

The Governor's proclamation 20-28 regarding the Open Public Meetings Act and Public Records Act temporarily prohibits in-person public attendance at meetings subject to the OPMA.

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

To participate remotely, please call-in at: [1-877-309-2073](tel:1-877-309-2073), Access Code: 115-954-045
Or, join on-line at the following link: <https://global.gotomeeting.com/join/115954045>

AGENDA

Port of Kennewick
Regular Commission Business Meeting
Port of Kennewick Commission Chambers (via GoToMeeting)
350 Clover Island Drive, Suite 200, Kennewick Washington

March 8, 2022
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 for the public record)*
- VI. CONSENT AGENDA**
 - A. Approval of Direct Deposit and ePayments Dated March 3, 2022
 - B. Approval of Warrant Register Dated March 8, 2022
 - C. Approval of Regular Commission Meeting Minutes February 22, 2022
- VII. NEW BUSINESS**
 - A. Port and City of Kennewick Memorandum of Understanding, Marie Mosely and Tim Arntzen
- VIII. PRESENTATION**
 - A. Mid-Biennial Budget Review (**NICK**)
- IX. REPORTS, COMMENTS AND DISCUSSION ITEMS**
 - A. Kennewick Waterfront
 - 1. Clover Island Inn Proposal Update, Taudd Hume (**TIM**)
 - B. Vista Field
 - 1. Progress & Website Update (**LARRY/AMBER/TANA**)
 - C. Approval of Chief Executive Officer's Completed Goals & Objectives; Resolution 2022-10 (**NICK**)
 - D. Miscellaneous Project Updates (**TIM**)
 - E. Commission meetings (formal and informal meetings with groups or individuals)
 - F. Non-Scheduled Items
(**LISA/BRIDGETTE/TANA/NICK/LARRY/AMBER/LUCINDA/TIM/KEN/TOM/SKIP**)

AGENDA

Port of Kennewick
Regular Commission Business Meeting
Tuesday, March 8, 2022
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- X. PUBLIC COMMENT** *(Please state your name for the public record)*
- XI. EXECUTIVE SESSION** *(Ask public if they are staying, and if not, where they can be located if the Executive Session ends early.)*
 - A. Potential Litigation, per RCW 42.30.110(1)(i) (LUCINDA)
- XII. ADJOURNMENT**

PLEASE SILENCE ALL NOISE MAKING DEVICES



PORT OF KENNEWICK REGULAR COMMISSION MEETING

DRAFT

FEBRUARY 22, 2022 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 Skip Novakovich 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: Skip Novakovich, President (via telephone)
Kenneth Hohenberg, 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)
Larry Peterson, Director of Planning and Development (via telephone)
Lisa Schumacher, Special Projects Coordinator
Bridgette Scott, Executive Assistant (via telephone)
Lucinda Luke, Port Counsel (via telephone)

PLEDGE OF ALLEGIANCE

Commissioner Hohenberg led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

MOTION: *Commissioner Hohenberg 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 February 17, 2022***
Direct Deposit and E-Payments totaling \$104,957.55
- B. *Approval of Warrant Register Dated February 22, 2022***
Expense Fund Voucher Number 103541 through 103580 for a grand total of \$153,955.95
- C. *Approval of Regular Commission Meeting Minutes February 8, 2022***
- D. *Approval of Special Commission Meeting Minutes February 16, 2022***

PORT OF KENNEWICK REGULAR COMMISSION MEETING

FEBRUARY 22, 2022 MINUTES

DRAFT

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

OLD BUSINESS

A. Clover Island Housing Project – Due Diligence

Mr. Arntzen presented two draft letters (*Exhibit A*) prepared by attorney Taudd Hume, who is assisting the Port with the due diligence for the Clover Island Inn proposal. Mr. Arntzen stated the first letter is to the hotel owners group regarding the current lease provisions and the second letter is to Fortify Holdings regarding the lease provisions with Clover Island Inn.

Commissioner Hohenberg clarified that the letter creates a pathway for the hotel group to move forward with the sale and for Fortify Holdings to negotiate a new lease with the Port.

Mr. Arntzen stated that is correct and by sending these letters, the Commission is not approving the sale or a lease transfer, nor is it denying anything, rather, the Port is starting the process.

Commissioner Novakovich is concerned that the letter to the Clover Island Inn hotel group does not have a response date and would like to see a date added.

Mr. Arntzen will work with Mr. Hume to add a response date to the Clover Island Inn hotel group letter.

Further discussion commenced regarding the CEO's Delegation of Authority.

It is the consensus of the Commission to revise the letter addressed to the Clover Island Inn Hotel Group and add a response timeframe; and for the CEO to send out the letters.

REPORTS, COMMENTS AND DISCUSSION ITEMS

A. Kennewick Waterfront

1. The Willows Build Back Better Resolution 2021-06

Ms. Bader Inglima reported that she recently spoke with Leslie Wolff, an outreach specialist for the Department of Commerce Community Economic Revitalization Board (CERB). Ms. Wolff reported that CERB has funding available and inquired if the Port was still considering the J. Lieb project and The Willows infrastructure project in partnership with the Kennewick Housing Authority (KHA) as referenced in Resolution 2021-06 for the Build Back Better (BBB) Program application. Ms. Bader Inglima informed Ms. Wolff that the J. Lieb building was purchased by a private investor and that The Willows infrastructure project did not fit with the CERB requirements, nor did the BBB legislation pass. Ms. Bader Inglima inquired if the Commission would like to affirm the Port's commitment to a partnership with the KHA or provide new guidance for The Willows area. Additionally, does the Commission want staff to pursue grants that align with the adopted Work Plan and bring back opportunities for approval to pursue those grants.

Commissioner Novakovich believes staff does an excellent job and can vet the grants or

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proposals and determine what needs to come before the Commission.

Commissioner Hohenberg recalls that the City of Kennewick was working with the KHA on affordable housing on 10th Avenue.

Ms. Bader Inglima stated that is correct, and the City successfully worked with KHA for housing on 10th Avenue.

Commissioner Hohenberg agrees with Commissioner Novakovich's comments and stated Ms. Bader Inglima should pursue grants that fit within the Port's workplan.

Commissioner Moak does not believe CERB will ever be a source of any funding for the Port and agrees with Commissioners Novakovich and Hohenberg's comments about looking for grants that fit the Port's workplan and Vista Field and the Historic Kennewick Waterfront Master Plans.

B. Vista Field

1. Team Approach

Mr. Arntzen presented the team for the Vista Field redevelopment (*Exhibit B*).

Commission and staff discussed the Vista Field Team.

2. Property Owner's Association Update

Mr. Peterson stated before the Commission are the following documents:

- Vista Field Frequently Asked Questions (FAQ);
- Vista Field Declarations Overall (entire site);
- Vista Field Declarations Commercial;
- Vista Field Association Assessment Structure
- Vista Field Association of initial registered agent and officers

Mr. Peterson stated the Commission passed Resolution 2020-22, which approved these documents and presented a memo for consideration (*Exhibit C*). Mr. Peterson introduced Ben Floyd and Doris Goldstein, who have been working on the governing documents and declarations.

Mr. Floyd stated the FAQ will be a living document meant for developers as well as potential residential owners which gives a brief orientation of Vista Field and the purpose of the development. Mr. Floyd stated the Articles of Incorporation and Bylaws need Commission support for approval of the makeup of the Boards for the overall association and the commercial association.

Ms. Goldstein stated there have not been very many changes to the documents since it was last presented. Ms. Goldstein worked with Lizz Plater Zyberk of DPZ Partners to ensure that the design guidelines and the managing documents are consistent throughout both sets of documents.

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Mr. Peterson presented the current declarations and covenants and the assessment mechanism for the neighborhood which is \$650 annually. The Commission approved the homeowner assessment which includes items such as maintenance of the water features, shared residential, landscaping, public park and common parking. Additionally, the Articles of Incorporation and By-Laws for the neighborhood require a Registered Agent and an initial slate of officers. Mr. Peterson suggested that Port Counsel Lucinda Luke serve as the Registered Agent and Mr. Peterson, Ms. Hanchette and Mr. Boehnke serve as the board members for the two Associations. Mr. Peterson stated the board members will make decisions on items such as landscaping contractors and purchasing of material.

Commissioner Hohenberg is fully supportive of the documents presented and the initial assessment of \$650 annually seems very reasonable, especially when you look at the amenities.

Commissioner Moak is supportive as well and with the Board Members. Commissioner Moak inquired if the Commission needs to formally appoint the Board.

Mr. Floyd stated once the Articles of Incorporations form is submitted, that becomes the initial board. Once the Board is established, you could add other members as desired.

It is the Consensus of the Commission to approve the following:

- *Concur with the documents presented are acceptable for the intended purposes;*
- *Concur with the initial assessment of \$650 annually per allocated interest;*
- *Concur with Lucinda Luke acting as the Registered Agent;*
- *Concur with Mr. Peterson, Ms. Hanchette and Mr. Boehnke serving as Board Members for the two Vista Field Associations.*

C. Frequency of Budget Presentations

Mr. Kooiker stated we are currently closing out 2021 and he is preparing a mid-biennial budget update for the Commission. Historically, budget updates were given semi-annually; however, at the request of one former Commissioner, Mr. Kooiker started giving quarterly budget updates. Mr. Kooiker inquired if the Commission would like to see budget updates quarterly or semi-annually.

Commissioner Novakovich stated Mr. Kooiker has proven himself as an excellent CFO for the Port and if anything comes up regarding finances, he trusts that Mr. Kooiker will advise the Commission. Commissioner Novakovich sees no reason to continue with quarterly budget updates and is fine with semi-annual updates.

Commissioner Hohenberg believes the Mr. Arntzen or Mr. Kooiker would inform the Commission if there are any variances in the approved budget or work plan. Commissioner Hohenberg is fine with every six months and has confidence and trust in our staff, and knows staff will advise us if we are approving something we cannot afford.

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Commissioner Moak prefers the quarterly budget updates, but his fellow Commissioners would rather it be every six months.

It is the Consensus of the Commission that the CFO presents semi-annual budget updates.

Mr. Kooiker stated if any Commissioner would like to have more frequent updates, he would be happy to meet with him at any time to review the budget.

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

Commissioners reported on their respective committee meetings.

E. Non-Scheduled Items

Mr. Arntzen stated he appreciates the Commission and team keeping the Meeting under two hours, while getting things done.

Mr. Arntzen was invited by Marie Mosley, City Manager, to give a joint presentation to the Kennewick City Council, similar to the presentation presented during the February 8, 2022 Meeting. Mr. Arntzen and Ms. Mosley will provide the same information that the Port received and will ask the City Council if they would like to authorize a Memorandum of Understanding for identification of potential joint projects produced in the near future.

Commissioner Hohenberg agrees with Mr. Arntzen's comments regarding the Meeting length and appreciates a timely and efficient meeting, which goes back to being properly prepared. Commissioner Hohenberg appreciates the thorough information we receive in our Agenda packet, and he appreciates the opportunity to have regularly scheduled meetings with Mr. Arntzen to discuss items and not delay the process when we are in a public meeting. Commissioner Hohenberg does not believe a long meeting is good for the Port and does not think it is good for people listening in, nor is it efficient. Commissioner Hohenberg has five more days as the Kennewick Police Chief and is looking forward to the transition. Commissioner Hohenberg will attend the City Council Meeting for his last workshop meeting, which he has been attending since 2001, when he was the Assistant Chief. He has worked with a lot of great Council Members over that time and is looking forward to the transition after almost 44 years. Commissioner Hohenberg is excited about our opportunities in the future.

Commissioner Novakovich offered his congratulations to Commissioner Hohenberg and stated he has done a wonderful job at the City of Kennewick and for the entire community. Commissioner Novakovich stated it has been an honor to have Commissioner Hohenberg join this Commission and hopes going forward, he will enjoy his time on the Port Commission.

Commissioner Novakovich attended the Washington Public Ports Association (WPPA) Legislative Committee Meeting and one item on their list of priorities is the .09 program extension. WPPA would like to see that program extended to 2054.

PUBLIC COMMENTS

No comments were made.

PORT OF KENNEWICK REGULAR COMMISSION MEETING

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DRAFT

Commissioner Novakovich anticipates the Executive Session will last approximately 15 minutes, Potential Litigation, per RCW 43.30.110(1)(i) with no action expected. Commissioner Novakovich asked the public to notify Port staff if they will return after the executive session so staff can advise if the session concludes early.

RECESS FOR EXECUTIVE SESSION

Commissioner Novakovich recessed the Regular Commission Meeting at 3:23 p.m. for a 15-minute Executive Session. The Regular Meeting will reconvene, or the public will receive an update at 3:38 p.m.

EXECUTIVE SESSION

A. Potential Litigation per RCW 43.30.110(1)(i)

At the direction of the Commission President, Ms. Schumacher extended the Executive Session for 10 minutes at 3:38 p.m.

Commissioner Novakovich adjourned the Executive Session at 3:48 p.m. with no action.

Commissioner Novakovich reconvened the Regular Commission Meeting at 3:49 p.m.

COMMISSION COMMENTS

No comments were made.

ADJOURNMENT

With no further business to bring before the Board; the meeting was adjourned 3:51 p.m.

APPROVED:

**PORT of KENNEWICK
BOARD of COMMISSIONERS**

Skip Novakovich, President

Kenneth Hohenberg, Vice President

Thomas Moak, Secretary



TAUDD A. HUME
 thume@workwith.com
 509.252.5659

February __, 2022

Clover Island Development Company
 c/o _____
 [ADDRESS]

Re: *Clover Island Inn: Assignment of Lease*

Dear _____:

I am writing to you on behalf of the Port of Kennewick (the "Port") in relation to the Port's understanding of your desire to explore an assignment of the December 11, 2012 lease between the Port and Clover Island Development Company (the "Lease"). Section 12 of the Lease states:

Lessee shall neither transfer nor assign this Lease nor sublet the premises, or any part thereof, nor grant any interest, privilege or license whatsoever in connection with this Lease without the prior written permission of the Port; provided, however, that no such permission shall be arbitrarily withheld, and in the event of any transfer, Lessee shall remain responsible for all of the covenants and terms herein.

The purpose of this letter is to draw your attention to the language above that gives the Port broad authority to accept or reject any proposed assignment. Please understand that the Port has an obligation as a public entity to fully vet any assignment requests, and it is uncertain at this time, without conducting further due diligence, whether such a request would be granted.

To the extent that Clover Island Development Company would like to propose an assignment, the Port requests that you submit an official written request for the Port's consideration. Such a request should include the name and contact information for the proposed assignee, as well as

A Professional Limited Liability Company

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 Spokane, Washington 99201-0677
 Telephone: (509) 455-9077
 Facsimile: (509) 624-6441
 Toll Free: (866) 903-9912

PETER A. WITHERSPOON
 GARY D. BRAJCICH
 JAMES A. MCPHEE^o
 PETER E. MOYE^{†*}Δ
 BRIAN M. WERST[†]
 TAUDD A. HUME
 ROBERT J. BURNETT
 BRYCE J. WILCOX[†]

LAWRENCE W. GARVIN
 JESSICA C. ALLEN[†]
 THADDEUS J. O'SULLIVAN[†]
 DEANNA M. WILLMAN

[†]Also Admitted in Idaho
^oAlso Admitted in Oregon
^{*}Also Admitted in California
^Δ Certified Specialist
Estate Planning, Trust & Probate Law
California State Board of Legal Specialization

your permission for the Port to reach out directly to that party for the purposes of undertaking our necessary due diligence.

Should you have any questions or concerns please do not hesitate to contact myself or Tim Arntzen at the Port of Kennewick.

Very Truly,

A handwritten signature in black ink, appearing to read 'T. Hume', written in a cursive style.

TAUDD A. HUME
WITHERSPOON BRAJCICH MCPHEE, PLLC

cc: Tim Arntzen
Port of Kennewick, Chief Executive Officer



TAUDD A. HUME
thume@workwith.com
 509.252.5659

February __, 2022

[NAME]
 [ADDRESS]

Re: *Clover Island Inn: Assignment of Lease*

Dear _____:

I am writing to you on behalf of the Port of Kennewick (the "Port"). The Clover Island Development Company (the "CIDC") formally notified the Port that it desires to assign its interest in a December 11, 2012 lease of the Clover Island Inn property (the "Lease") to you. Section 12 of the Lease states:

Lessee shall neither transfer nor assign this Lease nor sublet the premises, or any part thereof, nor grant any interest, privilege or license whatsoever in connection with this Lease without the prior written permission of the Port; provided, however, that no such permission shall be arbitrarily withheld, and in the event of any transfer, Lessee shall remain responsible for all of the covenants and terms herein.

Pursuant to the language above, the Port has broad authority to accept or reject any proposed assignment. As a public entity the Port has an obligation to fully vet any assignment requests. CIDC indicated that the Port has its permission to seek further information from you as a putative Assignee under the Lease.

Accordingly, attached to this letter is a due diligence questionnaire soliciting certain information relating to your company and your proposed use of the Port's property. Please fill out and return this questionnaire to the Port in support of your request for an assignment of the Lease.

A Professional Limited Liability Company

601 West Main Avenue, Suite 714
 Spokane, Washington 99201-0677
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 Facsimile: (509) 624-6441
 Toll Free: (866) 903-9912

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^oAlso Admitted in Oregon
 *Also Admitted in California
 Δ Certified Specialist
Estate Planning, Trust & Probate Law
California State Board of Legal Specialization

Should you have any questions or concerns regarding this questionnaire or the assignment in general, please do not hesitate to contact myself or Tim Arntzen at the Port of Kennewick.

Very Truly,

A handwritten signature in black ink, appearing to read 'Taudd A. Hume', with a stylized, flowing script.

TAUDD A. HUME
WITHERSPOON BRAJCICH MCPHEE, PLLC

Enclosures

cc: Tim Arntzen,
Port of Kennewick, Chief Executive Officer

DUE DILIGENCE QUESTIONNAIRE

The Port of Kennewick requests the following information to assist with its due diligence efforts. Please be as thorough as possible to give us enough information to understand both your proposed use of Port property and you as a financially viable partner in the work the Port is undertaking on Clover Island. Please understand that the Port of Kennewick is a public agency and any information supplied pursuant to these requests is subject to the Washington State Public Records Act – Chapter 42.56 RCW.

1. Name and address of the proposed Tenant/Assignee.
2. Names and professional backgrounds of any owners, directors, officers of the proposed Tenant/Assignee.
3. Name and address of any corporate entity that is a member of the proposed Tenant/Assignee (a “Related Entity”).
4. Names and professional backgrounds of any owners, directors, officers of a Related Entity.
5. Describe the operating proposal of the Tenant/Assignee in the following terms:
 - a. Generally describe the Tenant/Assignee’s proposed use and operation of the Clover Island Inn property, including the type of uses and the square footage dedicated to each type of use (e.g. residential, commercial, retail etc.).
 - b. What specific improvements would be made to the exterior of the building?
 - c. What specific improvements would be made to the land?
 - d. How much of the site would remain open to the public?
 - e. What is the timing of the proposed improvements?
 - f. What are the parking requirements for the proposed use?
 - g. Describe how the proposed use and operation fit into and support the Clover Island Master Plan, the City’s zoning ordinances, the City’s Shoreline Master Program and the federal McNary Shoreline Management Plan.
 - h. Describe the permits or licenses the Tenant/Assignee needs to effectuate the operation of its proposal.

6. Please provide the following information for the proposed Tenant/Assignee and/or Related Party:
- a. Audited or certified financial statements for the past five (5) years of the Tenant/Assignee.
 - b. The charter documents (including the operating agreement) of the proposed Tenant/Assignee.
 - c. A description of other similar projects undertaken by the Tenant/Assignee.
 - d. Provide the name and state of registration for any subsidiaries of Tenant/Assignee.
 - e. Provide the names and addresses of the security holders (holders of options, preferred stocks, warrants etc.) of the Tenant/Assignee.
 - f. Please identify all sources of initial capital used to renovate, maintain and operate the Clover Island Inn.
 - g. What is the nature of any threatened litigation involving the Tenant/Assignee or any Related Party?
 - h. Please identify by name, cause number and jurisdiction any litigation in which the Tenant/Assignee has been a party within the past five (5) years.
 - i. Please identify by name, cause number and jurisdiction any litigation in which any of the owners, directors or officers of Tenant/Assignee has been a party within the past five (5) years.
 - j. Please identify by name, cause number and jurisdiction any litigation in which any Related Party has been a party within the past five (5) years.
 - k. Please identify by name, cause number and jurisdiction any litigation in which any of the owners, directors or officers of Tenant/Assignee has been a party within the past five (5) years.
 - l. Are there any governmental proceedings currently pending against the Tenant/Assignee or a Related Party?
 - m. Has the Tenant/Assignee or any Related Party declared bankruptcy in the past ten (10) years? If so, please provide the cause number and jurisdiction for such bankruptcy proceedings.

MEMORANDUM

To: Commission

From: Tim Arntzen, CEO

Date: 02/22/2022

Re: *Vista Field Implementation Approach (Vista Field Team)*

Now that the port's New Urbanism town center site has basic infrastructure, with lots soon ready to be sold, I am planning to assemble a team for Vista Field administration (the Team). The Team would respond to nearly all Vista Field related issues, including fielding all inquiries related to the site; property purchases; information requests; property tours; media information; processing of development proposals for commission consideration; additional planning and site revisions, etc.

Some of the tasks in support of creation of the Team, including our internal staff reorganizations and associations with contractors, identified below have been implemented. Some have not. At least at this point in time.

The overall goal is to get ready for land sales this summer. I only need as much of a team in place to effectively respond to that. Let's get it open with the team in place we need; we can adjust as we go along. That's the overarching principle!

1. Project Manager.

The project needs a "Point Person" to meet with realtors, builders and others expressing interest in the project. Amber Hanchette, port Director of Real Estate & Operations, is that point of contact related to Vista Field inquiries. This addition to her duties now requires her to spend more time on Vista Field matters. It would also limit the time she can spend pursuing her existing duties which include all phases of port operations and maintenance. She has a staff of three employees and several contract part-time personnel.

Thus, this change in Ms. Hachette's duties has created a need for "backfilling" in order to cover the duties she transferred to other qualified individuals within the organization. Specifically, Ms. Hanchette has transferred some of her duties to current Maintenance Supervisor Mike Boehnke. This phased transfer began in October of 2020 and is now complete. In administering her Vista Field related tasks, Ms. Hanchette will utilize the services of other staff and contractors as necessary (planning; administrative services, etc.) and would not be viewed a stand-alone asset. Rather she would be a part of a team as described below.

2. Maintenance Supervisor.

In reference to Item 1 above, current Maintenance Supervision, Mike Boehnke has assumed the spillover tasks from Ms. Hanchette, effective mid-February 2021.

We have experience with these two transitions. They are working well.

3. Maintenance Technician(s): New Hire.

Because of the overall increase in the number of port-owned properties, including Vista Field, I have identified a need to hire an additional entry-level maintenance technician. Part of the need is to provide for potential realignment within this department. Even though the port will eventually contract out much of the Vista Field maintenance to a private management firm, utilizing funding from the Property Owners Association (POA), staff will still be needed to provide oversight (i.e., ensuring contract compliance) and to perform emergency and priority maintenance matters on site; in addition to increasing maintenance demands from newly developed port properties and construction projects. It is anticipated that the cost of salary and benefits is estimated at \$90,000 annually.

In the meantime, we have been using temporary laborers, and until a hire of a permanent employee has been carried out, we will continue with the temporary workers. Additionally, temporary labor will continue to be utilized in place of Coyote Ridge Correctional Facility labor crews which are currently restricted due to Covid-mandates.

4. Project Planner/Coordinator.

Larry Peterson, port Director of Planning and Development will serve as the coordinator with the port's long-standing architectural advisors, DPZ, as well as Town Architects and Town Engineers (referenced below) related to the development of Vista Field.

5. Town Architect.

DPZ partner, Matt Lambert of Portland, Oregon has worked with the port from the early days of the Vista Field project and is a known commodity. He is willing to fulfill the role of town architect to provide detailed planning assistance with any additional improvements or alterations needed to Phase I of the project. He will also assist staff evaluating project proposals that the port receives through the collaborative design process. Matt will work as an independent contractor and will bill the port on an hourly basis for time expended on each task assigned. The port Director of Planning will assist and manage the DPZ efforts, ensuring the best value for time spent.

It should be mentioned that the day-to-day contact with the DPZ "mothership" from Miami is past. We now have the skillset internally and with the contractors mentioned in this memo to spread our own wings, so to speak. However, we are just a phone call away if we need the assistance of Lizz and Andreas. And Senen.

6. Governance & Management Advisors.

The port is currently in a contractual relationship with Ben Floyd (planner) and Doris Goldstein (New Urbanism attorney) to provide set-up of the property owner's association. This is anticipated to be a multi-year task with initial set up and continued monitoring and implementation advice and assistance (through a portion of Phase I).

7. Town Engineer(s).

Gary Hall of Hall Engineering and Darren Sandeno of Parametrix will provide engineering support for review of private sector projects and integration into established and planned infrastructure. They will bill on an hourly basis.

8. Construction Management.

I will contract with on-call construction management services on an as-needed basis to assist the port in review of construction proposals and to assist with review of construction progress.

It should be noted that when sales and site visits increase, I would like to think about transitioning Kandy to Amber's assistant. She has expanded her role into marina manager and is doing an exemplary job there. Should she pick up the duties of Amber's assistant, we would need to backfill at the office front desk. And with the office "closed" during Covid, I am unsure what level of front desk support we need. As I stated earlier in this memo, we will figure the rest out as we go. But most importantly, we are moving ahead so we can sell lots this summer. Exciting!

Memorandum

To: Tim Arntzen, Executive Director
 From: Larry Peterson
 Date: February 22, 2022
 Re: Vista Field Policy Issues & Commission Decisions/Reaffirmations Needed

The remaining policy decisions/confirmations pertain to the Vista Field Owners Associations...the “creatures” that will require compliance with the approved design standards and assess the property owners for the perpetual maintenance of the non-City elements at Vista Field. At the next meeting concurrence will be sought on the package of documents and specifically the initial assessment rates and officers. Many of the documents have been previously approved and most of the others have very little subjective matter. The package of documents are attached in (number order) and it is encouraged that documents (1) and (2) be reviewed as those documents provide a summary of the overall intent.

❖ AGENDA & SCHEDULE OF POLICY ISSUES

JANUARY 25, 2022 Meeting

(Commission Reaffirmed via Consensus vote)

- ✓ Initial Marketing Area
- ✓ Initial Parcel Offer Prices

FEBRUARY 8, 2022 Meeting

(Commission Reaffirmation sought via Consensus vote)

- ✓ Joint-Use Parking areas initially provided by the Port {inherent role of the developer}
- ✓ Project Reinvestments triggered by initial development {inherent role of the developer}

FEBRUARY 22, 2022 Meeting

(Commission Reaffirmation sought via Consensus vote)

- (2) Vista Field Introduction to Governing Documents {helps to explain the regulatory pieces}
- (3) Vista Field Declarations-Overall {applies to entire site, regardless of use}
- (4) Vista Field Declaration-Commercial {2nd layer for commercial uses}
- (3 & 4) Vista Field Association Assessment Structure {actual costs to owners based upon use}
- (5 & 6) Vista Field Association Appointment of initial Registered Agent & Officers

(Shared with Commission for information but formal approval not required)

- (1) Vista Field Frequently Asked Questions {complementary document-helps explain VF}
- (5) Vista Field Association Articles of Incorporation-Overall {non-subjective/State form}
- (6) Vista Field Association Articles of Incorporation-Commercial {non-subjective/State form}
- (7) Vista Field Association By-Laws-Overall {non-subjective, dictated by State law}
- (8) Vista Field Association By-Laws-Commercial {non-subjective, dictated by State law}

❖ **POLICY ISSUES for February 22, 2022 meeting**

(Commission Reaffirmation sought via Consensus vote)

(2) Vista Field Introduction to Governing Documents

(3) Vista Field Declaration of Covenants-Overall

(4) Vista Field Declaration of Covenants-Commercial Property

(3 & 4) Vista Field Association Assessment Structure

(5 & 6) Vista Field Association Appointment of initial Registered Agent & Officers

The purpose, wording and implications of these documents were discussed in detail in mid to late 2020 resulting in the passage of Resolution 2020-22 on October 27, 2020, which approved the introduction and both the overall and commercial area declarations. Since that time minor grammatical changes have been made to both documents, primarily to assure consistency with the recently approved Design Standards.

These documents legally established the design review requirements and establish a mechanism to assess and collect funds from the future Vista Field owners to offset maintenance responsibilities for the common area elements. There are two layers to the design, oversight and assessment with those being the overall neighborhood of which every owner is a “member”; and a commercial association which allows for the commercial properties to decided collectively which activities above and beyond the baseline are worthy to fund. This separate layer is crafted to intentionally exclude the residential use from the commercial uses; and excludes the residential from both the commercial decision process and more importantly the commercial assessments.

During the summer and fall of 2021 much consideration was given to establishing an equitable means of assessment for those maintenance costs, which is based upon the “allocated interest” {think share}. A draft maintenance budget at both the current phase 1 state and buildout was developed and then the costs applied to various property types to yield an actual monthly/yearly assessment number. The budget was established with the intent the assessment would not need to be increased for the first 5 years {although the covenants would allow for adjustments if needed}. Bottom line being the overall neighborhood assessment for each **“Allocated Interest”** would be **\$650 annually** {slightly under \$55 month}. A single-family home over 1,000sf = 1 allocated interest and 1,000sf of commercial space = 1 allocated interest. So, a **single-family home** would pay **\$55 per month** and a 2,000sf restaurant would pay \$110 per month.

Following a brief refresher from Doris S. Goldstein, Attorney on the previously approved declarations for the overall Vista Field neighborhood and specific commercial areas, and a presentation of the actual assessments by type and size of use; an approval/acceptance action by the Commission would be sought.

QUESTION: Does the Commission concur the documents as presented are acceptable for the intended purposes and the initial assessment of \$650 annually per Allocated Interest is deemed reasonable?

Vista Field Association Appointment of Registered Agent and Initial Officers

The Articles of Incorporation and By-Laws for both the Overall neighborhood and the 2nd tier for the Commercial properties are forms and formats strictly dictated by state law, so there are few subjective matters to discuss. The two decisions that really need to be made/confirmed are who will be the “registered agent” and who will be the initial members on the “board of directors.” Both these decisions can be changed as the project evolves and the parties change. Typically, the attorney for the developer is listed as the “registered agent” and employees for the developer serve as the initial board members.

The boards for the Overall & Commercial Associations are charged with decisions such as approving contracts for maintenance work and material purchases for that maintenance work. These boards are not involved with the design review process and/or review of development proposals; that is a task overseen by the Port selected Town Architect. This board is a legal requirement and members will evolve as the development progresses and typically transitions from the developer’s employees to those that have a major stage in the development. At present, and for at least the first 5-years, the Port will have a predominate number of the allocated interests/shares, so it is typical for the developer to control the board when the developer has a majority of the financial responsibility to pay the assessments.

These documents have not been recorded yet, therefore could easily be changed; however, at present the Port’s Attorney Lucinda Luke is listed as the registered agent and the board of directors are listed as Michael Boehnke, Amber Hanchette and Larry Peterson.

QUESTION: Does the Commission concur with the proposed registered agent and initial slate of officers for the Vista Field overall and commercial associations?

(Shared with Commission for information but formal approval not required)

(1) Vista Field Frequently Asked Questions {complementary document}

(5) Vista Field Association Articles of Incorporation-Overall

(6) Vista Field Association Articles of Incorporation-Commercial

(7) Vista Field Association By-Laws-Overall

(8) Vista Field Association By-Laws-Commercial

The above documents are included to provide a complete “package”; however, there is no subjective material involved, except for the questions posed directly above regarding the initial registered agent and board of directors. The Frequently Asked Questions (FAQ) document is not a required document, however this was crafted with the intent to help all involved, whether they be Port staff, Commissioners, developers, realtors or citizens.

- - -

An aerial, isometric-style rendering of a city street scene. The scene features a mix of multi-story brick and stone buildings, some with awnings and signage. A winding blue river or canal flows through the center of the block, bordered by sidewalks and trees. Several cars are parked along the streets, and a few figures of people can be seen walking. The lighting suggests a bright, sunny day. The left side of the image is partially obscured by a dark grey vertical bar containing text.

Port of Kennewick

Mid-Biennial Budget Update 2021/22

Managing Resources &
Accountability

by Nick Kooiker, CFO/Auditor

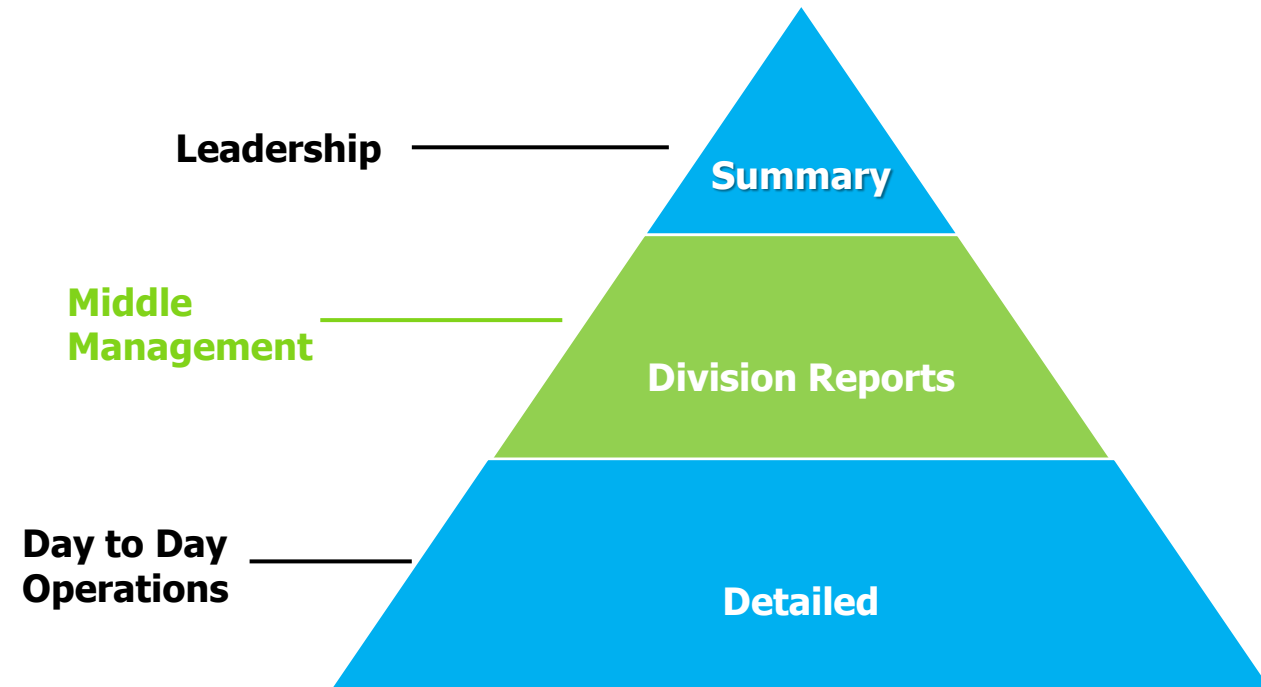


GFOA

(Government Finance Officers Association)

Reporting Pyramid

Reporting Pyramid



- **Support intergovernmental cooperation by partnering with entities which demonstrate support.**
- **Accurately forecasting funding sources.**
- **Promoting fiscal responsibility amongst departments**
- **Acknowledging the Port's limited staff and financial resources.**



Budget Philosophy

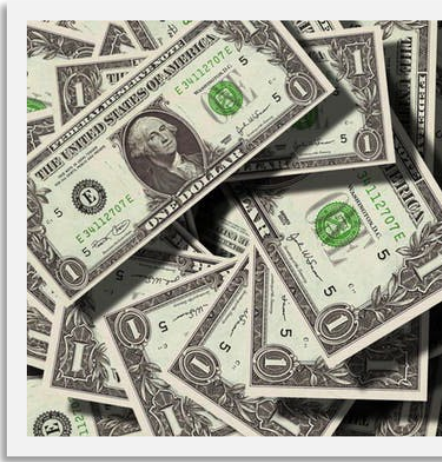
Resolution 2018-27

- **Final figures will change for 2021, because the Port uses accrual accounting. We are still accruing expenses back to 2021.**
- **These numbers are in draft form; they will be finalized in the Port's annual financial report and audited by Clifton Larson Allen.**



Budget Disclosures

Considerations



Fund Balance

As of 12/31/21 at
\$13,439,583



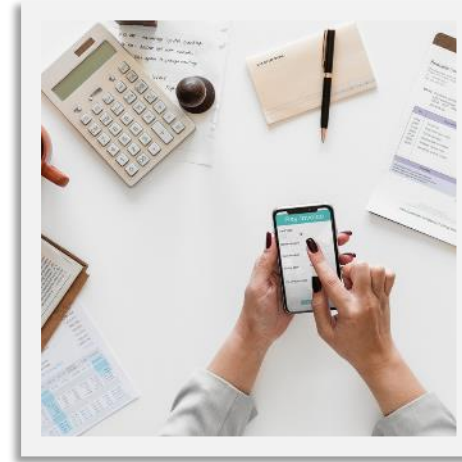
RCCF

Need to identify RCCF
project



\$5M Bond

Loan balance is ~\$4.3M
Current rate is 2.85%
Rate increases to 3.45%
in December 2023



Budget Cycle

50% through budget
cycle



Operating Division

Revenue & Expenses



**Revenues:
\$1,374,694**

56% collected



**Expenses:
\$2,763,643**

39% expended

**Vista Field
Maintenance Costs**

**1135 Shoreline
Maintenance**



Non-Operating Division

Revenue & Expenses



Revenues:
\$5,762,448

40% collected

Highly dependent upon OPM:
(RCCF, financing)

Verbena Land Sale

QTR 1/2022 will show entire 2022 tax levy



Expenses:
\$1,348,166

35% expended

VF Interest Expense

Staff costs for Verbena Auction

Capital Projects

2021/2022

Item	Budget	Expended	Remaining
Vista Field Loan Repayment	\$900,000	\$449,080	\$450,920
TBD Vista Field RCCF Project	\$3,785,000*	\$272,512	\$3,512,488
Vista Field Fire Station (City of Kennewick)	\$125,000	pending	\$125,000
Vista Field Well	\$250,000	\$0	\$250,000
Vista Field "Team"	\$150,000	\$0	\$150,000
Vista Field Traffic Impact Fund / Central Park	\$100,000	\$0	\$100,000
VF Owners' Association Fund	\$200,000	\$20,475	\$179,525
VFDF A & B Exterior Improvements	\$600,000	\$0	\$600,000



Capital Projects

2021/2022

Item	Budget	Expended	Remaining
Shoreline Construction	\$2,250,000	\$1,666,386	\$583,614
Clover Island Master Plan	\$50,000	\$121,134	(\$71,134)
Columbia Drive & Duffy's Pond	\$450,000	\$45,927	\$404,073
City of Kennewick/ Wash. Street	\$500,000	pending	\$500,000
City of Richland /Island View Infrastructure	\$800,000	pending	\$800,000
City of Richland Center Parkway	\$400,000	\$0	\$400,000
Opportunity Fund	\$300,000	\$15,000	\$285,000
Port Buildings (Asset Replacement Program)	\$500,000	\$105,895	\$394,105
Miscellaneous Capital	\$100,000	\$9,497	\$90,503





Benton County Rural County Capital Funds

Accumulated as of 12/31/21	Funds Reimbursed to Port	Available Balance
\$ 3,370,606	\$ 497,001	\$ 2,873,605

RCCF Balance

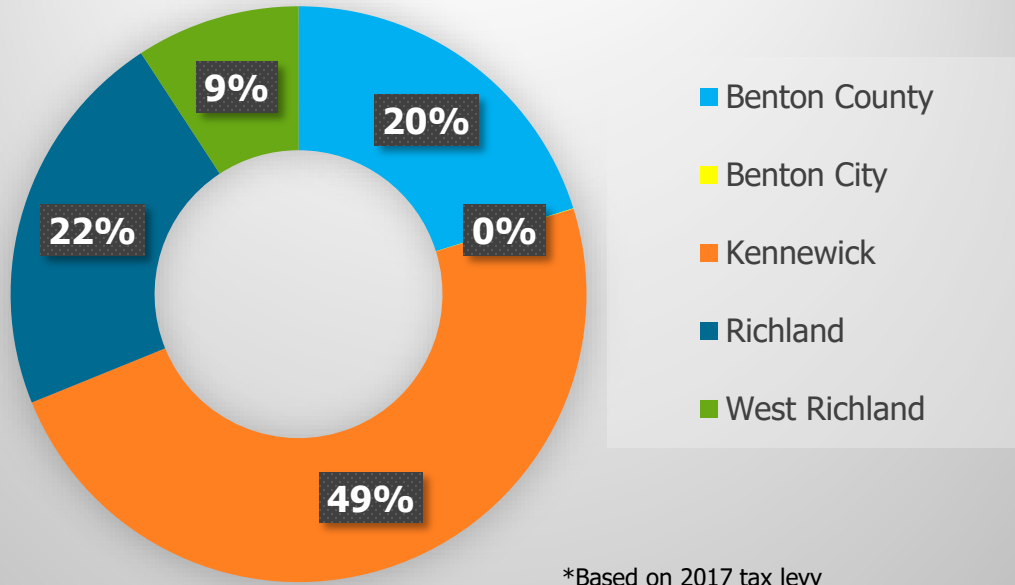
- Plugged estimated figure of \$3.785M into 21/22 budget. New forecast would be about \$3.6M
- Need to identify project very soon
- Previous uses of RCCF funds have been partner projects



Opportunity Fund

2021/2022 Budget:		\$ 300,000.00	\$ 300,000.00
Project	Vendor	Encumbrance	Actual Expense
Traffic Calming (Columbia Drive)	Parametrix	\$ 15,000.00	4,587
	TOTAL	\$ 15,000.00	4,587
	Remaining Budget	\$ 285,000.00	295,413

Tax by Jurisdiction*



- Budgeted \$4,344,942 in 2021.
- Actual levy collected was \$4,547,829
- The difference is primarily due to adjustments to the tax rolls (e.g. senior exemptions, current use, destroyed property).
- Tax levy is reconciled monthly as part of monthly close out process.
- Initial levy for 2022 is \$4,685,767 at \$.262 per thousand

Property Tax Collections

Thank You

Nick Kooiker, CFO/Auditor
509-586-1186
nick@portofkennewick.org



PORT OF KENNEWICK

Financial Highlights

UNAUDITED & IN DRAFT FORM - ACCRUAL BASIS OF ACCOUNTING

Jan 1, 2021 through December 31, 2021

Financial Highlight Summary				
* Benchmarks	50%	Revenues	50%	Expenses
* Ending Cash/Investments	\$	13,439,583		
* Cash Restricted by Commission	\$	2,500,000		
* Accounts, Notes, & Taxes Receivable	\$	37,054		
* Total Assets	\$	70,192,076		
* Total Liabilities (not including OPEB or Pension)	\$	1,228,536		

DESCRIPTION	2021 & 2022 BUDGET	2021 ACTUAL	2022 ACTUAL	2021/2022 Actual Total	UNDER BUDGET (OVER)	% Reached To Date
OPERATING REVENUES						
Marine Division	\$ 574,975	\$ 366,598	\$ -	\$ 366,598	208,377	64%
Property Management Division	\$ 1,873,868	\$ 1,008,096	\$ -	\$ 1,008,096	865,772	54%
Total Operating Revenues	\$ 2,448,843	\$ 1,374,694	\$ -	\$ 1,374,694	1,074,149	56%
OPERATING EXPENSES						
Marine Division	\$ 695,747	\$ 244,116	\$ -	\$ 244,116	451,631	35%
Property Management Division	\$ 3,156,972	\$ 1,288,912	\$ -	\$ 1,288,912	1,868,060	41%
Corporate Division	\$ 3,215,296	\$ 1,230,615	\$ -	\$ 1,230,615	1,984,681	38%
Total Operating Expenses	\$ 7,068,015	\$ 2,763,643	\$ -	\$ 2,763,643	4,304,372	39%
OPERATING PROFIT (LOSS)	\$ (4,619,172)	\$ (1,388,949)	\$ -	\$ (1,388,949)		
NON-OPERATING REVENUES						
Real Estate Division - Gain (Loss) on Sale of Assets	\$ 500,000	\$ 729,824	\$ -	\$ 729,824	(229,824)	146%
Economic Development & Planning Division Grants, Loan & Insurance Proceeds	\$ 5,220,000	\$ 383,014	\$ -	\$ 383,014	4,836,986	7%
Ad Valorem Tax	\$ 8,826,724	\$ 4,547,829	\$ -	\$ 4,547,829	4,278,895	52%
Other Non-Operating Revenues	\$ -	\$ -	\$ -	\$ -	0	
Interest Income	\$ -	\$ 101,781	\$ -	\$ 101,781	(101,781)	-
Total Non-Operating Revenues	\$ 14,546,724	\$ 5,762,448	\$ -	\$ 5,762,448	8,784,276	40%
NON-OPERATING EXPENSES						
Real Estate Division	\$ 59,945	\$ 75,359	\$ -	\$ 75,359	(15,414)	126%
Economic Development & Planning Division	\$ 498,525	\$ 371,676	\$ -	\$ 371,676	126,849	75%
Public, Governmental Relations, and Other Non-Operating Cost	\$ 3,303,837	\$ 897,011	\$ -	\$ 897,011	2,406,826	27%
Vista Field Ongoing Closure & Decommissioning Cost	\$ -	\$ 4,119	\$ -	\$ 4,119	(4,119)	#DIV/0!
Total Non-Operating Expenses	\$ 3,862,307	\$ 1,348,166	\$ -	\$ 1,348,166	2,514,141	35%
Operating & Non-Operating Revenues Over Expenses (Under Expenses)	\$ 6,065,245	\$ 3,025,334	\$ -	\$ 3,025,334		
CAPITAL EXPENDITURES	\$ 12,663,955	\$ 2,547,783	\$ -	\$ 2,547,783	10,116,172	20%

VISTA FIELD

Pieces are Coming Together

(March 2, 2022)



DEVELOP MARKETING PLAN **90% Stage**

DEVELOP MARKETING MATERIALS **75% Stage**

TOWN ARCHITECT **DONE!**

MARKETING POLICY DECISIONS **DONE!**

FINALIZE BY-LAWS **DONE!**

DEVELOPMENT POLICY DECISIONS **DONE!**

FINALIZE PROPERTY OWNER ASSOCIATION **DONE!**

DONE! INFRASTRUCTURE CONSTRUCTION

90% Stage CITY Right-of-Way ACCEPTANCE

90% Stage LEGAL LOTS of RECORD

75% Stage PROPOSAL PROCESS



AGENDA REPORT

TO: Port Commission

FROM: Nick Kooiker, CFO

MEETING DATE: March 8, 2022

AGENDA ITEM: Approval of CEO's Goals & Objectives

- I. REFERENCE(S):** CEO's Outstanding Goals and Objectives
Resolution 2021-27 (Goal #1 of 2019/20 Goals)
02/22/22 Meeting Minutes Excerpt (Goal #3 of 2021/22 Goals)
12/14/21 Meeting Minutes Excerpt (Goal #6 of 2021/22 Goals)
02/08/22 Meeting Minutes Excerpt (Goal #6 of 2021/22 Goals)
Resolution 2022-01 (Goal #10 of 2021/22 Goals)
- II. FISCAL IMPACT:** N/A
- III. DISCUSSION:** Before the Commission today is an updated list of the CEO's outstanding Goals and Objectives. The CEO is requesting formal approval of four completed goals. This approval can happen in various ways, but the Port CFO prefers having a Resolution for audit support and records retention.
- IV. RECOMMENDATION:** Approve Resolution 2022-10, approving goal #1 from CEO's 2019/20 Goals and Objectives; and goals #3, 6 and 10 from the CEO's 2021/22 Goals and Objectives.
- V. ACTION REQUESTED OF COMMISSION:**
Motion: I move approval of Resolution 2022-10, approving goal #1 of the CEO's 2019/20 goals and objectives, and goals #3, 6 and 10 of the CEO's 2021/22 goals and objectives.

Exhibit "A"

<i>EXHIBIT A</i>		CEO 2021/22 Goals & Objectives (including update on 2019/20 ongoing goals)			
<i>DATE:</i>		March 8, 2022			
<i>GOAL & OBJECTIVE</i>		TACTICAL STEPS	ACTION	STATUS (checkmark = Completed)	COMMENTS
<i>2019/2020 Goals and Objectives Carryover</i>					
Vista Field	2019/20 GOAL 1	Completion of Phase 1A construction.	Considered complete when presented to Commission for substantial completion	100% Complete	Projected accepted by Commission on 12/14/21 via resolution 2021-27.
Vista Field	2019/20 GOAL 2	Sell one parcel or obtain one ground lease (does not include Arts Center Task Force).	Considered complete when presented to Commission.	25% complete	Unattainable until the Port has recorded lots to sell. This is scheduled for summer 2022.
<i>2021/2022 Goals and Objectives</i>					
Port Administration	2021/22 GOAL 1	Prepare "Back to Work" plan for Port staff in relation to the COVID-19 pandemic.	Considered complete when presented to Commission.	75% Complete	Working with Ann Allen to finalize back to work plan. Anticipate presenting to Commission in summer 2022.
Vista Field	2021/22 GOAL 2	Develop a Vista Hangar analysis to include lean renovation options (with RCCF partnership funds) and viability/potential for selling on a ground lease.	Considered complete when presented to Commission.	50% Complete	In progress. Anticipate presenting to Commission in summer 2022.
Vista Field	2021/22 GOAL 3	Implement the Vista Field "Team Approach", including cost estimates and proposed plan forward for the Port.	Considered complete when presented to Commission.	100% Complete	Presented to Commission on 2/22/22.
Kennewick Waterfront	2021/22 GOAL 5	Implement the identified Duffy's Pond tenant-improvements and algae mitigation plan.	Considered complete when presented to Commission.	40% Complete	Standing bar installed on tasting room patios. Food truck plaza fencing was bid (pulled project due to escalating material costs whereby bidders wouldn't hold pricing with material cost tripling). City permits finalized for restroom. Working with Palencia regarding design of demonstration vineyard. All algae mitigation prep work required by Port is complete. Chemical application is dependent upon City schedule.
Kennewick Waterfront	2021/22 GOAL 6	Prepare a report discussing the likelihood, feasibility of, and costs for Columbia Gardens Wine & Artisan Village wayfinding signage and the children's playground partnership project on the historic waterfront.	Considered complete when presented to Commission.	100% Complete	The CEO presented the playground partnership on December 14, 2021; and the Columbia Gardens wayfinding on February 8, 2022.
Districtwide	2021/22 GOAL 7	Prepare a report which evaluates maintenance facility needs and possible alternatives.	Considered complete when presented to Commission.	10% Complete	Contracted with Energy Northwest to provide project management services. Port team is hoping for summer 2022 presentation to Commission.
Districtwide	2021/22 GOAL 8	Prepare a COVID-19 economic-impact outlook analysis, which obtains professional data, advice, and other indicators regarding potential economic and business impacts to the Port.	Considered complete when presented to Commission.	90% Completion	By consensus Commission approved this as a goal on 9/8/2020. Presentation scheduled for March 22nd Commission meeting.

Exhibit "A"

<i>GOAL & OBJECTIVE</i>		TACTICAL STEPS	ACTION	STATUS (checkmark = Completed)	COMMENTS
Districtwide	2021/22 GOAL	Complete Laserfiche training and implementation of procedures related to documentation, filing, paperless review, digital signature, and internal document workflow processing.	Considered complete when presented to Commission.	90% Complete	Port team has been trained for processing and paying invoices with Laserfiche. Records management programming has been completed. Paperless review process established. Digital signature process is completed using DocuSign. Contract routing procedures nearly complete, and plan on presenting at March 22nd Commission meeting
	9				
Port Administration	2021/22 GOAL	Complete Governance Audit as a top priority project as directed by the Commission on 2/9/2021	Considered complete when presented to Commission.	100% Complete	RFP prepared and issued in the fall of 2021, managed by independent consultant Jim Darling. However, commission rejected single proposal and decided not to award contract. Resolution 2022-01 dated 1/11/2022.
	10				

PORT OF KENNEWICK

Resolution No. 2022-10

**A RESOLUTION OF THE PORT OF KENNEWICK
BOARD OF COMMISSIONERS FORMALIZING COMPLETION OF
GOAL #1 OF CEO'S 2019/20 GOALS AND OBJECTIVES and
GOALS #3, 6 & 10 OF CEO'S 2021/22 GOALS AND OBJECTIVES**

WHEREAS, the Commission approved goals and objectives for the Port CEO, attached as Exhibit "A" and last modified on March 9, 2021; and

WHEREAS, the Commission approved Resolution 2021-27 accepting Vista Field phase 1A construction on December 14, 2021, thus completing Goal #1 of the CEO's 2019/20 Goals and Objectives; and

WHEREAS, the CEO presented the Vista Field team approach on February 22, 2022, thus completing Goal #3 of the CEO's 2021/22 Goals and Objectives; and

WHEREAS, the CEO presented the playground partnership on December 14, 2021; and the Columbia Gardens wayfinding on February 8, 2022, thus completing Goal #6 of the CEO's 2021/22 Goals and Objectives; and

WHEREAS, the Commission approved Resolution 2022-01 rejecting completion of the governance audit, thus completing Goal #10 of the CEO's 2021/22 Goals and Objectives; and

WHEREAS, the Commission desires to formally accept as complete Goal #1 of the CEO's 2019/20 Goals and Objectives, and Goals #3, 6 and 10 of the CEO's 2021/22 Goals and Objectives related to these items.

NOW, THEREFORE, BE IT HEREBY RESOLVED the Board of Commissioners of the Port of Kennewick hereby accepts as complete Goal #1 of the CEO's 2019/20 Goals and Objectives, and Goals #3, 6 and 10 of the CEO's 2021/22 Goals and Objectives.

ADOPTED by the Board of Commissioners of the Port of Kennewick this 8th day of March, 2022.

**PORT of KENNEWICK
BOARD of COMMISSIONERS**

By: _____

SKIP NOVAKOVICH, *President*

By: _____

KENNETH HOHENBERG, *Vice President*

By: _____

THOMAS MOAK, *Secretary*

PORT OF KENNEWICK**RESOLUTION No. 2021-27****A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE PORT OF KENNEWICK ACCEPTING THE
VISTA FIELD PHASE #1A PROJECT**

WHEREAS, Total Site Services, LLC provided notification that the improvements at Vista Field under the Vista Field Phase #1A Project to have been completed in accordance with the plans and specifications; and

WHEREAS, Sam Nielson P.E., Parametrix and Gary Hall P.E, Hall Engineering & Associates, the Port of Kennewick staff, and the City of Kennewick have inspected the work and certified that it has been completed in accordance with the plans and specifications.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Port of Kennewick hereby accepts the work of Total Site Services, LLC as being completed in accordance with the contract documents.

BE IT FURTHER RESOLVED that all action by port officers and employees in furtherance hereof is ratified and approved; and further that the port Chief Executive Officer is authorized proceed with the necessary requirements to finalize the project account.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 14th day of December, 2021.

**PORT of KENNEWICK
BOARD of COMMISSIONERS**

By: DocuSigned by:
DN Barnes
7468DE9530724DC...

DON BARNES, President

By: DocuSigned by:
Skip Novakovich
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SKIP NOVAKOVICH, Vice President

By: DocuSigned by:
Thomas Moak
A35176A2D2CD413...

THOMAS MOAK, Secretary

PORT OF KENNEWICK REGULAR COMMISSION MEETING

FEBRUARY 22, 2022 MINUTES

DRAFT

proposals and determine what needs to come before the Commission.

Commissioner Hohenberg recalls that the City of Kennewick was working with the KHA on affordable housing on 10th Avenue.

Ms. Bader Inglima stated that is correct, and the City successfully worked with KHA for housing on 10th Avenue.

Commissioner Hohenberg agrees with Commissioner Novakovich's comments and stated Ms. Bader Inglima should pursue grants that fit within the Port's workplan.

Commissioner Moak does not believe CERB will ever be a source of any funding for the Port and agrees with Commissioners Novakovich and Hohenberg's comments about looking for grants that fit the Port's workplan and Vista Field and the Historic Kennewick Waterfront Master Plans.

B. Vista Field

1. Team Approach

Mr. Arntzen presented the team for the Vista Field redevelopment (*Exhibit B*).

Commission and staff discussed the Vista Field Team.

2. Property Owner's Association Update

Mr. Peterson stated before the Commission are the following documents:

- Vista Field Frequently Asked Questions (FAQ);
- Vista Field Declarations Overall (entire site);
- Vista Field Declarations Commercial;
- Vista Field Association Assessment Structure
- Vista Field Association of initial registered agent and officers

Mr. Peterson stated the Commission passed Resolution 2020-22, which approved these documents and presented a memo for consideration (*Exhibit C*). Mr. Peterson introduced Ben Floyd and Doris Goldstein, who have been working on the governing documents and declarations.

Mr. Floyd stated the FAQ will be a living document meant for developers as well as potential residential owners which gives a brief orientation of Vista Field and the purpose of the development. Mr. Floyd stated the Articles of Incorporation and Bylaws need Commission support for approval of the makeup of the Boards for the overall association and the commercial association.

Ms. Goldstein stated there have not been very many changes to the documents since it was last presented. Ms. Goldstein worked with Lizz Plater Zyberk of DPZ Partners to ensure that the design guidelines and the managing documents are consistent throughout both sets of documents.

MEMORANDUM

To: Commission

From: Tim Arntzen, CEO

Date: 02/22/2022

Re: *Vista Field Implementation Approach (Vista Field Team)*

Now that the port's New Urbanism town center site has basic infrastructure, with lots soon ready to be sold, I am planning to assemble a team for Vista Field administration (the Team). The Team would respond to nearly all Vista Field related issues, including fielding all inquiries related to the site; property purchases; information requests; property tours; media information; processing of development proposals for commission consideration; additional planning and site revisions, etc.

Some of the tasks in support of creation of the Team, including our internal staff reorganizations and associations with contractors, identified below have been implemented. Some have not. At least at this point in time.

The overall goal is to get ready for land sales this summer. I only need as much of a team in place to effectively respond to that. Let's get it open with the team in place we need; we can adjust as we go along. That's the overarching principle!

1. Project Manager.

The project needs a "Point Person" to meet with realtors, builders and others expressing interest in the project. Amber Hanchette, port Director of Real Estate & Operations, is that point of contact related to Vista Field inquiries. This addition to her duties now requires her to spend more time on Vista Field matters. It would also limit the time she can spend pursuing her existing duties which include all phases of port operations and maintenance. She has a staff of three employees and several contract part-time personnel.

Thus, this change in Ms. Hachette's duties has created a need for "backfilling" in order to cover the duties she transferred to other qualified individuals within the organization. Specifically, Ms. Hanchette has transferred some of her duties to current Maintenance Supervisor Mike Boehnke. This phased transfer began in October of 2020 and is now complete. In administering her Vista Field related tasks, Ms. Hanchette will utilize the services of other staff and contractors as necessary (planning; administrative services, etc.) and would not be viewed a stand-alone asset. Rather she would be a part of a team as described below.

2. Maintenance Supervisor.

In reference to Item 1 above, current Maintenance Supervision, Mike Boehnke has assumed the spillover tasks from Ms. Hanchette, effective mid-February 2021.

We have experience with these two transitions. They are working well.

3. Maintenance Technician(s): New Hire.

Because of the overall increase in the number of port-owned properties, including Vista Field, I have identified a need to hire an additional entry-level maintenance technician. Part of the need is to provide for potential realignment within this department. Even though the port will eventually contract out much of the Vista Field maintenance to a private management firm, utilizing funding from the Property Owners Association (POA), staff will still be needed to provide oversight (i.e., ensuring contract compliance) and to perform emergency and priority maintenance matters on site; in addition to increasing maintenance demands from newly developed port properties and construction projects. It is anticipated that the cost of salary and benefits is estimated at \$90,000 annually.

In the meantime, we have been using temporary laborers, and until a hire of a permanent employee has been carried out, we will continue with the temporary workers. Additionally, temporary labor will continue to be utilized in place of Coyote Ridge Correctional Facility labor crews which are currently restricted due to Covid-mandates.

4. Project Planner/Coordinator.

Larry Peterson, port Director of Planning and Development will serve as the coordinator with the port's long-standing architectural advisors, DPZ, as well as Town Architects and Town Engineers (referenced below) related to the development of Vista Field.

5. Town Architect.

DPZ partner, Matt Lambert of Portland, Oregon has worked with the port from the early days of the Vista Field project and is a known commodity. He is willing to fulfill the role of town architect to provide detailed planning assistance with any additional improvements or alterations needed to Phase I of the project. He will also assist staff evaluating project proposals that the port receives through the collaborative design process. Matt will work as an independent contractor and will bill the port on an hourly basis for time expended on each task assigned. The port Director of Planning will assist and manage the DPZ efforts, ensuring the best value for time spent.

It should be mentioned that the day-to-day contact with the DPZ "mothership" from Miami is past. We now have the skillset internally and with the contractors mentioned in this memo to spread our own wings, so to speak. However, we are just a phone call away if we need the assistance of Lizz and Andreas. And Senen.

6. Governance & Management Advisors.

The port is currently in a contractual relationship with Ben Floyd (planner) and Doris Goldstein (New Urbanism attorney) to provide set-up of the property owner's association. This is anticipated to be a multi-year task with initial set up and continued monitoring and implementation advice and assistance (through a portion of Phase I).

7. Town Engineer(s).

Gary Hall of Hall Engineering and Darren Sandeno of Parametrix will provide engineering support for review of private sector projects and integration into established and planned infrastructure. They will bill on an hourly basis.

8. Construction Management.

I will contract with on-call construction management services on an as-needed basis to assist the port in review of construction proposals and to assist with review of construction progress.

It should be noted that when sales and site visits increase, I would like to think about transitioning Kandy to Amber's assistant. She has expanded her role into marina manager and is doing an exemplary job there. Should she pick up the duties of Amber's assistant, we would need to backfill at the office front desk. And with the office "closed" during Covid, I am unsure what level of front desk support we need. As I stated earlier in this memo, we will figure the rest out as we go. But most importantly, we are moving ahead so we can sell lots this summer. Exciting!

PORT OF KENNEWICK REGULAR COMMISSION MEETING

DECEMBER 14, 2021 MINUTES

B. Columbia Gardens Playground

Mr. Arntzen provided a brief history of the Columbia Gardens Playground project and introduced Renata Presby, project manager.

Ms. Presby outlined the Columbia Gardens Playground project design, goals, and administrative findings (*Exhibit B*).

Mr. Arntzen stated the project was envisioned to be a partnership between the Kiwanis, the City of Kennewick and the Port; however, at this time, there has not been a commitment from the City to participate in the perpetual maintenance and repair of the playground. If this project does not move forward, there may be another project that would benefit the area which is the completion of the Duffy's Pond trail and would likely have City participation.

Additionally, the Port recently learned that there is a level three offender living next to the proposed site. The *Tri-City Herald* reported "molestation of a child, attempted." Mr. Arntzen believes there is a social impact of installing a playground for children next to a level three sex offender.

Lastly, there is the question of participation of two Port Commissioners that sit on Kiwanis Clubs that should be addressed if the project moved forward. It could be seen as a conflict of interest and the Port may need to seek legal counsel if the project moves forward.

Commissioner Novakovich has voiced his concerns from the beginning, and he does not think a playground and Wine Village are compatible. Additionally, he believes the cost is prohibitive to the Port and the ongoing maintenance without a partnership with the City is not feasible. Lastly, the Port would be giving up prime, valuable real estate in Columbia Gardens.

Commissioner Moak disagrees with some of Commissioner Novakovich's points and believes families would utilize the playground; however, he does not believe it is a viable partnership. We have discussed this project for over a year and unfortunately, we have not been able to iron out the details and Commissioner Moak believes it is best to thank Ms. Presby and the Kiwanis Club for their time and wish them well. Commissioner Moak stated even though he would like to see this project work, we need to recognize reality and allow the Kiwanis to move on.

Commissions Barnes agreed with his fellow Commissioners and stated if the project does not have a firm partnership, then the project will not work. The Commission should recognize and accept it and move forward. Commissions Barnes stated this is not formal action; however, it is clear by the feedback that absent a firm partnership with the City, the project cannot move forward.

PUBLIC COMMENT

Wayne Bell, 138 Erica Drive, Richland. Mr. Bell stated our Kiwanis Club suggested a playground at the Wine Village because it had been a dead piece of property for a number of years, and we thought it would help kickstart the development. The Kiwanis are all about kids and we thought the Wine Village was intended to be a family friendly place. Mr. Bell is disappointed that the Port moved too slow, and

PORT OF KENNEWICK

REGULAR COMMISSION MEETING

DECEMBER 14, 2021 MINUTES

the Kiwanis did not anticipate this project would be this detailed or difficult to move forward. Unfortunately, the Kiwanis passed on a number of fundraiser activities because we could not get a commitment from the Port on the land. Mr. Bell agrees that we are probably not compatible partners, and we should move on.

Commissioner Moak believes Mr. Arntzen should write a letter to the Kiwanis indicating that we are not going to move forward with this project.

It is the consensus of the Commission for Mr. Arntzen to send a letter to the Kiwanis Club of Kennewick regarding the playground project.

C. Governance and Management Audit

Ms. Scott stated per the Commission's direction, staff has worked with Mr. Darling on the procedural and administrative details for the project manager and the governance and management audit Request for Proposals (RFP's). The RFP's have been posted on the Port's website since October 14th, and ads were placed twice in the Tri-City Herald and the Daily Journal of Commerce. The proposals for the Governance and Management Audit were due December 1, 2021; with one proposal from Moss Adams being received.

As directed, Ms. Scott also contacted the individuals originally identified by Mr. Darling to inquire why they did not submit a proposal to the initial RFP. Responses ranged from no response...to happily retired...to the scope of work is too broad...to not wanting to compete with the private sector...to not wanting to have their name and/or reputation being associated with a project that may receive bad press. The proposals for the Project Manager were due on December 10, 2021, and two proposals were received.

Ms. Scott introduced Mr. Darling, project consultant, to elaborate on the proposals.

Mr. Darling stated the Port received one proposal for the governance and management audit from Moss Adams, a national company that has a strong northwest presence. Mr. Darling outlined Moss Adams' proposal and stated there needs to be further clarification regarding the scope clarification, tasks, and budget. Mr. Darling stated Moss Adams is a well-respected firm but recommended additional work to sort out issues (*Exhibit C*).

Regarding the project manager RFP, the Port received two proposals: Terry Walsh and Whitewolf Engineering Services. Mr. Darling stated Ms. Walsh has 30 years' experience in local government and Ms. Whitewolf is an engineer and has experience at the local level. Mr. Darling recommended the Port Commission interview each candidate before making a final decision. Should the Commission decide to proceed with the interviews, Mr. Darling can offer a few questions for consideration.

Commissioner Moak inquired if Mr. Darling has worked directly with Moss Adams and what is the role of the project manager.

Mr. Darling does not believe so; however, Moss Adams did work for the Port of Bellingham on

PORT OF KENNEWICK

REGULAR COMMISSION MEETING

FEBRUARY 8, 2022 MINUTES

specific items for action. It is his feeling that the Port's emphasis should be on those work plan activities. If something new comes up, the Commission needs to carefully consider those new activities in relation to the impact on staff, resources, and goals that have already been established. Commissioner Novakovich commended staff for their expertise and the way they continued working through the various distractions the past few years as well as the impacts of the Covid pandemic; and stated that he wants to work on rebuilding trust and accomplishing good things for the community. Commissioner Novakovich hopes that we can adhere to the work plan and not create unnecessary things that don't align with the Port's mission.

C. Kennewick Waterfront

1. Willows and Cable Greens Design Standards

Mr. Peterson presented Resolution 2022-08 approving the design standards for The Willows and Cable Greens in the Kennewick Historic Waterfront District. Mr. Peterson outlined the differences between the Columbia Gardens design standards and The Willows and Cable Greens design standards, which has a residential element to them.

Bob Bengford and Scott Bonjukian of Makers Architecture and Urban Design presented an overview of The Willows and Cable Greens design standards (*Exhibit C*).

Commission and staff discussed the details of The Willows and Cable Greens Design Standards.

MOTION: Commissioner Hohenberg moved to approve Resolution 2022-08 approving and adopting the Willows and Cable Greens Design Standards; and ratify and approve all action by Port officers and employees furtherance hereof; and authorize the Port Chief Executive Officer to take all action necessary in furtherance hereof; Commissioner Moak seconded.

PUBLIC COMMENT

No comments were made.

Discussion:

Commissioner Hohenberg appreciates the thoughtfulness of the access to the riverfront and pedestrian path. He believes the Port is charged with the responsibility to ensure that public access continues.

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

2. Wine & Artisan Village Wayfinding & Monument Signage

Ms. Bader Inglima presented the wayfinding and signage report for Columbia Gardens Wine and Artisan Village, The Willows, and the Sacagawea Heritage Trail, prepared by Meier Architecture and Engineering (*Exhibit D*). Ms. Bader Inglima stated the report provides options to support visibility and vibrancy at the Wine Village. Ms. Bader Inglima stated the signage is not currently funded.

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Commission and staff discussed the various options for the signage.

Commissioner Novakovich tasked staff to bring back details for funding the signage.

Mr. Arntzen stated we will work on funding options and look at alternatives for installing the signage in phases or all at once.

D. Vista Field

1. Joint Use Parking & Project Reinvestment Discussion

Mr. Peterson outlined two Vista Field policy questions for the Commission to consider (*Exhibit E*):

- Joint-use parking areas improvements will be provided by the Port;
- Vista Field land sale proceeds will be reinvested into the development.

Commissioner Hohenberg agrees with both subjects presented by Mr. Peterson and stated he would like to create roadway improvements, sooner rather than later. Commissioner Hohenberg would like the CEO to work with the City Manager to see how that might come about. Commissioner Hohenberg thinks doing roadway improvements earlier would eliminate traffic congestion issues that neighboring jurisdictions have seen.

Commissioners Moak and Novakovich support the subjects presented.

It is the consensus of the Commission that the Port will provide joint-use parking improvements in Vista Field and proceeds from land sales will be reinvested into the development.

RECESS

Commissioner Novakovich called for a recess at 4:09 p.m. until 4:14 p.m.

Commissioner Novakovich reconvened the meeting at 4:14 p.m.

E. Express Employment Professional Contract

Ms. Hanchette stated the Department of Corrections (DOC) Coyote Work Crew has been inconsistent since the pandemic began 2020. To make up for the loss, the Port employed temporary labor services of Express Employment Professionals for 2020-2021. Without the Coyote Work Crew, the maintenance team requires additional help, therefore, before the Commission is Resolution 2022-09, authorizing the CEO to enter into a contract for continued temporary labor.

MOTION: Commissioner Hohenberg moved to approve Resolution 2022-09 authorizing the Port's Chief Executive Officer to execute all necessary to contract with Express Employment Professionals in order to assist Port operations with temporary workers; and further ratifies and approves all action by Port officers and employees furtherance hereof; Commissioner Moak seconded.



Goal # 6 of 2021-2026 Goals

Columbia Gardens Wine & Artisan Village Monument & Wayfinding Signage

Considerations

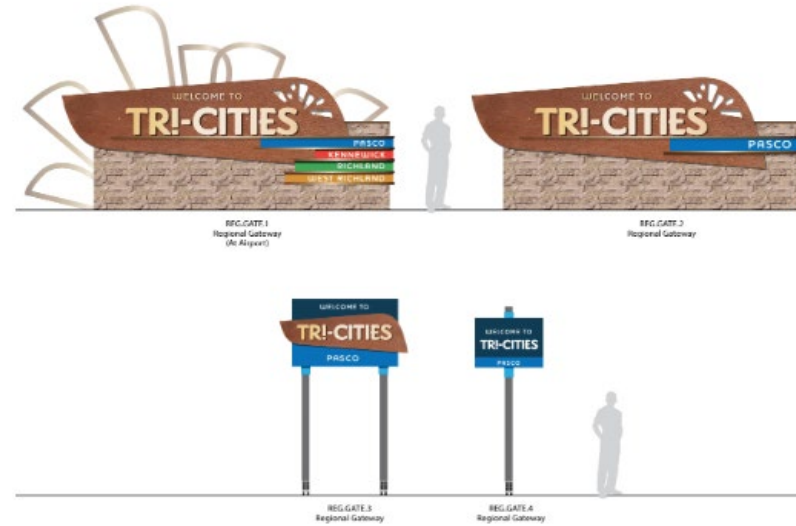
- Identified Need
- Regional Wayfinding
- Design Standards
- Cost Estimates



Complementary Design

- Regional Wayfinding

merJE
ENVIRONMENTS & EXPERIENCES



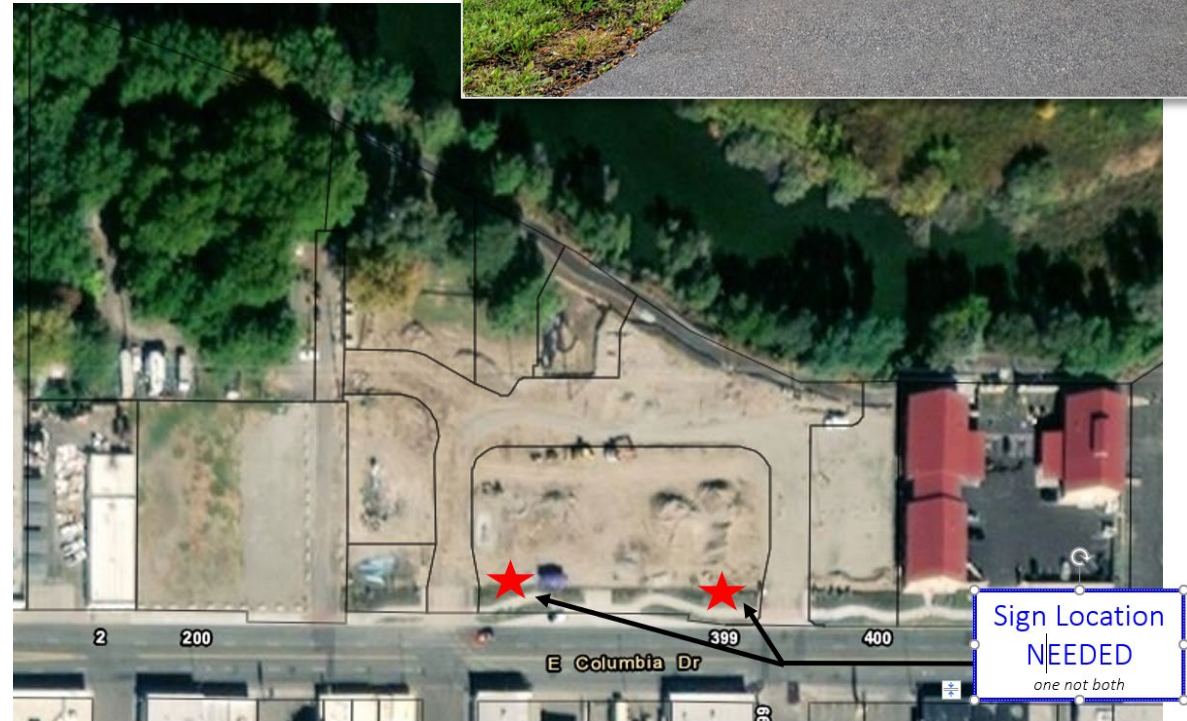
Complementary Design

- Established City Signage
- Waterfront District Design Standards
- Previous Investments & Architectural Elements



Signage & Locations

- Monument
- Wayfinding
- Lighting
- Graffiti Prevention



Regulations

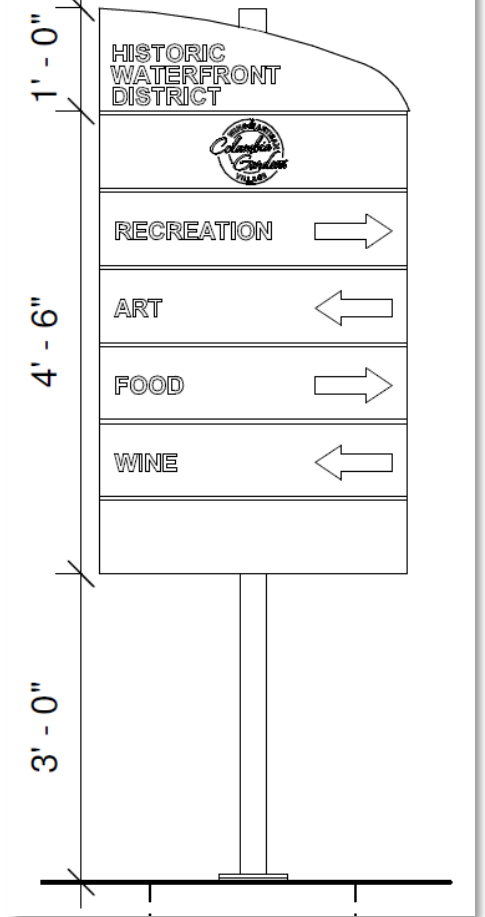
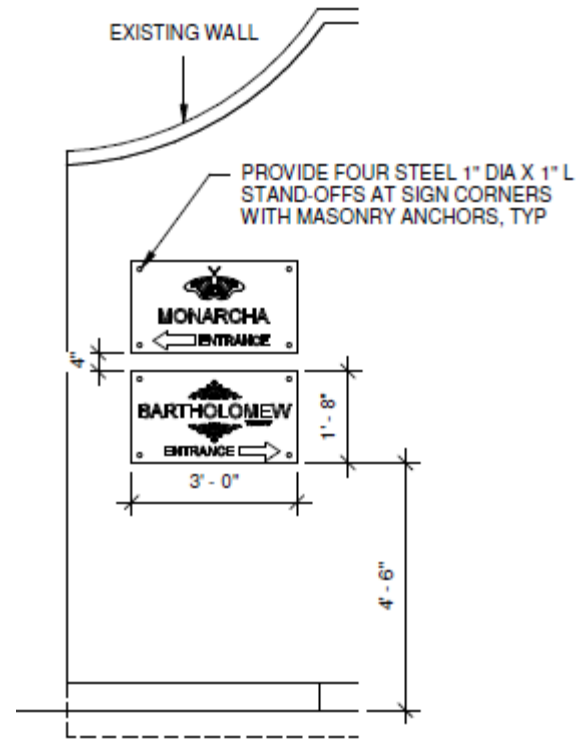
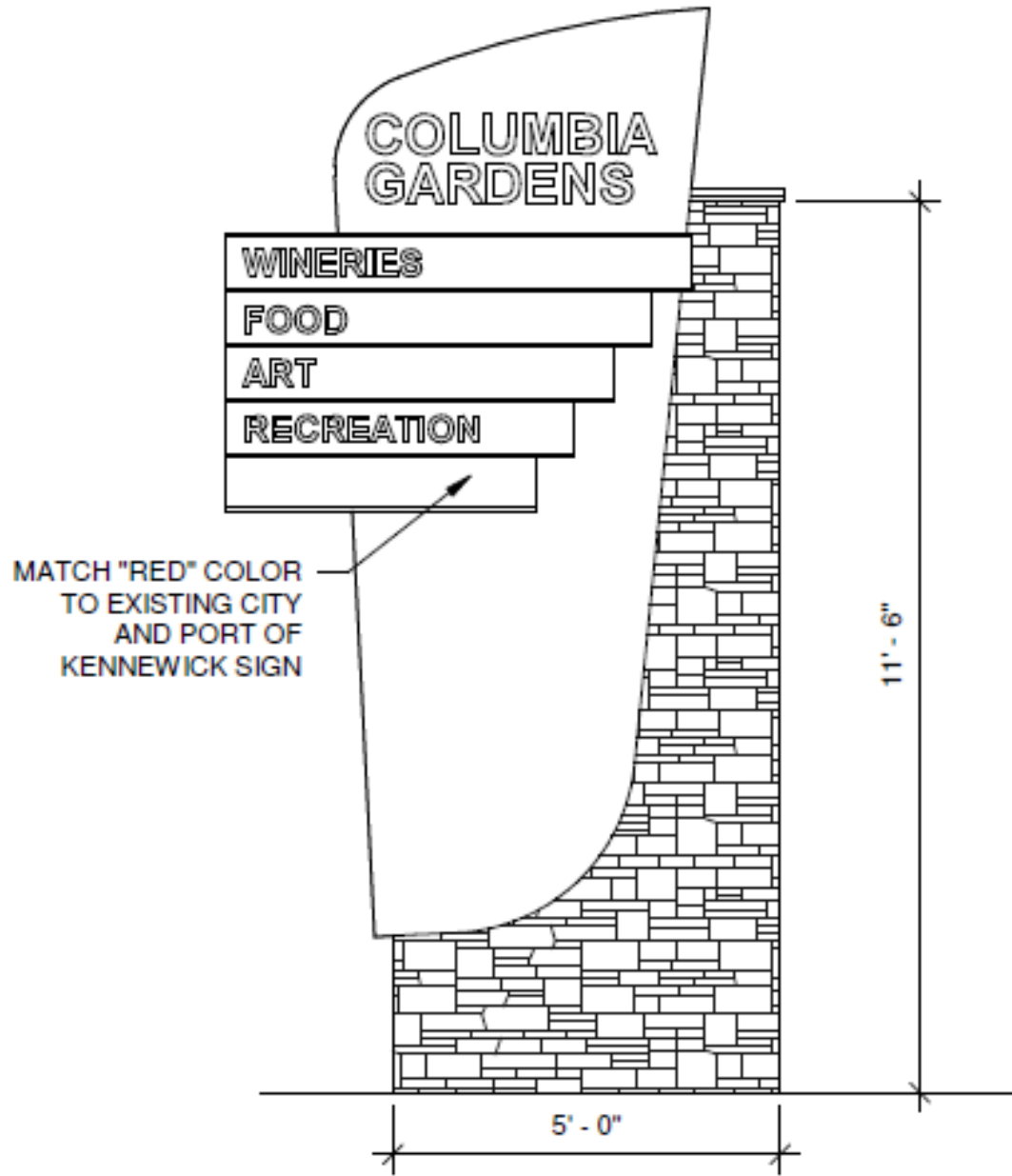
- Landscape Easement
- Zoning/Variance/Permit
- Site Lines/Access/Sidewalk
- Liquor Control Board
- USACE / City / State
- Historic/Cultural Resources

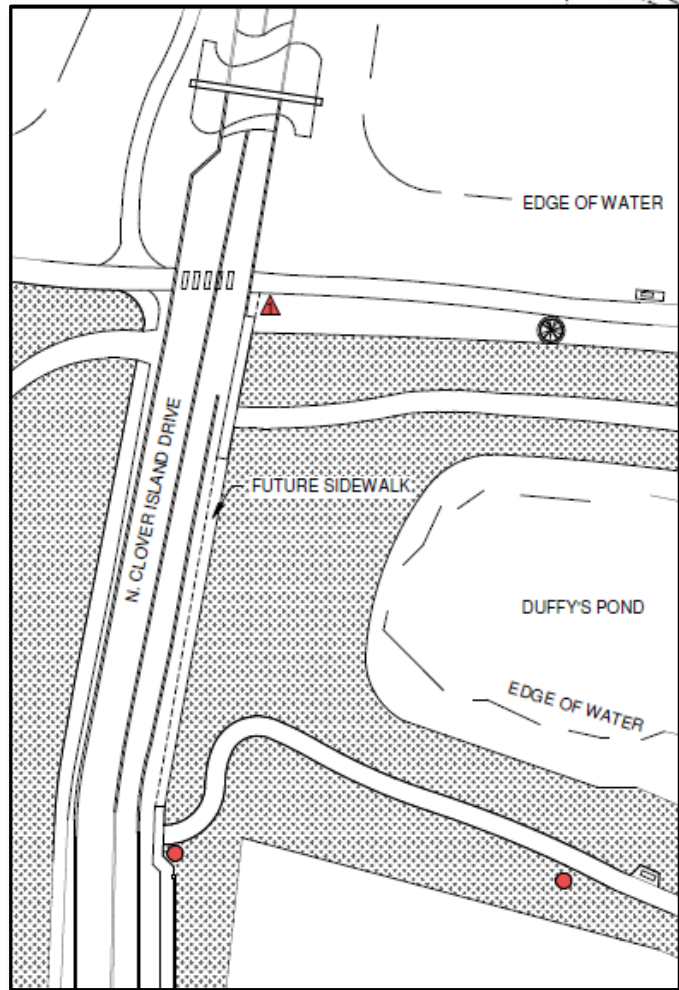


MEMORANDUM OF UNDERSTANDING WITH CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION
February 26, 2013

Signage Types

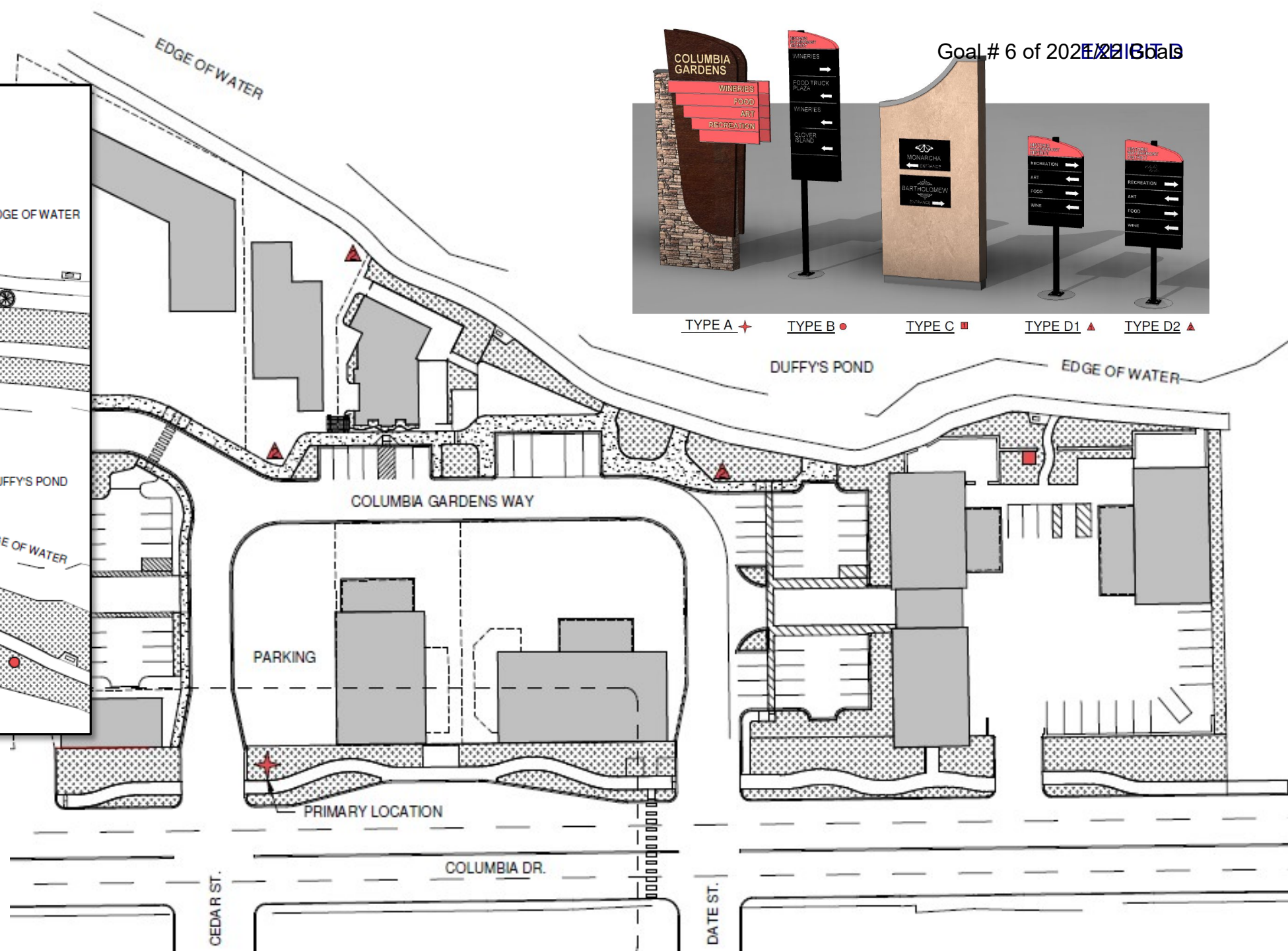
- Monument
- Wayfinding





TYPE A ✦ TYPE B ● TYPE C ■ TYPE D1 ▲ TYPE D2 ▲

Locations





Type A Monument Sign at Columbia Drive at Cedar Street.



Type D2 Wayfinding Sign adjacent two-tenant building. SAMPLE ONLY—WORDS AND ARROWS NOT YET DETERMINED



Type D2 Wayfinding Sign at Duffy's Pond Trail access near Food Truck Plaza. SAMPLE ONLY—WORDS AND ARROWS NOT YET DETERMINED



Type C Wayfinding Signs proposed for Courtyard Wall adjacent Duffy's Pond Trail access.



Type B Wayfinding Sign on Clover Island Drive at The Willows. SAMPLE ONLY—WORDS AND ARROWS NOT YET DETERMINED

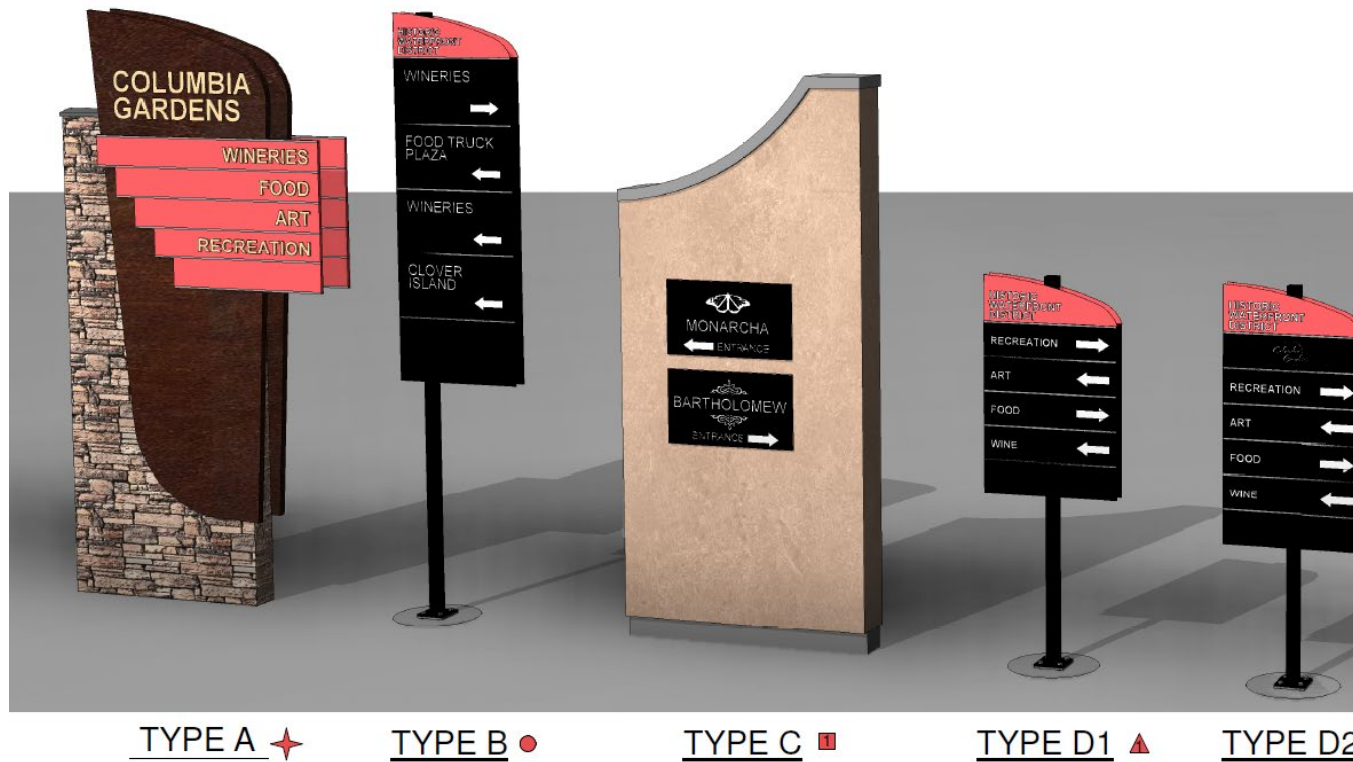


Type D1 Wayfinding Sign on Sacagawea Heritage Trail at Clover Island Gateway. SAMPLE ONLY— WORDS AND ARROWS NOT YET DETERMINED



City and Port of Kennewick Monument Sign
roughly \$71,000 three years ago

Cost Estimates



Estimated Costs by Site:

Columbia Gardens

1 Type A Monument Sign:	\$ 97,203
2 Type C Signs:	\$ 8,706
3 Type D2 Signs:	<u>\$ 70,824</u>
total:	\$176,733

The Willows

2 Type B Signs:	\$59,032
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Sacagawea Heritage Trail

1 Type D1 Sign:	\$23,608
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Grand Total: **\$259,373**



Goal # 6 of 2021-2025 Strategic Plan



Thank you





Columbia Gardens Wine & Artisan Village Monument & Wayfinding Signage

Especially prepared for
Port of Kennewick Board of Commissioners
February 8, 2022

Considerations

In response to feedback from both citizens and tenants, it became apparent that additional wayfinding signage is needed for the Columbia Gardens Wine & Artisan Village. And while the port previously installed signage on the entry walls, that signage (while great for pedestrians) runs parallel to Columbia Drive and is not readily visible to motorists who are conditioned to viewing signage perpendicular to the street.

As part of the bi-annual goals and objectives, the CEO was tasked with exploring options and considerations to add signage that could support visibility, wayfinding and vibrancy at Columbia Gardens.

In researching options, it was determined that monument-style signage located along Columbia Gardens and smaller internal signage could help attract motorist, bicycle and pedestrian attention and distinguish points of interest within the development.

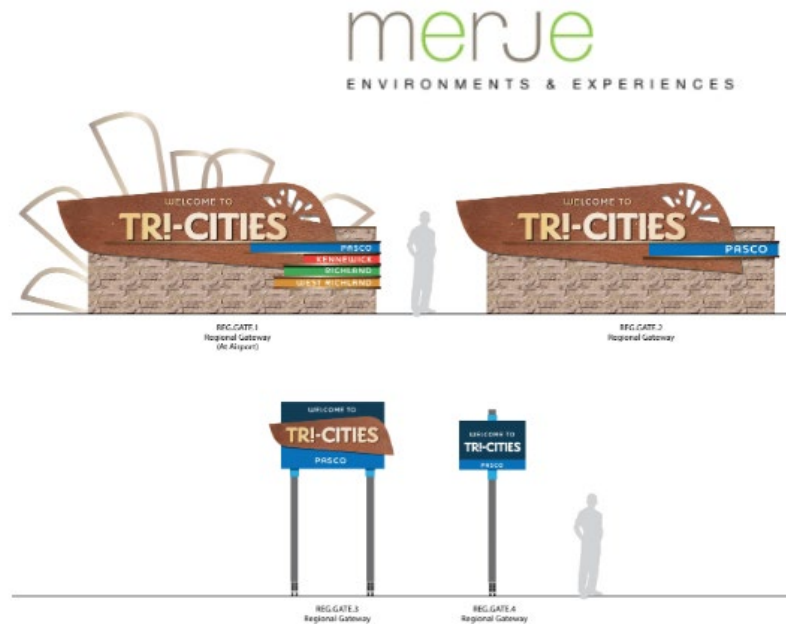


As part of the process, several items were identified as needing to be addressed for the monument and wayfinding signage, including consideration of the community’s recent regional signage project; federal, state and local regulations and involvement; waterfront design standards; lighting; and estimated costs. These issues are detailed below, some of which have been addressed. Others will require further resolution before signage can be ordered/installed.

Complementary Design

Regional Wayfinding:

Consideration was given to the regional branding and community-wide wayfinding design effort coordinated and established by TRIDEC, Visit Tri-Cities and the Tri-Cities Regional Chamber of Commerce.



Established City Signage:

Consideration was given to the fact that the City of Kennewick had recently installed monument-style gateway signage at the base of the nearby “Cable Bridge,” which included Port of Kennewick funding. The city also installed smaller points-of-interest wayfinding signage on Clover Island Drive and Columbia Drive. This signage helped establish a benchmark standard for signage within Kennewick’s Historic Waterfront District.



Historic Waterfront District Design Standards: The port’s Board of Commissioners approved design standards for the Historic Waterfront District, and Meier Engineering & Architecture was identified as the waterfront district town architect. Meier was asked to consider the regional branding/wayfinding plan, recent city signage and prepare conceptual signage that would conform to the adopted Waterfront District Design Standards while complementing city signage and the design aesthetic from established investments at the wine village and on Clover Island.

Previous Investments/Architectural Elements: The Meier-designed monument and wayfinding signage complements the city signage and is reminiscent of elements from many of the port’s previous investments in the Historic Waterfront District: the flat silver banding found on the Clover Island gateway arch; the sweeping curves found on the Clover Island gateway arch and on the trellis arch and transit shelter at Columbia Drive; the weathered steel found in the Aspirations, Rollin Mass, Fair Game, Willow Fish Traps at The Gathering Place, and Mother of Reinvention II artworks; and finally, the use of real stone and bright red metal in the city signage and on the port’s two-tenant tasting room building. All those elements combine to create a complementary signage aesthetic for the waterfront district and are reflected well in the monument and wayfinding signage proposed for Columbia Gardens.



Type of Signage & Locations

Monument Signage: Motorists often travel more than forty miles an hour on Columbia Drive, so the signage must be visible and concise in its messaging. Red is a bright color that is eye-catching and has been accepted by City of Kennewick as their “identifying color” under the regional branding program (Richland uses green and Pasco, blue).

It is also important that signage be clean and not cluttered with too many messages. Thus, it was determined a summary listing of the “points of interest” would be most easily read/understood and most likely to encourage people to explore Columbia Gardens: Wine, Food, Art, Recreation (with space left for future items of interest such as “Shops”).

A 14-foot-tall, real stone, Corten steel and red metal sign is proposed to be installed, with the sign panel perpendicular to Columbia Drive in the city’s landscape easement. This monument-style sign would be double-sided to be viewed from both westbound and eastbound traffic. The look of the monument signage was inspired by and complements the gateway signage already established by City of Kennewick.

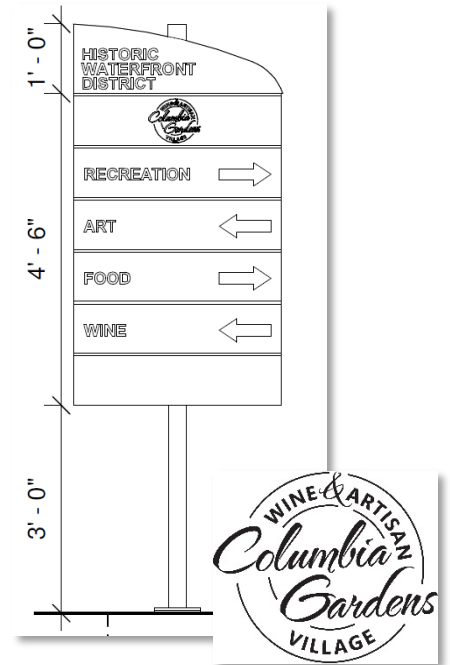


Wayfinding Signage: The Columbia Gardens Wine & Artisan Village Development established an early interior wayfinding aesthetic using black and white blade signs to identify the tasting room tenants. Meier combined the look of the city’s pedestrian wayfinding signage with the blade sign aesthetic and found a way to complement the city’s signage while identifying the wine village as a distinct development.



The port wayfinding signage has a panel and header design similar to the city's but uses square pole(s) instead of round, and the sign panel would be black with white lettering/arrows instead of the city's blue and white. The header section of the sign would be the same red as the city's and would use the words *Historic Waterfront District* to identify the area as part of a distinct neighborhood. The sign panels located at the wine village would also include the Columbia Gardens Wine & Artisan logo to reinforce branding for that location.

Meier designed a series of pedestrian wayfinding signs (*Exhibit A*) for use along the Duffy's Pond trail and the interior landscape areas within the Columbia Gardens Wine & Artisan Village. The idea is that these signs would provide information and guidance to help visitors understand where to go and what to do within the wine and artisan village and encourage visitors to discover Columbia Gardens from the Sacagawea Heritage Trail and The Willows.



Lighting: It will be necessary to provide lighting for the monument sign. As part of the cost estimating for signage, Meier A|E has developed an estimate for extending electrical and lighting the monument signage for visibility at night (*Exhibit B*). Lighting is anticipated to be similar to that found on the city gateway signs at the base of the Cable Bridge and West Clearwater near the Leslie roundabout.

Graffiti Prevention: It will be necessary for all signage, posts and panels to be treated with an anti-graffiti coating to help with the maintenance and longevity of the signs.

Federal, State, City Regulations

Several other critical issues must be addressed before placing wayfinding signage along Duffy's Pond and Columbia Drive.

Landscape Easement: The Port of Kennewick gave City of Kennewick an easement for the landscape improvements along Columbia Drive. Installation of the monument sign will require amending that easement. City of Kennewick Public Works and City of Kennewick legal departments have been asked to review the Interlocal Agreement and landscape easement to help advise port staff on the ability to install the signage on Columbia Drive. A formal request and processing may be required either administratively with staff or through the city council and port commission.

Zoning / Variance / Permit: For the monument sign on Columbia Drive, Meier has designed it at 14 feet tall to ensure visibility and accommodate the required wording and panels. The city zoning limits the height of signage to 13-feet. However, city planning staff have reviewed

preliminary designs and have indicated support for the monument and wayfinding signage. They have indicated the port could apply for an administrative variance of not more than 10% (which, if approved, would accommodate the 14-foot-tall monument sign as designed). Application for the variance can be made concurrently with the permit for construction.

Site Lines/Access/Sidewalk Revision: City codes control where signage can be placed on Columbia Drive to ensure sight lines are maintained and there is not too much visual clutter or diminished access at any intersection. Meier determined the best location for the monument sign would be to the east of the Cedar Street intersection.

Liquor Control Board: There are significant restrictions and rules related to advertising alcohol to the public. Port staff contacted the Washington State Liquor and Cannabis Board (WSLCB) advertising coordinator and port legal counsel researched state RCWs to determine that having words such as “Wine,” “Wineries” or “Tasting Rooms” on an off-premises sign on a city street or park trail will not cause any problems for port tenants or raise any concerns with the WSLCB.

U.S. Army Corps of Engineers / City of Kennewick / Historic & Cultural Resources: The U.S. Army Corps of Engineers owns Duffy’s Pond and levee, which the City of Kennewick manages under a recreational lease. The port gave the city an easement to construct the pedestrian/bike trail along a portion of the port’s land adjacent Duffy’s Pond adjacent to Columbia Gardens, other parts of that trail are on federal land.



While the city and port have an Interlocal Agreement whereby the port maintains the Duffy’s Pond trail, that pathway was constructed by and is part of the city’s parks and recreation system. The city’s Parks Commission and staff will need to be consulted to assist with approvals and permitting for any signage not installed on port land.



Also, any construction near the river that may impact historic properties requires federal and state agencies to consider the effects on historic and cultural resources. The Duffy's Pond trail is on the original Columbia Rivershore (before the levee was constructed). The placement of monument and wayfinding signage will require cultural resources observation per the State Historic Preservation Office and the port's MOU with the Confederated Tribes of the Umatilla Indian Reservation.



MEMORANDUM OF UNDERSTANDING WITH CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION
February 26, 2013

Sample Signage – Exhibit A

As the port's town architect, Meier Architecture & Engineering has prepared renderings of potential signage for both the Columbia Gardens monument/point of interest sign and the pedestrian wayfinding signs. Renderings of these signs and their proposed placement within the wine and artisan village, The Willows and Sacagawea Heritage Trail are included in Exhibit A.

Cost Estimates – Exhibit B

Monument Signage: Meier has developed preliminary cost estimates for constructing and installing a monument sign at the Cedar Street intersection, which includes electrical and light fixtures to ensure visibility at night.

Pedestrian Wayfinding Signage: Meier has developed preliminary cost estimates for construction and installation of pedestrian wayfinding signage for the Columbia Gardens interior and at various places on Duffy's Pond trail at Columbia Gardens and The Willows. Additionally, they have suggested a bicycle-scale sign along the Sacagawea Heritage Trail near the Clover Island Gateway Arch.

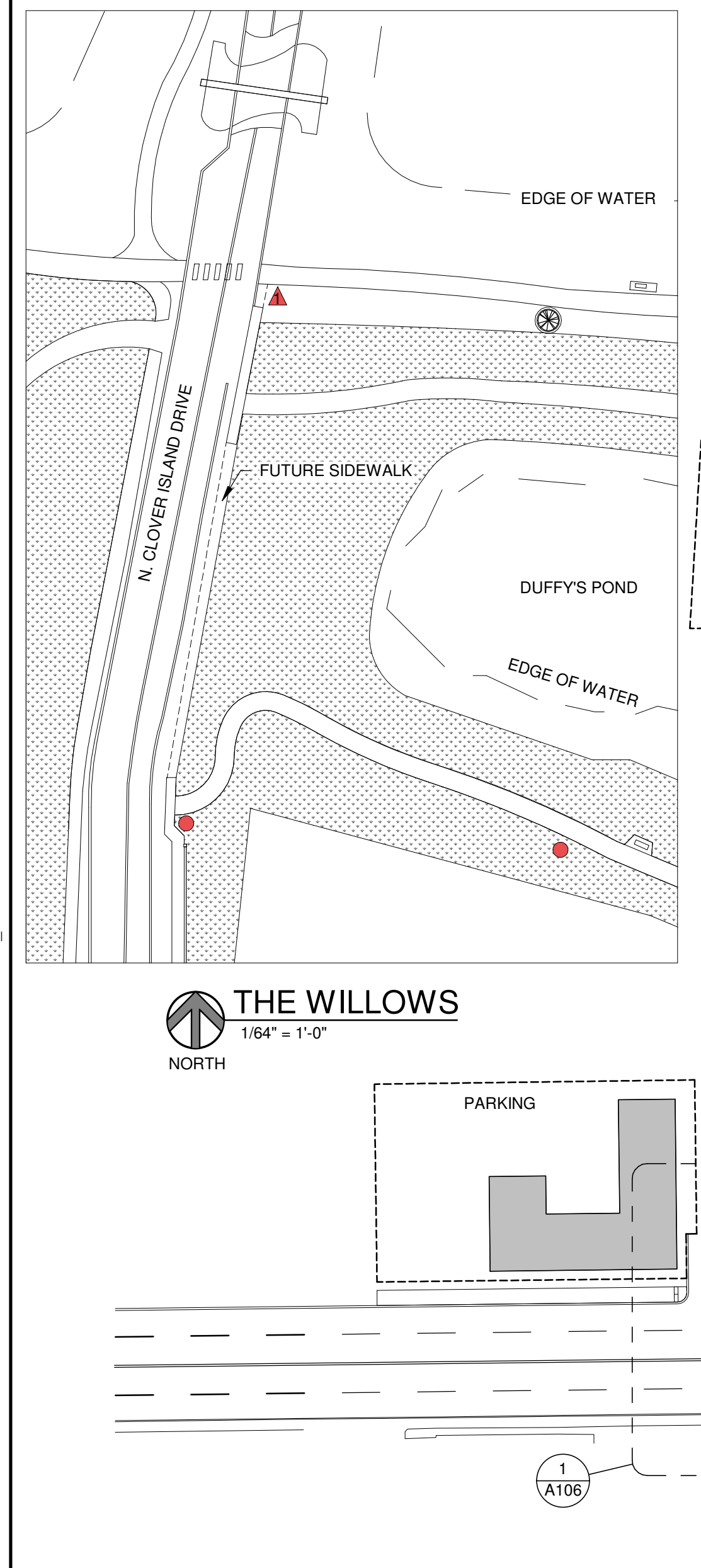
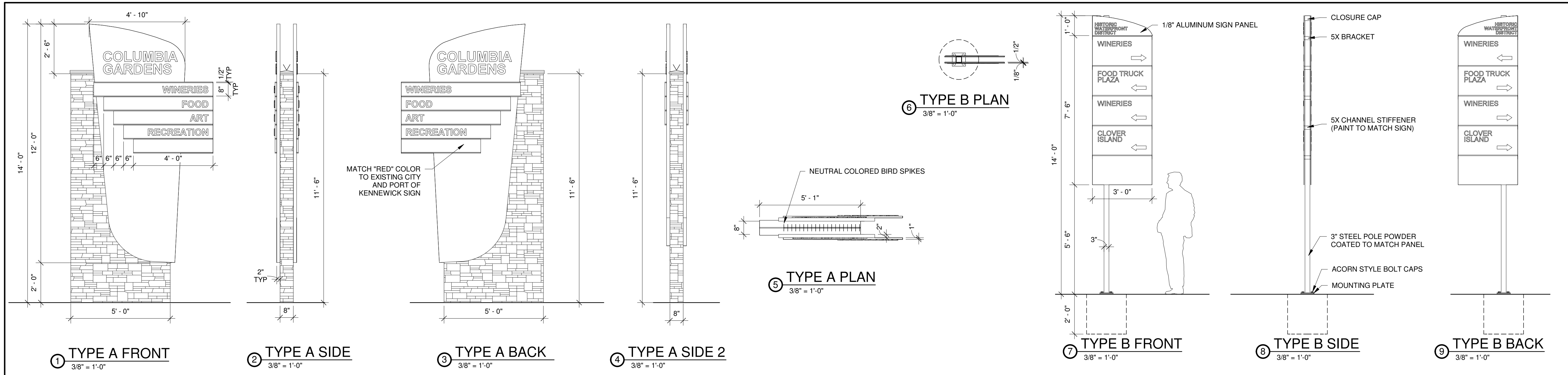
The cost estimates are included in Exhibit B.

Exhibit A

Meier Architecture & Engineering Monument & Wayfinding Signage Design Drawings

SIGN LEGEND

 TYPE A	1 Type A Monument Sign
 TYPE B	2 Type B Signs
 TYPE C	2 Type C Signs
 TYPE D	4 Type D1/D2 Signs
 TYPE D	



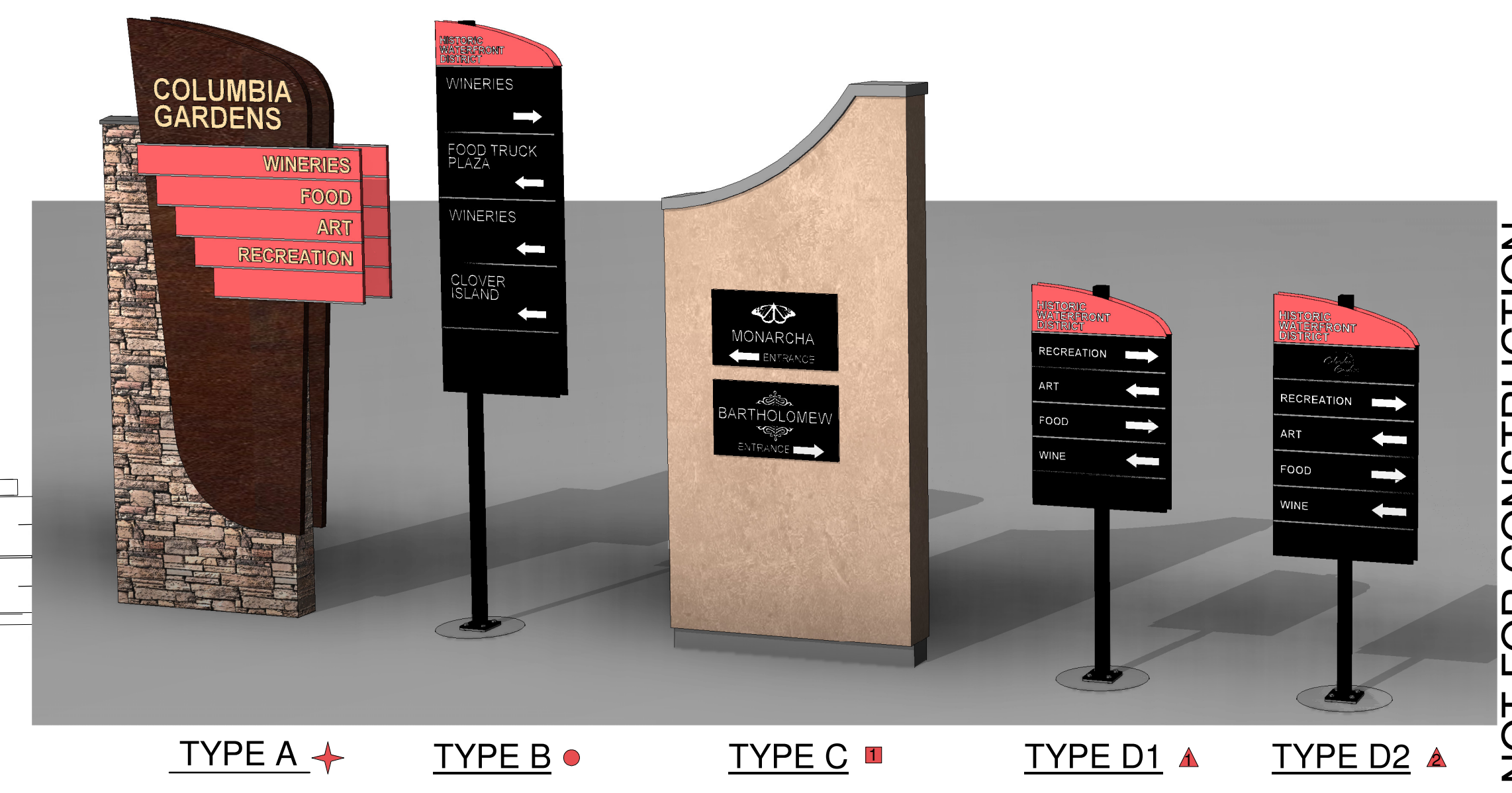
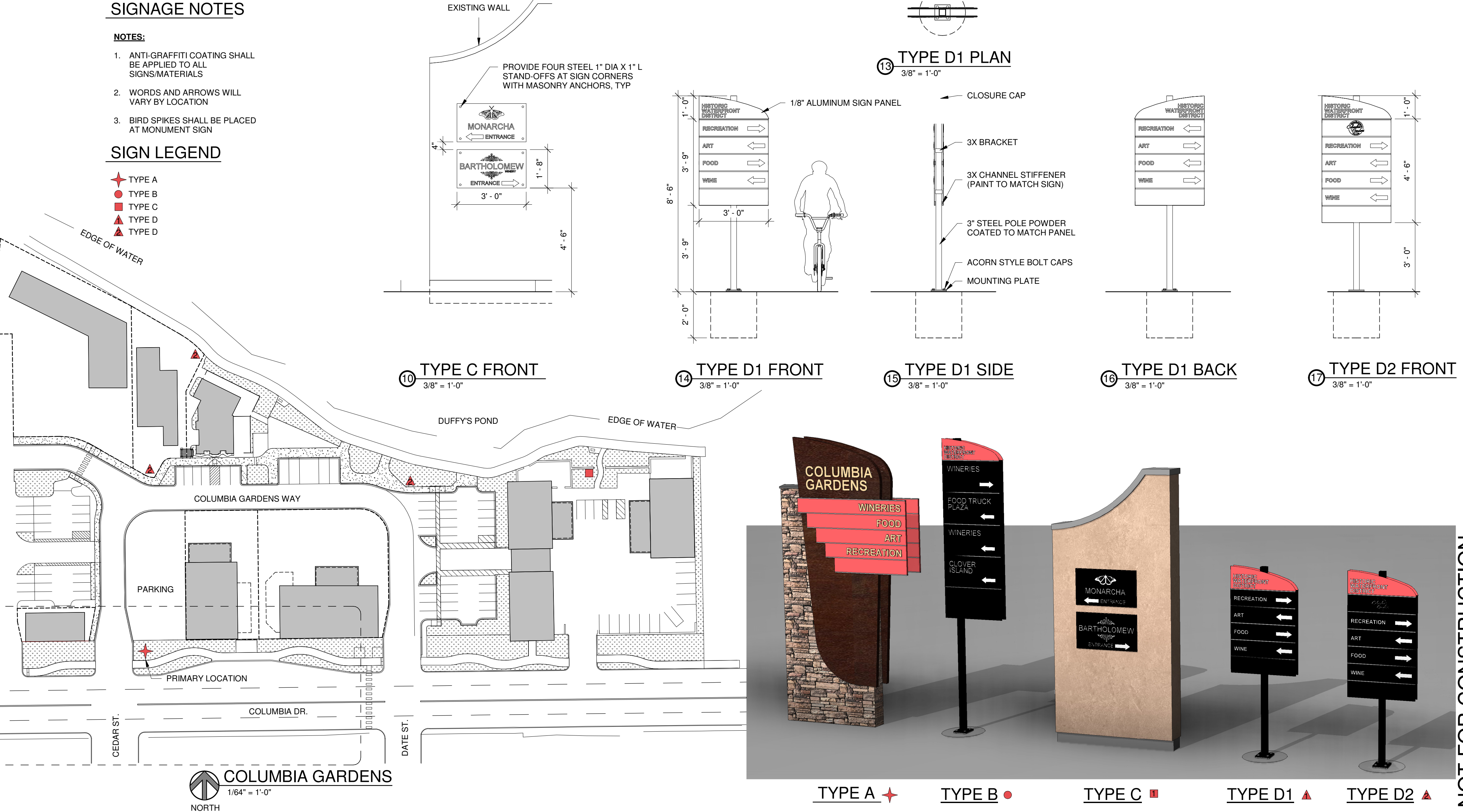
SIGNAGE NOTES

NOTES:

- ANTI-GRAFFITI COATING SHALL BE APPLIED TO ALL SIGNS/MATERIALS
- WORDS AND ARROWS WILL VARY BY LOCATION
- BIRD SPIKES SHALL BE PLACED AT MONUMENT SIGN

SIGN LEGEND

- ◆ TYPE A
- TYPE B
- ◆ TYPE C
- ▲ TYPE D



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Kennewick, WA 99336
P: 509.735.1589
F: 509.783.5075
www.meierinc.com

NO.	DATE	DRWN/CHKD	DSGN	APPD

APPROVAL

DRAWN	PXC
DESIGN	PXC
CHECKED	EJM
APPROVED	MCD

NOT FOR CONSTRUCTION

PORT OF KENNEWICK
COLUMBIA GARDENS SIGNAGE
COLUMBIA GARDENS SIGN TYPES

DWG. NO. **A100**
SCALE: As indicated
ISSUE DATE: 12/9/2021
JOB NO. **8837** REV. **D**

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Type A Monument Sign at Columbia Drive at Cedar Street.



Type D2 Wayfinding Sign adjacent two-tenant building. SAMPLE ONLY—WORDS AND ARROWS NOT YET DETERMINED



Type D2 Wayfinding Sign at Duffy's Pond Trail access near Food Truck Plaza. SAMPLE ONLY—WORDS AND ARROWS NOT YET DETERMINED



Type C Wayfinding Signs proposed for Courtyard Wall adjacent Duffy's Pond Trail access.



Type B Wayfinding Sign on Clover Island Drive at The Willows. SAMPLE ONLY—WORDS AND ARROWS NOT YET DETERMINED






Type D1 Wayfinding Sign on Sacagawea Heritage Trail at Clover Island Gateway. SAMPLE ONLY—WORDS AND ARROWS NOT YET DETERMINED

Exhibit B

**Meier Architecture & Engineering
Monument & Wayfinding Signage Preliminary Cost Estimates**

SIGN LEGEND

		Each	Total
 TYPE A	1 Type A Monument Sign:	\$97,203	\$97,203
 TYPE B	2 Type B Signs:	\$29,516	\$59,032
 TYPE C	2 Type C Signs:	\$ 4,353	\$ 8,706
 TYPE D	4 Type D1/D2 Signs:	\$23,608	<u>\$94,432</u>
	Total:		<u>\$259,373</u>

Estimated Costs by Site:

Columbia Gardens

1 Type A Monument Sign:	\$ 97,203
2 Type C Signs:	\$ 8,706
3 Type D2 Signs:	<u>\$ 70,824</u>
total:	\$176,733

The Willows

2 Type B Signs:	\$59,032
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Sacagawea Heritage Trail

1 Type D1 Sign:	\$23,608
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Columbia Gardens Monument Sign (TYPE A)

Project No.: **8837**
 Project Description: **New Monument Sign at Columbia Gardens**
 Location: **Kennewick, WA**

Title: **Schematic Design Estimate**
 Architect: **Meier Enterprises, Inc.**

Rev 2

CSI Division	Description		
Division 0	General Requirements		\$ 7,781.07
Division 3	Sign - Footing and Slab		\$ 4,618.88
Division 4	Real Stone Veneer Masonry		\$ 3,550.35
Division 5	Structural Steel		\$ 20,916.98
Division 7	Thermal & Moisture & Graffiti Coating		\$ 300.66
Division 10	Specialties		\$ 10,378.14
Division 24	Electrical Systems - Lighting		\$ 3,000.00
Division 31	Earthwork		\$ 5,048.50
Division 32	Site Improvements		\$ 345.62
Subtotal			\$ 55,940.20

	GENERAL CONTRACTOR PROFIT	6%				\$3,356.41
	GENERAL CONTRACTOR OVERHEAD	12.5%				\$6,992.53
	GENERAL CONDITIONS COMPLIENCE	2%				\$1,118.80
	PERCENTAGE OF BUILDING PERMIT COST	ASSUMED \$4.75 PER \$1,000				\$265.72
	INSURANCE, BUILDERS RISK	0.62%				\$346.83
	PERFORMANCE BONDS	1.75%				\$978.95
	Estimated Construction Bid Cost					\$68,999
	SALES TAX	8.6%				\$5,934
	CONTINGENCY	10%				\$6,900
	Pricing March to to Bid Date at 2.025 % per month	22.28%	Assume 11 Months, Bid in January			\$15,370
Total Project Estimated Cost						\$97,203



Columbia Gardens Sign Type B

Project No.: 8837

Title: Schematic Design Estimate Rev 1

Project Description: New Type B Sign at Columbia Gardens

Architect: Meier Enterprises, Inc.

Location: Kennewick, WA

CSI Division

Description

CSI Division	Description	
Division 0	General Requirements	\$ 2,336.18
Division 3	Sign - Footing and Slab	\$ 451.46
Division 5	Steel Fabrications	\$ 8,210.31
Division 7	Thermal & Moisture & Powder\Graffiti Coating	\$ 191.90
Division 10	Specialties	\$ 3,784.32
Division 31	Earthwork	\$ 2,524.25
Division 32	Site Improvements	\$ 112.86
Subtotal		\$ 17,611.28

	GENERAL CONTRACTOR PROFIT	6%		\$1,056.68
	GENERAL CONTRACTOR OVERHEAD	12.5%		\$2,201.41
	GENERAL CONDITIONS COMPLIENCE	2%		\$352.23
	PERCENTAGE OF PERMIT COST	ASSUMED \$4.75 PER \$1,000		\$83.65
	INSURANCE, BUILDERS RISK	0.62%		\$109.19
	PERFORMANCE BONDS	1.75%		\$308.20
	Estimated Construction Bid Cost			\$21,723
	SALES TAX	8.6%		\$1,868
	CONTINGENCY	5%		\$1,086
	Pricing March to to Bid Date at 2.025 % per month	22.28%	Months, Bic	\$4,839
Total Project Estimated Cost				\$29,516



Columbia Gardens Sign Type C

Project No.: 8837

Title: Schematic Design Estimate Rev 1

Project Description: New Type C Sign at Columbia Gardens

Architect: Meier Enterprises, Inc.

Location: Kennewick, WA

CSI Division

Description

CSI Division	Description	
Division 0	General Requirements	\$ 350.00
Division 3	Sign - Footing and Slab	\$ -
Division 5	Steel	\$ 1,630.24
Division 7	Thermal & Moisture & Graffiti Coating	\$ 35.04
Division 10	Specialties	\$ 630.72
Division 31	Earthwork	\$ -
Division 32	Site Improvements	\$ -
Subtotal		\$ 2,646.00

	GENERAL CONTRACTOR PROFIT	6%		\$158.76
	GENERAL CONTRACTOR OVERHEAD	12.5%		\$330.75
	GENERAL CONDITIONS COMPLIENCE	2%		\$52.92
	PERCENTAGE OF PERMIT COST	ASSUMED \$4.75 PER \$1,000		\$12.57
	INSURANCE, BUILDERS RISK	0.62%		\$16.41
	PERFORMANCE BONDS	1.75%		\$46.31
	Estimated Construction Bid Cost			\$3,264
	SALES TAX	8.6%		\$281
	CONTINGENCY	3%		\$82
	Pricing March to to Bid Date at 2.025 % per month	22.28%	Months, Bic	\$727
Total Project Estimated Cost				\$4,353



Columbia Gardens Sign Type D2

Project No.: 8837

Title: Schematic Design Estimate Rev 1

Project Description: New Type D2 Sign at Columbia Gardens

Architect: Meier Enterprises, Inc.

Location: Kennewick, WA

CSI Division

Description

Division 0	General Requirements	\$	2,336.18
Division 3	Sign - Footing and Slab	\$	451.46
Division 5	Steel Fabrications	\$	4,667.73
Division 7	Thermal & Moisture & Powder\Graffiti Coating	\$	209.42
Division 10	Specialties	\$	3,784.32
Division 31	Earthwork	\$	2,524.25
Division 32	Site Improvements	\$	112.86
Subtotal		\$	14,086.22

	GENERAL CONTRACTOR PROFIT	6%		\$845.17
	GENERAL CONTRACTOR OVERHEAD	12.5%		\$1,760.78
	GENERAL CONDITIONS COMPLIENCE	2%		\$281.72
	PERCENTAGE OF PERMIT COST	ASSUMED \$4.75 PER \$1,000		\$66.91
	INSURANCE, BUILDERS RISK	0.62%		\$87.33
	PERFORMANCE BONDS	1.75%		\$246.51
	Estimated Construction Bid Cost			\$17,375
	SALES TAX	8.6%		\$1,494
	CONTINGENCY	5%		\$869
	Pricing March to to Bid Date at 2.025 % per month	22.28%	Months, Bic	\$3,870
Total Project Estimated Cost				\$23,608

PORT OF KENNEWICK

RESOLUTION No. 2022-01

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE PORT OF KENNEWICK
REJECTING A GOVERNANCE AND MANAGEMENT AUDIT***

WHEREAS, in January 2021 at the urging of former Commissioner Barnes the Board of Commissioners directed that the Port CEO contract with a third party to perform a “governance and management audit”; and

WHEREAS, the record indicates that the “audit” is driven by an ethics complaint lodged against Commissioners Barnes and Moak; and

WHEREAS, the audit will consist of a review of, and potential re-write of port policies and procedures; and

WHEREAS, the audit is expected to cost \$125,000 and up to \$41,500 for project management services; and

WHEREAS, the audit is anticipated to take at least six months to complete; and

WHEREAS, there has been nearly a year’s time invested in the audit’s “preparatory” phase; and

WHEREAS, the audit calls for former Commissioner Barnes’ continued participation, despite him no longer remaining in office; and

WHEREAS, the Moss Adams proposal is the only proposal received pursuant to a Request for Proposals, resulting in a “sole source contract;” and

WHEREAS, sole source contracts are generally disfavored by the legislature.

NOW, THEREFORE, BE IT RESOLVED that the Port of Kennewick Board of Commissioners hereby rejects the Governance and Management audit proposal from Moss Adams in the amount of \$125,000.

BE IT FURTHER RESOLVED that the Port of Kennewick Board of Commissioners hereby directs that the port CEO officially close out the governance and management audit process.

BE IT FURTHER RESOLVED that the port CEO shall refrain from expending further staff or financial resources on this matter.

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.

RESOLUTION No. 2022-01
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ADOPTED by the Board of Commissioners of Port of Kennewick on the 11th day of January, 2022.

PORT of KENNEWICK
BOARD of COMMISSIONERS

By: DocuSigned by:
Skip Novakovich

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SKIP NOVAKOVICH, President

By: DocuSigned by:
Kenneth Hohenberg

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KENNETH HOHENBERG, Vice President

By: NAY

THOMAS MOAK, Secretary