customers and community.

B. Effective relations are maintained with other governmental officials, community leaders, citizens, news media, etc., to resolve problems and complaints; to coordinate functions, to gain and provide information and to assemble outside assistance for Port activities.

My evaluation here is consistent with my evaluation in other areas.

VIII. Priority Setting

Spends time and the time of others on what is important; can quickly sense what will help or hinder accomplishing a goal; eliminates obstacles; creates focus.

Does well here during tranquil times, but has demonstrated troubling inadequacies, specifically in investigating the ACC, that resulted in performance that was closer to 180 degrees away from this objective.

IX. Knowledge

A. Knows how successful public ports work; knowledgeable in current and possible future practices, trends and information affecting port management, the port industry and our Port; knows the competition; is aware of how strategies and tactics work in the marketplace.

B. Maintains a favorable presence within the region, state and industry that results in an increased knowledge of initiatives, trends, practices and legislation that may affect the Port.

He has demonstrated broad, in depth knowledge of how ports work. However, this breadth and depth of knowledge is not always used to the benefit of the Port. (ie the processing of the ACC)

X. Decision Quality

Makes good decisions based on analysis, wisdom, experience and judgment; most solutions and suggestions turn out to be correct when judged over time.

Again, in tranquil times, excellent results here. However, in adverse times (ACC processing) he demonstrated a lack of judgement and decision making was very poor.

XI. Entrepreneurial

A. Demonstrates an entrepreneurial spirit by identifying ways to generate revenue, investment capital and maximizes the financial potential of existing port assets.

B. Brings recommended opportunities to the Commission's attention. Recommendations include financial projections, as well as potential public opinion concerns (risk/reward analysis).

Performance generally met expectations during peaceful, tranquil times.

XII. Leadership/Management

A. Rallies support behind the vision and strategic plan; can inspire and motivate staff and community.

B. Creates an environment where employees at all levels contribute their knowledge, skills, abilities and ideas in a way that maximizes their potential. Employee potential is not limited by divisional walls or job title. Appropriately delegates to others. Is a good judge of talent; hires the best people available inside or outside the organization.

C. Creates a climate in which people want to do and can do their best; can motivate team or project members; empowers others; invites input and shares ownership and visibility. Makes each person feel his/her work is important.

D. Assists the Commission in defining its shared vision. Communicates that direction to the organization. Advises the Commission on challenges and threats to the Port's ability to be successful.

E. Effectively manages staff relations consistent with port policies.

F. Manages the administration and operations of the Port consistent with the delegation of authority as adopted and/or modified by the Board of Commissioners.

Performance generally met expectations during peaceful, tranquil times.

XIII. Initiative

Self-starting ability. Promptly takes hold and follows through with minimum direction.

Mr. Arntzen does not lack for initiative.

XIV. Courage

Willingness to state opinions and reasons without concern about the popularity of the views. Forthrightness in dealing with customers, suppliers, and others in the organization.

In my opinion, Mr. Arntzen was not forthright when he decided to proceed with an investigation into an anonymous citizen complaint written by one Commissioner against the other two.

XV. Persuasiveness

Ability to sell a sound course of action. Persuasive ability in oral and written presentations.

Mr. Arntzen has demonstrated strong persuasive abilities.

XVI. Adaptability

Ability to adjust to changing conditions or unusual assignments. Flexibility in undertaking a variety of assignments, acceptance of decisions which go counter to own opinion.

If the goal is “acceptance of decisions which go counter to own opinion,” then Mr. Arntzen demonstrated a complete inability to meet that goal when he made the decision to proceed with the ACC investigation.

XVII. Stamina

Physical vigor. Ability to stand up under heavy requirements including foreign or domestic travel.

My expectations for Mr. Arntzen in the area of stamina have generally been met.

XVIII. Ambition

Desire to get ahead and willingness to make sacrifices necessary for progress.

Mr. Arntzen meets my expectations for performance in the area of ambition.

XIX. Loyalty

Understanding and acceptance of goals and policies of the organization. Willingness to support organization and management.

With respect to loyalty, it is the opinion of this evaluator that Mr. Arntzen places his self interests ahead of the interest of the organization in far too many instances.

XX. Communications

Effectiveness of exchanging significant information throughout all levels of the organization; with clients, vendors, and the public.

Generally speaking, performance expectations have been met in the area of communications during peaceful, tranquil times. However, during times of divide and polarization, his performance is woefully inadequate. He has

demonstrated an outright unwillingness to communicate effectively in an effort to bridge divides.

XXI. Listening

Interest in and ability to receive and process information accurately. Able to overcome personal biases or defensiveness in so doing.

In instances where Mr. Arntzen disagrees with positions on the Commission, he has become defensive, combative, and even defiant in refusing to respond to questions and refusing to provide the information requested by the Commission. A recent example was his defensive, combative reaction to Commissioner Moak's request for more information about when roads would open in Vista Field. Commissioner Moak sought information about when a road might open, and Mr. Arntzen took the opportunity to elevate the issue to an accusation that Commissioner Moak wanted Mr. Arntzen to take paid time away from an employee.

Additional Commissioner Comments:

From the beginning of my initial term at the POK, the general over-arching theme has been one of collaboration, cooperation, mutual respect for all and a team willing to work to overcome obstacles. And there certainly were challenges such as whether or not to close Vista Field. The Port team was able to work together and to collaborate with community partners to arrive at a decision that was genuinely in the best interest of the citizens and taxpayers.

All of this pretty much stayed in place until Jan of 2019 when questions arose regarding details behind a proposed land transaction and everything changed!

Mr. Arntzen's performance failed to meet my expectations when he:

1. Brought a matter to the Port Commission with inadequate information and requested a decision (in a pre-prepared resolution) without adequate information
2. Refused, in a combative, defensive, defiant response, to provide more information about this matter
3. Refusal to diffuse the differences in a civil, professional manner

4. Taking a (opposite of forthright) path to put forward an anonymous citizen compliant that effectively silenced two of three elected Commissioners for two years, and a colossal waste of taxpayer resources on an investigation into a complaint that was found to be unsubstantiated in its entirety.

When the Port needed its CEO to be the collaborator, the consensus broker, and when the port needed that person most, he was not only absent but decided to go forward with an investigation of the ACC written by one Commissioner against the other two. This decision, in my opinion, was very much to the detriment of the port and its citizens and taxpayers.

I believe a review of past CEO performance evaluations will show that I consistently gave high marks to Mr. Arntzen from my beginning term up to 2019. Again, the overall environment at the port was one of cooperation and collaboration - working together even through very challenging times to reach consensus to best serve the citizens and taxpayers. However, the decision by Mr. Arntzen to proceed with the ACC investigation changes everything in my opinion. When the Port needed Mr. Arntzen most, he was not only absent, but went further away from Port goals and objectives by taking a more damaging and detrimental path - one which resulted in long term damage at the Port and a waste of \$450k of taxpayer monies. In my opinion, Mr. Arntzen's relationship with the Port should be terminated as soon as possible.

Carney Badley Spellman P.S.

Memo

To: Port of Kennewick Commissioners Don Barnes, Skip Novakovich, and Thomas Moak

From: Lucinda J. Luke, Port Counsel

cc: Nick Kooiker, Port Auditor and CFO

Date: September 30, 2021

Re: Chief Executive Officer Tim Arntzen 2021 Performance Review

Attached are the following:

1. CEO Tim Arntzen's Summary of 2020-2021 Accomplishments and Achievements and letters of commendation.
2. CEO Tim Arntzen's 2020 Evaluation.
3. Blank Evaluation Form (Exhibit D to CEO's November 2013 Employment Agreement).

Timeline

- September 30 (Thursday) – CEO Evaluation Packet delivered to Commissioners
- October 15 (Friday) – Commissioners deliver their completed Evaluation Forms to Lucy
- October 20 (Wednesday) - Compiled Evaluation Form circulated to Commissioners for final review
- October 26 - (Commission Meeting) – conduct CEO performance review

Please let me know if you have any questions regarding the performance review process.

Thank you.

Commissioners, it was previously expressed that I have perhaps been a bit extravagant with the examples I offered to address each of the duties/expectations sections of the performance review. Because of that, I am attempting to simplify this self-evaluation by limiting it to a summary record of the work and activities I have undertaken, managed, directed, coordinated, and been responsible for leading since the last review. There has been a tremendous amount of work done; and as CEO, each and every activity has had my direct engagement and oversight. I am proud of all that has been accomplished this year and have broken those activities into what can be considered significant “Milestones” and meaningful “Supporting” accomplishments. These are detailed below:

MILESTONE ACCOMPLISHMENTS:

- The Vista Field Owners Association was finalized and presented to Commission; approved by Commission on 11.10.20. **(CEO Goal #3 from 2017-2018)**
- Throughout Covid-19 pandemic, successfully managed office operations and staff with a mix of remote and on-site workers; working to safeguard health, while maintaining high levels of responsiveness and function. Strategically managed port resources and properties, including loss of Coyote Ridge labor, hiring temporary labor, and closure/reopening of facilities to ensure compliance with changing federal, state, and local health mandates. Responded with empathy, support, and flexibility when challenges arose for personnel including unanticipated circumstances related to health and loss of family.
- Coordinated four marketing campaigns for the Kennewick Historic Waterfront Master Planning process, promoting online engagement resulting in the largest amount of public input/community participation for any port project to date. And managed the Waterfront Master Plan consultant processes so that commissioners were able to adopt a final guidance document in June 2021. **(CEO Goal #5 from 2019-2020).**
- Engaged with U.S. Army Corps of Engineers to move the 1135 Clover Island Shoreline Restoration project forward; secured additional cost-share funding; drafted letter to encourage expedited federal funding; and signed phase 2 cost-share contract with USACE. **(CEO Goal #4 from 2021-2022).** Having the Clover Island shoreline project completed will allow so many things to be done under the framework of the Kennewick Historic Waterfront District Master Plan.
- Developing a “re-opening plan” which helps safeguard the health and welfare of port employees and the public; provides a thoughtful strategy for re-opening the office in response to the Covid-19 pandemic; and serves as a tool to navigate an uncertain future with continued deadly virus variants and evolving health directives/mandates. Presented Covid procedures update report to Commission on September 28, 2021.

- Coordinated with legal and the Washington State Attorney General's office regarding the South Verbena end of life-tenancy working to provide appropriate 'notice to vacate' to the five unauthorized persons that remained on site. Provided multiple notices, extended additional time, offered relocation incentives, and worked to ensure both compliance with Governor's Inslee's pandemic mandates and a compassionate resolution in clearing of that site for auction. Completed public auction process, and closed land sale for 26 acres at the Oak Street/Verbena site.
- Coordinated potential project proposals for the Biden Build Back Better Infrastructure grant program whereby Commission gave staff clear direction to advance three projects: The Willows infrastructure; electric vehicle charging stations, and the J. Lieb "Moonshot" with understanding that staff resources would be reallocated to pursue funding for these newly identified projects. Three projects were submitted for the Biden *Build Back Better* program. Then, The Willows Infrastructure project and the Electric Vehicle project were refined and submitted for *congressional appropriations*. Then, those two applications were submitted again for *direct-earmarks*.
- Drafted and executed an interlocal agreement with City of Kennewick for Washington Street Improvements to create connectivity between the waterfront and downtown; including assisting city staff with lighting standards to ensure consistency with Columbia Gardens and negotiating with city to extend the pedestrian sidewalk from The Willows' wall north to the trail at the gateway arch/Levee 4d. Continued supporting city with a traffic calming study for Columbia Drive. And engaged Meier A&E as "town architect" to prepare design and cost estimates for Columbia Gardens monument and wayfinding signage complementary to the City of Kennewick's gateway signage and Visit Tri-Cities/Merje's wayfinding plan.
- Extended flexibility and support for wine tenants and mobile vendors throughout pandemic to foster vibrancy at Columbia Gardens. Held Columbia Gardens "debrief summit" with tenants to discuss covid-impacts, and how to better work together in shared promotions and marketing. Renewed "vibrancy" marketing arrangement with city and supported tenant-driven events including car shows, two dinner events, and several "big band" music events. Negotiated with a "Mobile Vendor Coordinator" to engage with and respond to existing and potential vendors, and to help promote event coordination and vibrancy for Columbia Gardens and Vista Field. And created a new webpage: *ColumbiaGardensVendors.com*.
- Coordinated with City of West Richland on early "payment-in-full" for the former raceway site (February 2021).
- Promoted positive coverage of the port's projects and properties: fifty-two articles and broadcast stories were generated, including feature stories in

ColumbiaBasinTalk; Wine Press Northwest; Tri-City Herald “Progress Edition”, and the Tri-Cities Area Journal of Business “Focus” magazine.

- Will present Vista Field design standards to Commission for resolution on 10/12/21; resolutions for consideration of bylaws, articles of incorporation, and pricing are planned for presentation to Commission *in late October/early November*. Negotiated agreement with Kennewick to reconfigure driveway access for six Deschutes businesses impacted by final Crosswind Boulevard road alignment—that project will be designed, bid and constructed by city with support from the Port. Working to close the Vista Field construction contract (awaiting city review of as-built drawings and contractor replacing a damaged tree) *anticipate construction close-out in October*.

- Worked to build and sustain significant partner relationships including:

US Army Corps of Engineers: 1135 project meetings, increased cost share, paperwork and real estate information, and pre-construction documentation

Washington State Recreation office: education re: amended 1135 process and schedule, requested and received grant extension

City of Kennewick: Washington Street interlocal, Fire Station #3 road improvements, boat house/live aboard issues, the Port’s MOU with CTUIR, Kiwanis playground, Vista Field phase one, RCCF funds for Clover Island, Columbia Drive traffic calming, Deschutes access reconfiguration, potential RCCF projects, Biden Build Back Better projects, Kennewick Housing Authority needs/locations, and Vista Field phase 2 infrastructure funding (separate from RCCF)

Benton County: 1135 project investments, potential RCCF projects

City of Richland: Island View roadway, Center Parkway

West Richland: early payment, water rights, easement

TRIPTS: waterfront master planning, WA State Rail Caucus

Kennewick Police Department: met with Assistant Chief of Police Chris Guerrero, and communications praising officer responses and encouraging continued help in patrolling and ensuring safety of port properties.

TRIDEC: presented port projects during “Coffee with Carl” series, support letters, information/images for TRIDEC website

CTUIR: shared work plan, waterfront master plan, invitation for joint meeting; held meetings and had various communications with Don Sampson and successive interim executive directors: Chuck Sams, Paul Rabb, Matt Johnson, and Teara Farrow Ferman; and board members Kat Brigham, Jeremy Wolf, Corrine Sams, and Armand Minthorn.

SUPPORTING ACCOMPLISHMENTS:

- Presented a “Work Plan and Priorities” memo regarding staff projects and anticipated activities during 2021.
- Initiated discussions with city regarding the Kiwanis playground and their potential involvement/investment; hired consultant to answer questions and expedite process, partnerships, and implementation.
- *Managed the port as a highly productive, successful, fiscally-sound organization—*ensuring transparent public engagement via virtual meetings.
- Provided oversight for budget, invoices and contracts; financial presentations to commissioners included a budget workshop, winter finance update, spring accounting department work review, and a summer finance update; a fall finance update is being prepared for presentation in October.
- Received another clean audit opinion from Clifton Larsen Allen and the Washington State Auditor’s Office for the port’s financial statement audit. *Having clean audits is perhaps one of the most important measures of solid management and fiscally-sound leadership.*
- Reviewed qualifications and contracted with an independent firm to prepare a scope of work and Request for Qualifications to advance the Governance Audit.
- Managed staff and office operations, media, and state and federal notifications as required following cyber incident affecting port computer systems. Worked to respond quickly, engaged FBI, state auditor, port insurance company, and contracted with cyber incident experts to ensure legal compliance, and to protect and restore data with minimal interruption to customers and business operations.
- Coordinated with Washington State Recreation Office to extend grant funding to accommodate the revised USACE 1135 schedule.
- Provided letter of support for City of Kennewick’s grant application for RCO boating facilities funds; and another for the city’s congressional appropriations request for improvements to intersection of Quinault and Columbia Center Boulevard.
- Partnered with City of Kennewick on the Shop Small Saturday advertising campaign.
- Partnered with Historic Downtown Kennewick Partnership (HDKP) on a spring television ad campaign; also provided letter supporting HDKP’s application for recognition as a Creative District.
- Began researching and preparing for Port of Kennewick redistricting process based upon latest census population numbers released in mid-August 2021

- Transitioned vendors to independent contracts in preparation for the VF owners' association, including security patrols and monitoring and maintaining water features. Prioritized clearing vegetation/debris and establishing perimeter barriers in preparation to market first parcels.
- Managed the politically charged sewer-extension/boat house live-aboard issue which involved conversations with Commission, Clover Island Yacht Club, City Manager, Kennewick Fire Dept, and USACE.
- Executed Interlocal Agreement with City of Richland for Center Parkway project.
- Recognized and honored Kay Metz and KPD as 2020 Friends of the Port.
- Constructed additional food truck utility connections to accommodate Culture Shock Bistro at the Wine & Artisan Village; successfully addressed concerns related to artwork visibility and truck placement with additional utility connection.
- Secured another season with Rollin Ice Cream at the Lighthouse Plaza on Clover Island, and Columbia Gardens leases with mobile vendors Swampy's BBQ, Culture Shock Bistro, Ann's Best, Bobablastic, Ninja Bistro, Non-Fiction by J. Bookwalter, and Taste of Wok.
- Provided guidance to Benton County Fire District #4 regarding easement on property the port sold for their new West Richland fire station.
- Contracted with consultant to prepare an analysis and reuse assessment for the Vista Field hangars; *50% complete*.
- Contracted with economist to assess Covid-19 impacts and the outlook for economic and business opportunities and challenges to the port; *75% complete—economist is awaiting ethnic demographic census data that won't be available until November 15*.
- Coordinated with city staff to support construction of the access road, landscaping, and utilities for Fire Station #3 that also serves as an entryway to Vista Field, including deeding ½ acre to city.
- Installed seating, lighting and shade at Columbia Gardens Food Truck Plaza; and worked to balance private-sector interest with Commission's desire to finalize the waterfront master plan and property owners' association prior to land sales.
- Presented resolutions for Columbia Gardens property owners' association, design standards, and pricing to Commission on 9/28/21.
- Continued working to explore algae treatment in USACE-owned, city-leased Duffy's Pond, including hiring Lakeland to do survey mapping of the pond, as well as lab analysis of the type of algae; working with City Parks, City Public Works, City Water Department, USACE, and Department of Health to determine path-forward.
- Revised structure for real estate commissions to a flat rate commission, and the art policy was revised regarding type of properties and streamlined to a flat rate.
- Contracted with a "Buyer's Agent" to explore potential land acquisitions.
- Replaced HVAC units at Oak Street and VFDF industrial buildings.
- Worked with Jeff Gordon and WA State Department of Transportation on highway traffic signage for Columbia Gardens businesses.

- Advised Spectrum/Ziplay on a fiber upgrade across levee/onto Clover Island--helping ensure their coordination with USACE, City of Kennewick, and CTUIR.
- Extended a three-month rent deferral for Cedars to provide pandemic relief.
- Negotiated extension to construct for Three Rivers Acquisition, LLC for 12-acres at Oak Street due extenuating circumstances/pandemic.
- Worked to balance informing commission about regional activities, with constituent access and issues of concern—including letter of support for representative to Columbia Basin Collaborative; issues related to aquifers and dam breaching; and Washington State Rail Caucus reception/tour, etc.
- Began reviewing August 2021 census and district population numbers in preparation for process of redistricting as required by law before November 2022 deadline.
- Contracted with legal firm to provide counsel regarding long-term care tax act.
- Currently working with legal counsel to address West Richland's request for additional water rights for the racetrack property.
- Managed property security/health/safety issues: burglaries, graffiti, and police incident reports regarding squatters, dead cows, and crashes into lighthouse wall.
- Managed marina at 100% capacity during peak season, coordinated 18 haul-outs; installed rub rails on the fuel dock and guest moorage; and updated marina signage.
- Produced a "2021-2022 Work Plan Executive Summary" marketing document. Provided Tri-Cities Legislative Council with Port of Kennewick list of priorities. Prepared the "Summer Newsletter" and a Columbia Gardens marketing brochure. Updated image library for Vista Field, Columbia Gardens, and Clover Island. Partnered with the City of Kennewick to update Sacagawea Heritage Trail kiosks with posters advertising Clover Island and Columbia Gardens.
- Prepared and presented the annual "State of the Ports" presentation to Tri-City Regional Chamber of Commerce membership.

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DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, WALLA WALLA DISTRICT
201 NORTH 3RD AVENUE
WALLA WALLA, WA 99362-1876

September 20, 2021

Planning, Programs, and Project
Management Division

Tim Arntzen
Chief Executive Officer
Port of Kennewick
350 Clover Island Drive, Suite 200
Kennewick, WA 99336

Dear Mr. Arntzen:

Thank you for your leadership of the Port of Kennewick team in the planning, design review, and financial support for our cost-share partnership on the Clover Island Restoration project. Your strategic planning, outreach to Congressional interests, and coordination with the City, State Agencies, and the Confederated Tribes of the Umatilla Indian Reservation, helped this project successfully compete for the 1135 funding at a national level.

Your early invitation to tour Clover Island and the Port's land adjacent to the Columbia Drive development sites set the stage for my engagement at the onset of my command. It made me aware of the importance and high priority the Port and local community places on this shoreline restoration project. When the project encountered cost challenges, I appreciate the way your team stepped up and provided integral input to help reduce costs, along with your continued support and prioritization of the funding through your budgeting processes. It was the Port's timely funding for the construction contract that enabled the Walla Walla District to demonstrate project readiness by having the cost-share match in-hand. This was crucial to the national decision to provide funding in time for a contract award this year.

I look forward to the onset of construction at Clover Island and anticipate a successful shoreline restoration that will benefit citizens in the region for years to come. Thank you again for your leadership on our partnership.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard T. Childers", is positioned above the printed name.

Richard T. Childers, P.E.
Lieutenant Colonel, Corps of Engineers
District Commander

September 20, 2021

Tim Arntzen
Chief Executive Officer
Port of Kennewick
350 Clover Island Drive, Suite 200
Kennewick, WA 99336

Dear Mr. Arntzen:

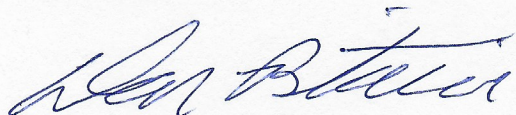
I want to let you know how much I respect the leadership you demonstrate daily for the Port of Kennewick.

Your work to foster and promote positive working relationships among so many jurisdictions is driving significant benefit for public. From working with the Confederated Tribes of the Umatilla Indian Reservation, to the community-driven planning for Vista Field redevelopment; from your strategies regarding Rural County Capital Funding, to your financial support of the city's improvements at Washington Street and the Vista Field Fire Station #3; from the Columbia Gardens partnership, to the recent Historic Waterfront District master planning—your work has been visionary, dependable, and transparent. This type of partnership is invaluable within our community.

I appreciate all that you have done and continue to do for the community and for our personal friendship these many years. You are readily available whenever I call, and that means so much.

I am pleased with the many projects we've worked to complete in the past, and I look forward to continued collaborations into the future.

Yours truly,

A handwritten signature in blue ink, appearing to read "Don Britain", with a stylized, cursive script.

Don Britain



September 23, 2021

Tim Arntzen
Chief Executive Officer
Port of Kennewick
350 Clover Island Drive, Suite 200
Kennewick, WA 99336

Dear Mr. Arntzen:

I am writing to express my sincere appreciation for your continued support and partnership with the City of Richland over the years. Your leadership, strategic vision and assistance on the many projects we've commenced has been instrumental in the City's many successes. From helping with safety improvement and parking expansion at Badger Mountain Park, to the Duportail Bridge project and Center Parkway extension, you have always demonstrated a pattern of understanding, insight and support that has meant so much to me and our community.

It has been an honor to get to know you as we've worked to secure funding and bring benefit to residents of both the City and Port district. I am pleased to call you a friend.

Sincerely,

Jon Amundson, ICMA-CM
Interim City Manager

2020 ANNUAL PERFORMANCE REVIEW
Individual Commissioner Evaluation of
Chief Executive Officer Performance

IMPORTANT DUTIES/EXPECTATIONS	PERFORMANCE APPRAISAL		COMMISSIONER COMMENTS
<ul style="list-style-type: none"> ➤ Attach extra papers as necessary ➤ Factors should be reviewed in terms of quality, quantity and timeliness 	Met	Not met	
<p>I. <u>Vision and Purpose</u></p> <p>Collaborates with the Commission to advance the Port's vision and purpose. Leads senior staff to develop a concise vision. Advocates the vision by strategic resource allocation toward attainment.</p>	XXX		<p>Tim's work in helping guide the policy making by the Commission was very good. He provided great background to allow the Commission to have some very meaty policy discussions. He then was able to take the work of the Commission and move forward. In a COVID environment, he was able to keep major projects moving with sufficient resources. (TM)</p> <p>Tim is a visionary who has a keen knack of being able to successfully adapt his visions within the resources available to him. His communication with staff and the commission regarding his visions are detailed even when dealing with very complex situations. (SN)</p> <p>Mr. Arntzen's performance in this category improved over the last twelve months and I really appreciate it. (DB)</p>
<p>II. <u>Strategic Agility</u></p> <p>Is proactive; anticipates future trends, benefits and consequences; has broad knowledge and perspective; can objectively state possibilities and probabilities.</p>			<p>I have nothing to add to the information in the self-appraisal. (TM)</p> <p>I believe Tim's foresight and extremely protective management of all aspects of the COVID19 ramifications speaks for itself. (SN)</p> <p>The efforts and accomplishments by Mr. Arntzen in this performance category have served</p>

			the Port well this year. (DB)
<p>III. <u>Operating Plans</u></p> <p>A. Develops, maintains and implements strategic plans and operational goals that effectively brings the Port's vision to fruition.</p> <p>B. Critical performance elements are monitored to help assure effective and efficient operations and to identify opportunities for policies and procedures improvement.</p>	<p>XXX</p> <p>XXX</p>		<p>A. Tim very much was looking at his goals and the port's goals and worked to effectively meet them.</p> <p>B. There were regular reports made on timelines and Tim kept the Commission informed of any delays. (TM)</p> <p>I can't find better words to write so can only support and agree with what is already shown in the "2020 summary of achievements for Port of Kennewick" document which I assume will be attached to his final 2020 Annual Performance review. (SN)</p> <p>A. Projects at Columbia Gardens and Vista Field progressed very favorably this year and reflect positively on Mr. Arntzen's performance.</p> <p>B. The more frequent budget updates are an improvement and very much appreciated by this evaluator. (DB)</p>
<p>IV. <u>Integrity</u></p> <p>Sets the tone for the Port by exemplifying consistent values and high ethical awareness, honesty and fairness.</p>	XX	X (DB)	<p>I have nothing to add to the information in the self-appraisal. (TM)</p> <p>Tim's integrity is unmatched and serves as an example for others to live by. (SN)</p> <p>In my opinion, Mr. Arntzen's decision to retain independent outside legal counsel for the</p>

			anonymous citizen complainant, and then submit the legal fees to the Commission for approval at the February 11, 2020 meeting, was a violation of the Rules of Policy and Procedure and did not exemplify consistent values for fairness. (DB)
<p>V. <u>Financial Stewardship</u></p> <p>A. Maximizes the Port's ability to serve and expand the public purpose while maintaining taxation stability.</p> <p>B. Administers the Port's financial affairs consistent with state law and adopted policies, budget and financial guidelines.</p>	<p>XXX</p> <p>XX</p>	<p>X (DB)</p>	<p>The port continues to pass all audits cleanly, which is a credit to Tim and the staff he has hired. Despite the impact of COVID, Tim was able to keep the port on sound financial footing, even as he had to institute rent relief for some port tenants. Tim kept the Commission apprised of port finances and successfully "negotiated" with the Commission to provide more frequent financial updates. (TM)</p> <p>The years of Clean Audits and complements received from the SAO support my "met" score And, again, I can't find better words to write so can only support and agree with what is already shown in the "2020 summary of achievements for Port of Kennewick" document which I assume will be attached to his final 2020 Annual Performance review. (SN)</p> <p>A. The conservative budgeting philosophy enabled the Port to undertake large projects while maintaining taxation stability and flexibility needed to endure the COVID pandemic. (DB)</p> <p>B. It's my opinion that the decision to retain outside legal counsel for the</p>

			anonymous citizen complainant was not supported by the Port's adopted Rules of Policy and Procedure. (DB)
<p>VI. <u>Political and Institutional Sensitivity</u></p> <p>A. Maneuvers through complex political and institutional situations effectively; anticipates potentially negative reactions, recommends and plans a course of action accordingly; views politics as a necessary part of organizational and public sector life and works to be effective within that reality. Unless otherwise not practical, obtains commission concurrence prior to publicly stating position.</p> <p>B. Develops solutions to complex issues that challenge the Port's ability to recognize its vision and purpose. Demonstrates sensitivity to resource availability when developing solutions.</p>	<p>XXX</p> <p>XXX</p>		<p>Tim continues to maintain and sustain good working relationships with port partners, especially, with the City of Kennewick, Benton County, USACE, and the CTUIR. He works well to advance port goals through collaboration. On sensitive issues, he has kept the Commission informed and when the issues are policy-related, obtains concurrence from the Commission. (TM)</p> <p>The hangar issue was a good one where Tim showed his ability to try to take three Commissioners' disparate views on a difficult situation and work to achieve consensus going forward, understanding the resources needed for the hangars, available resources, and strategic timing. (TM)</p> <p>I have worked with Tim in many capacities since 1996. During that time I have been able to learn invaluable lessons by observing his abilities to be sensitive to both public and private sector issues of a political nature and quickly develop positive actions to successfully navigate through these for the benefit of those he works for. (SN)</p> <p>A. The Port of Kennewick exists in a very complex multi-layered political/institutional environment. The POK</p>

			<p>works with a wide range of partners and Mr. Arntzen's performance this year has been excellent. (DB)</p> <p>B. Mr. Arntzen's work to marshal political/institutional support and resources from various partners this year is deserving of high praise. (DB)</p>
<p>VII. <u>Stakeholder Relations</u></p> <p>A. Leads the Port in building effective relationships with tenants, customers and community.</p> <p>B. Effective relations are maintained with other governmental officials, community leaders, citizens, news media, etc., to resolve problems and complaints; to coordinate functions, to gain and provide information and to assemble outside assistance for Port activities.</p>	<p>XXX</p> <p>XXX</p>		<p>Tim worked on assisting some of port tenants deal with COVID, dealt successfully through concerns with Carbitex, negotiated a change in ownership at Cedars, successfully maintained a full marina, and continued to see the port generate good will in the community. (TM)</p> <p>While coverage of the port by the local newspaper is minimal, the port is seen generally very positively by the public. Tim acts to deal with any disgruntled members of the public such that issues do not reach the news media. (TM)</p> <p>The Port's extraordinary example of how to be successful regarding stakeholder relationships is clearly attributable to Tim's ability, willingness, and courage to establish very successful relationships for the benefit of Port of Kennewick constituents. These relationships did not exist prior to Tim's assumption of leadership. (SN)</p> <p>A. The achievements this year by Mr. Arntzen on behalf of the Port in this complex area have been excellent. (DB)</p>

			<p>B. For many years, discussions have centered on how important it is for the Port to be a strong, dependable, and reliable partner. Mr. Arntzen's efforts in this regard have been excellent. (DB)</p>
<p>VIII. <u>Priority Setting</u></p> <p>Spends time and the time of others on what is important; can quickly sense what will help or hinder accomplishing a goal; eliminates obstacles; creates focus.</p>	XXX		<p>Tim worked to keep the port working on high priority items, understood the commission's priorities, and accomplished goals that furthered those priorities. Tim was laser-focused on Vista Field and the Historic Waterfront and regularly reminded the Commission of those priorities. (TM)</p> <p>Tim carefully listens to priorities established by the Commission. And although he may not agree with them all the time, as neither do I, he dedicates his work to successfully achieving those priorities. (SN)</p> <p>Mr. Arntzen has completed the majority of goals established for the 2019/2020 biennium and performed excellent work leading the Port during the COVID pandemic. (DB)</p>
<p>IX. <u>Knowledge</u></p> <p>A. Knows how successful public ports work; knowledgeable in current and possible future practices, trends and information affecting port management, the port industry and our Port; knows the competition; is aware of how strategies and tactics work in the marketplace.</p> <p>B. Maintains a favorable presence within the</p>	<p>XXX</p> <p>XXX</p>		<p>I have nothing to add to the information in the self-appraisal. (TM)</p> <p>Tim's education as a lawyer and his extensive experience as a Port CEO has placed him in a position as a person looked upon to provide his knowledge to the benefit of others. He is well respected within the region, industry and state. (SN)</p> <p>Mr. Arntzen has developed a broad</p>

region, state and industry that results in an increased knowledge of initiatives, trends, practices and legislation that may affect the Port.			base of knowledge and expertise concerning the port industry and does a very good job keeping abreast of new developments, trends, and practices. (DB)
<p>X. <u>Decision Quality</u></p> <p>Makes good decisions based on analysis, wisdom, experience and judgment; most solutions and suggestions turn out to be correct when judged over time.</p>	XXX		<p>Tim uses many consultants to help make critical decisions. Are there too many? Hard to say. If that it what it takes to make good decisions, then Tim needs to continue doing it. It is important that correct decisions are made by Tim and the Commission, and to date, most of the decisions appear to be correct. Judged over time, closure of the Vista Field airport and moving towards New Urbanism, was a correct decision. (TM)</p> <p>I have found that often Tim's suggestions to the Commission on sensitive issues turn out to be the best course of action. (SN)</p> <p>The quality of Mr. Arntzen's decisions at the Port this year has been very good. His performance met my expectations and I believe his decisions will be favorable when judged over time. (DB)</p>
<p>XI. <u>Entrepreneurial</u></p> <p>A. Demonstrates an entrepreneurial spirit by identifying ways to generate revenue, investment capital and maximizes the financial potential of existing port assets.</p> <p>B. Brings recommended opportunities to the Commission's attention. Recommendations include financial projections, as well as potential public opinion concerns (risk/reward analysis).</p>	<p>XXX</p> <p>XXX</p>		<p>I have nothing to add to the information in the self-appraisal. (TM)</p> <p>His experience as a small business owner and background of being raised in a family business prove to be invaluable when dealing with allocation of available port resources. (SN)</p> <p>A. Mr. Arntzen's entrepreneurial efforts were, by and large, favorable to Port projects. There was improvement in the area of financial</p>

			<p>projections with the evaluation of opportunities/scenarios. (DB)</p> <p>B. I would have liked to see more information for alternate hangar remodel scenarios but recognize that I'm presently in the minority in that regard. (DB)</p>
<p>XII. <u>Leadership/Management</u></p> <p>A. Rallies support behind the vision and strategic plan; can inspire and motivate staff and community.</p> <p>B. Creates an environment where employees at all levels contribute their knowledge, skills, abilities and ideas in a way that maximizes their potential. Employee potential is not limited by divisional walls or job title. Appropriately delegates to others. Is a good judge of talent; hires the best people available inside or outside the organization.</p> <p>C. Creates a climate in which people want to do and can do their best; can motivate team or project members; empowers others; invites input and shares ownership and visibility. Makes each person feel his/her work is important.</p> <p>D. Assists the Commission in defining its shared vision. Communicates that direction to the organization. Advises the Commission on challenges and threats to the Port's ability to be successful.</p> <p>E. Effectively manages staff relations consistent with port policies.</p> <p>F. Manages the administration and operations</p>	<p>A – F:</p> <p>XXX</p>		<p>The community is still excited about the activities and direction of the port, whether at Vista Field or along the Waterfront. As a result, a significant number of community members contributed to the Waterfront visioning. Despite any perceived conflict, Tim continues to keep the great port visions alive. (TM)</p> <p>Staff continue to do great things at the port, so Tim can continue to take considerable credit for the way he utilizes staff and the opportunities he gives them. In the last seven years, the port has not lost a single staff member who left the port for other opportunities. Tim allows various staff members at all levels to shine. (TM)</p> <p>Tim did a very good job in working through difficult policy issues with the Commission. Because the three Commissioners can have very independent streaks, Tim effectively works with them to identify the shared vision, even as there many be differences in how to achieve. Tim informs the Commission on external concerns and threats. (TM)</p>

of the Port consistent with the delegation of authority as adopted and/or modified by the Board of Commissioners.			<p>I can't find better words to write so can only support and agree with what is already shown in the "2020 summary of achievements for Port of Kennewick" document which I assume will be attached to his final 2020 Annual Performance review. (SN)</p> <p>A-F: The staff at the Port of Kennewick is very competent, capable, hard-working and loyal to their CEO. 2020 has been a very challenging and rewarding year at the port – simultaneous projects at Columbia Drive and Vista Field made significant progress while staff dealt with the unforeseen circumstances brought on by the pandemic. Mr. Arntzen's leadership and management this year has been highly commendable. (DB)</p>
<p>XIII. Initiative</p> <p>Self-starting ability. Promptly takes hold and follows through with minimum direction.</p>	XXX		<p>I have nothing to add to the information in the self-appraisal. (TM)</p> <p>Tim has always been a self starter. From his experience working in a family small business to his own small business Tim has had to employ the resources he had in a manner that benefits those who depend on him to provide for their needs. He does not need to be told how to accomplish what he is responsible for nor does he wait for someone else to do this for him. He has a very high degree of initiative that is self-imposed. (SN)</p> <p>The initiative traits displayed by Mr. Arntzen during the past year were appropriate for his duties at the Port. (DB)</p>

<p>XIV. <u>Courage</u></p> <p>Willingness to state opinions and reasons without concern about the popularity of the views. Forthrightness in dealing with customers, suppliers, and others in the organization.</p>	<p>XXX</p>		<p>Tim has been the Port's point person in not getting the Port entangled in certain issues, some of them brought on by partner organizations. It has been Tim who has had to finesse why the port would not take positions unrelated to the Port's goals and still maintain good relationships with those entities. Tim does not take these positions on his own. He brings them to the Commission for discussion, clarification, and consent. But he ends up being the one who must deliver the message. (TM)</p> <p>Tim will never let his own feelings interfere with what he feels he needs to say or propose that will be of benefit to the Port. (SN)</p> <p>Mr. Arntzen's performance in terms of courage showed good improvement over the prior year. (DB)</p>
<p>XV. <u>Persuasiveness</u></p> <p>Ability to sell a sound course of action. Persuasive ability in oral and written presentations.</p>	<p>XXX</p>		<p>The way the Commission mostly worked with a unity of purpose under some trying circumstance is due, to a large extent, to Tim's ability to develop sound arguments and his ability to synthesize the opinions of the three Commissioners into manageable direction. Tim presented more policy and position papers to the Commission this year and they were helpful in setting the course of discussion and action. (TM)</p> <p>Tim has a very canny ability to convince and encourage in written means or through an oral presentation. In either way his presentations are smooth, to the point and very convincing. (SN)</p> <p>Mr. Arntzen's persuasiveness</p>

			skills are appropriate for the Port. (DB)
<p>XVI. <u>Adaptability</u></p> <p>Ability to adjust to changing conditions or unusual assignments. Flexibility in undertaking a variety of assignments, acceptance of decisions which go counter to own opinion.</p>	XXX		<p>Adaption to COVID issues was a big one for Tim and staff, and it appears that the staff has successfully adapted. Tim's leadership in working out the various issues has made the port continue to do good things identified in the work plan. Tim worked to adapt well to policy direction of recorded meetings placed on the port website and enhanced financial reporting to the Commission. (TM)</p> <p>Tim has had to make very serious philosophical and managerial adjustments to conform to the direction and composure of the current commission. Although not aligned with his beliefs he has made those adjustments to comply with Commission directives. (SN)</p> <p>The adaptability traits shown by Mr. Arntzen in 2020 were a marked improvement over those displayed in the prior year. (DB)</p>
<p>XVII. <u>Stamina</u></p> <p>Physical vigor. Ability to stand up under heavy requirements including foreign or domestic travel.</p>	XXX		<p>Tim never missed a Commission meeting nor indicated to the Commission any stamina issues. Travel was mostly curtailed the entire year for Tim, his staff, and the Commission. (TM)</p> <p>Tim is still at the port in the role he has had for a time longer than most CEO's. I see where having to work under the direction of the current Commission composure has had a negative affect on his health. (SN)</p> <p>Mr. Arntzen appears to have very good stamina though travel requirements were significantly curtailed in 2020. (DB)</p>

<p>XVIII. <u>Ambition</u></p> <p>Desire to get ahead and willingness to make sacrifices necessary for progress.</p>	XXX		<p>I have nothing to add to the information in the self-appraisal. (TM)</p> <p>Although not in lock step with the Commission personally he has demonstrated the ambition to work at and meet the goals set for him by the Commission. (SN)</p> <p>Mr. Arntzen has exhibited suitable levels of ambition on behalf of the Port. (DB)</p>
<p>XIX. <u>Loyalty</u></p> <p>Understanding and acceptance of goals and policies of the organization. Willingness to support organization and management.</p>	XXX	X (DB)	<p>Tim understands that it is the Commission that sets policy and brings policy issues to the Commission for discussion and action. Tim is very loyal to the staff who work for him. (TM)</p> <p>I do not know of anyone who is more loyal to an organization while working in a stressful work environment. (SN)</p> <p>Mr. Arntzen failed to understand and accept the Port's Rules of Policy and Procedure when he made the decision to retain outside legal counsel to represent the anonymous citizen complainant (Commissioner Novakovich) and then submit legal fees for approval to the Commission at the February 11, 2020 meeting. In my opinion, Mr. Arntzen's actions were not supported or justified by the Rules of Policy and Procedure. (DB)</p>
<p>XX. <u>Communications</u></p> <p>Effectiveness of exchanging significant information throughout all levels of the organization; with clients, vendors, and the public.</p>	XXX		<p>Given that the Commission would probably have heard if Tim were not communicating appropriate information, it is reasonable to assume he has been effective in this way. I felt that Tim effectively shared information with the Commission, even information that was within his delegation authority. (TM)</p>

Exhibit B

			<p>Tim does an excellent job of communication at all levels and offers to communicate with anyone wanting to and/or willing to speak with him. (SN)</p> <p>Mr. Arntzen exhibited good communication skills. This is a significant improvement over what I witnessed and experienced in 2019. (DB)</p>
<p>XXI. <u>Listening</u></p> <p>Interest in and ability to receive and process information accurately. Able to overcome personal biases or defensiveness in so doing.</p>	XXX		<p>Tim does a good at listening to Commissioners and checks back regularly to make sure he understood what each Commissioner expressed. He looks for consensus. Tim pushed back at the Commission on occasion, generally appropriately as the person who is responsible for the fiscal health of the organization. Tim was less defensive in doing so than in the previous year and in pushing back, promoted acceptable compromises. (TM)</p> <p>Again, I couldn't write any words better than those shown in the "2020 Summary of achievements for Port of Kennewick". (SN)</p> <p>Mr. Arntzen's 2020 performance in this area is a noteworthy and welcome improvement over 2019. (DB)</p>

Additional Commissioner Comments: A year ago, I had specific concerns about several aspects of Tim's performance during the year, while overall giving him good marks. While I do not believe the underlying problems have been addressed during this year, I make this year's evaluation based on Tim's performance this year. I am pleased with that performance, especially given the circumstances. Tim was especially good at teeing up policy discussions by

the Commission, listening to those discussions, and moving the port forward based on port policy. Tim's self-appraisal, while a bit hyperbolic, nonetheless conveys the breadth of Tim's actions and successes during the year. The Port of Kennewick continues to be successful under Tim's leadership. (TM)

Tim Arntzen is a one-of-a-kind individual who has proven to be an irreplaceable asset to the Port of Kennewick. I have personally witnessed Tim standing strong in the face of adversity both from external as well as internal forces. A few external examples are the City of Kennewick under a former City Manager, then the City of West Richland under previous leadership, and now in recent years internally with the current Commission he serves where two of the three Commissioners have been accused of creating a hostile work environment which has had an effect on him emotionally and physically. I honestly believe someone who did not possess Tim's loyalty to the Port of Kennewick would have left his position to seek a more favorable working environment. One where he and his talents were understood and appreciated. A place where those he worked for understood they employ people specifically for their expertise, knowledge and talents because they do not possess the same expertise, knowledge and talents and realize it is to their benefit to believe in, respect, and listen to those they hire to help them succeed. (SN)

Mr. Arntzen's overall performance in 2020 is worthy of high praise. Achievements at Vista Field and Columbia Gardens were highly successful and were accomplished with a keen eye toward fiscally-sound financial management while simultaneously responding to the unforeseen

challenges brought on by the global pandemic. Aside from the one exception that I've noted above, Mr. Arntzen's performance this year has been very solid and highly commendable. (DB)

2021 ANNUAL PERFORMANCE REVIEW
Individual Commissioner Evaluation of
Chief Executive Officer Performance

IMPORTANT DUTIES/EXPECTATIONS	PERFORMANCE APPRAISAL		COMMISSIONER COMMENTS
<ul style="list-style-type: none"> ➤ Attach extra papers as necessary ➤ Factors should be reviewed in terms of quality, quantity and timeliness 	Met	Not met	
<p>I. <u>Vision and Purpose</u></p> <p>Collaborates with the Commission to advance the Port's vision and purpose. Leads senior staff to develop a concise vision. Advocates the vision by strategic resource allocation toward attainment.</p>			
<p>II. <u>Strategic Agility</u></p> <p>Is proactive; anticipates future trends, benefits and consequences; has broad knowledge and perspective; can objectively state possibilities and probabilities.</p>			
<p>III. <u>Operating Plans</u></p> <p>A. Develops, maintains and implements strategic plans and operational goals that effectively brings the Port's vision to fruition.</p> <p>B. Critical performance elements are monitored to help assure effective and efficient operations and to identify opportunities for policies and procedures improvement.</p>			
<p>IV. <u>Integrity</u></p> <p>Sets the tone for the Port by exemplifying consistent values and high ethical awareness, honesty and fairness.</p>			

	Met	Not met	
<p>V. <u>Financial Stewardship</u></p> <p>A. Maximizes the Port's ability to serve and expand the public purpose while maintaining taxation stability.</p> <p>B. Administers the Port's financial affairs consistent with state law and adopted policies, budget and financial guidelines.</p>			
<p>VI. <u>Political and Institutional Sensitivity</u></p> <p>A. Maneuvers through complex political and institutional situations effectively; anticipates potentially negative reactions, recommends and plans a course of action accordingly; views politics as a necessary part of organizational and public sector life and works to be effective within that reality. Unless otherwise not practical, obtains commission concurrence prior to publicly stating position.</p> <p>B. Develops solutions to complex issues that challenge the Port's ability to recognize its vision and purpose. Demonstrates sensitivity to resource availability when developing solutions.</p>			
<p>VII. <u>Stakeholder Relations</u></p> <p>A. Leads the Port in building effective relationships with tenants, customers and community.</p> <p>B. Effective relations are maintained with other governmental officials, community leaders, citizens, news media, etc., to resolve problems and complaints; to coordinate functions, to gain and provide information and to assemble outside assistance for Port activities.</p>			

	Met	Not met	
<p>VIII. <u>Priority Setting</u></p> <p>Spends time and the time of others on what is important; can quickly sense what will help or hinder accomplishing a goal; eliminates obstacles; creates focus.</p>			
<p>IX. <u>Knowledge</u></p> <p>A. Knows how successful public ports work; knowledgeable in current and possible future practices, trends and information affecting port management, the port industry and our Port; knows the competition; is aware of how strategies and tactics work in the marketplace.</p> <p>B. Maintains a favorable presence within the region, state and industry that results in an increased knowledge of initiatives, trends, practices and legislation that may affect the Port.</p>			
<p>X. <u>Decision Quality</u></p> <p>Makes good decisions based on analysis, wisdom, experience and judgment; most solutions and suggestions turn out to be correct when judged over time.</p>			
<p>XI. <u>Entrepreneurial</u></p> <p>A. Demonstrates an entrepreneurial spirit by identifying ways to generate revenue, investment capital and maximizes the financial potential of existing port assets.</p> <p>B. Brings recommended opportunities to the Commission's attention. Recommendations include financial projections, as well as potential public opinion concerns (risk/reward analysis).</p>			

	Met	Not met	
<p>XII. <u>Leadership/Management</u></p> <p>A. Rallies support behind the vision and strategic plan; can inspire and motivate staff and community.</p> <p>B. Creates an environment where employees at all levels contribute their knowledge, skills, abilities and ideas in a way that maximizes their potential. Employee potential is not limited by divisional walls or job title. Appropriately delegates to others. Is a good judge of talent; hires the best people available inside or outside the organization.</p> <p>C. Creates a climate in which people want to do and can do their best; can motivate team or project members; empowers others; invites input and shares ownership and visibility. Makes each person feel his/her work is important.</p> <p>D. Assists the Commission in defining its shared vision. Communicates that direction to the organization. Advises the Commission on challenges and threats to the Port's ability to be successful.</p> <p>E. Effectively manages staff relations consistent with port policies.</p> <p>F. Manages the administration and operations of the Port consistent with the delegation of authority as adopted and/or modified by the Board of Commissioners.</p>			
<p>XIII. <u>Initiative</u></p> <p>Self-starting ability. Promptly takes hold and follows through with minimum direction.</p>			

	Met	Not met	
<p>XIV. <u>Courage</u></p> <p>Willingness to state opinions and reasons without concern about the popularity of the views. Fortrightness in dealing with customers, suppliers, and others in the organization.</p>			
<p>XV. <u>Persuasiveness</u></p> <p>Ability to sell a sound course of action. Persuasive ability in oral and written presentations.</p>			
<p>XVI. <u>Adaptability</u></p> <p>Ability to adjust to changing conditions or unusual assignments. Flexibility in undertaking a variety of assignments, acceptance of decisions which go counter to own opinion.</p>			
<p>XVII. <u>Stamina</u></p> <p>Physical vigor. Ability to stand up under heavy requirements including foreign or domestic travel.</p>			
<p>XVIII. <u>Ambition</u></p> <p>Desire to get ahead and willingness to make sacrifices necessary for progress.</p>			
<p>XIX. <u>Loyalty</u></p> <p>Understanding and acceptance of goals and policies of the organization. Willingness to support organization and management.</p>			
<p>XX. <u>Communications</u></p> <p>Effectiveness of exchanging significant information throughout all levels of the organization; with clients, vendors, and the</p>			

public.			
	Met	Not met	
XXI. <u>Listening</u> Interest in and ability to receive and process information accurately. Able to overcome personal biases or defensiveness in so doing.			

Additional Commissioner Comments:

**Confederated Tribes *of the*
Umatilla Indian Reservation**

Board of Trustees & General Council



Exhibit C

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(541) 429-7030 • fax (541) 276-3095
info@ctuir.org • www.umatilla.nsn.us

October 4, 2021

Via electronic transmittal

Tim Arntzen
Chief Executive Officer
Port of Kennewick
350 Clover Island Drive, Suite 200
Kennewick, WA 99336

RE: Gratitude for establishment and continued development of working relationship

Dear Mr. Arntzen:

On behalf of the Board of Trustees of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), I offer the CTUIR's appreciation for your continued support and partnership these many years. I also acknowledge your leadership and vision in helping establish the Memorandum of Understanding between our government organizations and recognize the thoughtful and meaningful way you have worked to foster friendship between our organizations as we have collaborated on projects.

There are many examples of the good faith way in which you have interacted with CTUIR, beginning with your understanding that the Port of Kennewick district and Clover Island are situated within the CTUIR's homelands. This acknowledgement and respect for our history in the area has in many ways led to our successful coordination, beginning with the joint meetings between our Boards. Further, your commitment to having cultural resource contracts in place for port projects and your role in creating The Gathering Place specifically to honor our history and cultural ties to Clover Island are also proof of meaningful collaboration. From sharing your annual work plans and documents, supporting Tribal programs like the Salmon Walk and First Foods events with advertising funds, and facilitating early engagement with the Board of trustees and tribal staff to restore Clover Island's west causeway and revitalize Columbia Drive, to the current 1135 project with the US Army Corps of Engineers—there are many examples of how you have led your organization as a caring, respectful partner and friend of the CTUIR.

The Board of Trustees and CTUIR staff are honored to work with the Port of Kennewick, and I look forward with optimism to continuing the collaboration between our governments.

Sincerely,

N. Kathryn Brigham, Chair
Board of Trustees