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AGENDA

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

July 23, 2024
2:00 p.m.

- I. CALL TO ORDER**
- II. ANNOUNCEMENTS AND ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. PUBLIC COMMENT** *(Please state your name and address for the public record)*
- V. CONSENT AGENDA**
 - A. Approval of Direct Deposit and ePayments July 16, 2024
 - B. Approval of Warrant Register Dated July 23, 2024
 - C. Approval of Regular Commission Meeting Minutes July 9, 2024
- VI. PRESENTATION**
 - A. Governance and Ethics Discussion, Carolyn Lake (**TIM**)
- VII. ACTION ITEM**
 - A. HAEIF Grant Application for Vista Field Improvements; Resolution 2024-14 (**TANA**)
- VIII. REPORTS, COMMENTS AND DISCUSSION ITEMS**
 - A. Kennewick Waterfront
 - 1. Kittson Property Exchange Introduction (**CAROLYN**)
 - B. Vista Field Update (**LARRY**)
 - C. Commission Meetings (formal and informal meetings with groups or individuals)
 - D. Non-Scheduled Items
(**LISA/BRIDGETTE/TANA/LARRY/AMBER/MICHAEL/CAROLYN/TIM/KEN/TOM/SKIP**)
- IX. PUBLIC COMMENT** *(Please state your name and address for the public record)*
- X. ADJOURNMENT**

***PLEASE MUTE YOUR MICROPHONE UNLESS YOU ARE SPEAKING
AND SILENCE ALL NOISE MAKING DEVICES***



PORT OF KENNEWICK REGULAR COMMISSION MEETING

DRAFT

JULY 9, 2024 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.

ANNOUNCEMENTS AND ROLL CALL

The following were present:

Board Members: Skip Novakovich, President
Kenneth Hohenberg, Vice President
Thomas Moak, Secretary

Staff Members: Tim Arntzen, Chief Executive Officer
Tana Bader Inglima, Deputy Chief Executive (via telephone)
Nick Kooiker, Deputy Chief Executive Officer/CFO (via telephone)
Larry Peterson, Director of Planning and Building (via telephone)
Amber Hanchette, Director of Real Estate
Michael Boehnke, Director of Operations (via telephone)
Bridgette Scott, Executive Assistant (via telephone)
Lisa Schumacher, Special Projects Coordinator
Carolyn Lake, Port Counsel (via telephone)
Taud Hume, Port Counsel (via telephone)

PLEDGE OF ALLEGIANCE

Ms. Hanchette led the Pledge of Allegiance.

PUBLIC COMMENT

No comments were made.

CONSENT AGENDA

- A. Approval of Direct Deposit and E-Payments Dated July 2, 2024**
Direct Deposit and E-Payments totaling \$115,219.00
- B. Approval of Warrant Register Dated July 9, 2024**
Expense Fund Voucher Number 106008 through 106047 for a grand total of \$200,159.43
- C. Approval of Regular Commission Meeting Minutes June 24, 2024**
- D. Approval of Amendment #1 to Task Order #1 with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) in the amount of \$20,824.96 for cultural monitoring within Vista Field; Resolution 2024-13**

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

PORT OF KENNEWICK REGULAR COMMISSION MEETING

JULY 9, 2024 MINUTES

DRAFT

PRESENTATIONS

A. Vista Field Lot #31 Proposal

Mr. Arntzen stated the proposal from Cantley Vision is very exciting, because not only will they be constructing a medical space but also constructing an additional professional suite for lease. Mr. Arntzen stated the collaborative design process for this proposal has been seamless and the turnaround has been quick, as the letter of intent was submitted in May 2024.

Ms. Hanchette presented the Cantley Vision proposal for Vista Field Lot 31 to construct a 6,500-7,000 square foot building (Exhibit A).

Dr. Barney gave a brief history of Cantley Vision and stated they have outgrown their current Kennewick office and Vista Field would be a perfect fit. Dr. Barney has been pleased working with Ms. Hanchette and the team and is excited to move forward.

Ms. Hanchette met with Hummel Construction about the Vista Field Master Plan and stated it was a very productive meeting. Ms. Hanchette stated Cantley Vision is offering \$21 per square foot and the Port expenses include a 4% real estate commission and construction of a joint use parking.

The Commission and staff discussed the proposal and are excited about the project and are in favor of moving forward with the 90-day right to negotiate.

MOTION: *Commissioner Moak moved to approve Resolution 2024-12 approving a 90-Day Right to Negotiate with Cantley Vision Inc for the development of a medical office building and retail space on Lot 31 in the port's Vista Field redevelopment project; and that all action by Port officers and employees in furtherance hereof is ratified and approved; and further, the Port Chief Executive Officer is authorized to take all action necessary in furtherance hereof; Commissioner Hohenberg seconded.*

Discussion:

Commissioner Moak stated this is a great opportunity and thinks it will be a good transition from Azure Drive commercial to residential. As we continue to work with more architects, realtors, and contractors who understand the vision for Vista Field, the process will become smoother. Commissioner Moak thinks this proposal stands on its own as a great project and provides a needed service at Vista Field.

Commissioner Hohenberg thanked Dr. Barney for investing in Vista Field by constructing a place for his business, but also by creating another opportunity for someone else. Commissioner Hohenberg can see more of those opportunities as we continue to receive more proposals and this proposal maximizes the use of the footprint. The Commission is fully supportive and wishes Dr. Barney great success at Vista Field.

PUBLIC COMMENTS

No comments were made.

PORT OF KENNEWICK REGULAR COMMISSION MEETING

JULY 9, 2024 MINUTES

DRAFT

Commissioner Novakovich is fully supportive and hopes Dr. Barney is successful and hopes the Port can assist him in any way possible.

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

REPORTS, COMMENTS AND DISCUSSION ITEMS

A. WPPA Commissioner Seminar & Commissioner's Meeting Scheduling.

Commissioner Novakovich stated the Washington Public Ports Commissioner Seminar will be held Monday, July 22 through Wednesday, July 24, 2024 in Richland. The Commission has a regularly scheduled Commission Meeting on Tuesday, July 23, 2024 and inquired if the Commission is open to taking a break during the WPPA Seminar to attend the Commission Meeting.

Commissioner Moak had not planned to attend the WPPA Seminar because the Port meeting had not been cancelled. Commissioner Moak supports having the regularly scheduled Commission Meeting on Tuesday, July 23, 2024.

Commissioner Hohenberg is attending the WPPA Seminar but agrees with Commissioner Moak that our first priority is to take care of the Port of Kennewick business.

Commissioner Novakovich is supportive of moving forward with the regularly scheduled Commission Meeting on Tuesday, July 23, 2024 as well.

Mr. Arntzen stated he would like to discuss the potential land transfer with KIE on the July 23, 2024 Commission Meeting and will work with Ms. Scott on the Agenda.

Ms. Schumacher outlined the WPPA Agenda for Tuesday afternoon.

Commissioner Novakovich asked the Commission what their thoughts are on returning to holding in-person meetings twice a month.

Commissioner Moak is fine with that.

Commissioner Hohenberg confirmed the Commission adjusted the policy to allow if someone is traveling or has COVID, they would be able to participate virtually.

Commissioner Novakovich stated that is correct.

Commissioner Hohenberg stated if he is in town and not sick, he would participate in the in-person meetings; however, he thinks the CEO should have the flexibility to decide if staff should be in chambers and who should remote in.

Commissioner Moak stated Mr. Arntzen has done a good job placing bigger items on the agenda for the in-person meetings; and stated if he is in town he will be at the in-person meeting.

PORT OF KENNEWICK REGULAR COMMISSION MEETING

JULY 9, 2024 MINUTES

DRAFT

Commissioner Novakovich read from the Commission Rules of Policies and Procedures:

“6.10.6: Commission and staff members who are unable to be present in person at any meeting shall have the right to participate by telephone or other internet service; subject to any limitations established in these Rules to govern such participation.”

“6.11: Commissioner Attendance At Meetings. Commissioners shall inform the President or Chief Executive Officer if they are unable to attend any Commission meeting, or if they will be late to any meeting...”

It is the Consensus of the Commission to start holding in-person meetings for all Commission Meetings beginning July 23, 2024. Furthermore, based on the Commission Rules of Policies and Procedures, the Commission may also attend the Meetings remotely. Lastly, the Commission authorizes Mr. Arntzen the flexibility to move an in-person meeting to a remote meeting.

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

Commissioners reported on their respective committee meetings.

C. Non-Scheduled Items

Mr. Boehnke reported that the Cedars Dock inspection was completed, and staff are currently reviewing the options for the dock.

Mr. Arntzen outlined the history of the dock issue and reached out to Doug and Carrie Lundgren, owners of Cedars Pier One Restaurant to update them on the inspection and invited them to the Commission Meeting today. Mr. Arntzen believes there are two options:

- remove the dock completely and boaters utilize the Port guest marina dock;
- remove and replace the dock completely per State and Federal Standards.

Mr. Arntzen stated the dock will remain at Cedars for the summer; however, nothing is budgeted for 2024 and if the Commission decides to move forward with a new dock it could take at least 18 months to permit.

Commissioner Novakovich inquired what the potential cost for a new dock could be.

Mr. Peterson estimated the ballpark figure for the permitting, design and construction at \$400,000.00. Additionally, the construction window for pile driving activity in the water is December 15th through February 28th. If the Commission were to move forward on this project, Mr. Peterson believes design and permitting could occur fall of 2024 through summer of 2025, with construction from December 2025-February 2026.

Mr. Arntzen met with Ms. Lake and Ms. Oneza regarding the KIE land transfer and stated Ms. Lake will be drafting the Purchase and Sale Agreement and Ms. Oneza will work on the planning aspect of the transfer.

PORT OF KENNEWICK REGULAR COMMISSION MEETING

JULY 9, 2024 MINUTES

DRAFT

Commissioner Hohenberg thanked Ms. Hanchette and staff for today's proposal and the thoroughness of the paperwork. Furthermore, Commissioner Hohenberg appreciates the weekly meetings with Mr. Arntzen and the consistent communication.

Commissioner Moak confirmed that the July 23, 2024 Commission Meeting will be in-person.

Commissioner Moak would like staff to include photographs for the KIE land transfer showing the road, in addition to maps and drawings.

Commissioner Novakovich thanked Ms. Hanchette and staff for bringing these proposals forward and stated staff is doing an amazing job.

PUBLIC COMMENTS

No comments were made.

COMMISSION COMMENTS

No comments were made.

ADJOURNMENT

With no further business to bring before the Board; the meeting was adjourned 3:16 p.m.

APPROVED:

**PORT of KENNEWICK
BOARD of COMMISSIONERS**

Skip Novakovich, President

Kenneth Hohenberg, Vice President

Thomas Moak, Secretary

PORT OF KENNEWICK

RESOLUTION No. 2024-12

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PORT OF KENNEWICK TO APPROVE A 90 DAY RIGHT TO NEGOTIATE PERIOD WITH CANTLEY VISION INC, PS

WHEREAS, the Port of Kennewick (“Port) Commission has authorized port staff to market parcels for sale within the Vista Field redevelopment project; and

WHEREAS, port staff has received a proposal from Dr. Brandon Furness and Dr. Royce Barney of Cantley Vision Inc., PS dba Columbia Point Eye Care Clinic for construction of a 7,000 sf medical building on Lot 31 in Phase I of the port’s Vista Field redevelopment project; and


WHEREAS, the proposal has received preliminary staff, legal and design review related to the Vista Field Master Plan and Collaborative Design Process.

NOW, THEREFORE, BE IT RESOLVED that the Port of Kennewick Board of Commissioners hereby approves a ‘90 Day Right to Negotiate’ time-period with Dr. Furness and Dr. Barney of Cantley Vision Inc, PS for construction of a medical office building and retail space within Vista Field.


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

ADOPTED by the Board of Commissioners of Port of Kennewick on the 9th day of July, 2024.


PORT of KENNEWICK BOARD of COMMISSIONERS

By: 
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SKIP NOVAKOVICH, President

By: 
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KENNETH HOHENBERG, Vice President

By: 
A35176A2D2CD413...

THOMAS MOAK, Secretary

PORT OF KENNEWICK

RESOLUTION No. 2024-13

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE PORT OF KENNEWICK AUTHORIZING
AMENDMENT #1 TO TASK #1 OF THE CONTRACT WITH
CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION***

WHEREAS, in 2013, the Port entered into a Memorandum of Understanding with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR); and

WHEREAS, the Port entered into a Master Contract with the CTUIR for Cultural Monitoring on March 20, 2024; and

WHEREAS, the CTUIR and Port approved Task Order #1 for Cultural Monitoring for the Vista Field Southern Gateway Project on March 20, 2024 in the amount of \$4,597.79; and

WHEREAS, the Port needs to amend Task Order #1 adding additional funds for Cultural Monitoring within Vista Field.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Commissioners of the Port of Kennewick hereby authorize the Port's Chief Executive Officer to execute Amendment #1 to Task Order #1 with the CTUIR in the amount of \$20,824.96 for Cultural Monitoring within Vista Field.

ADOPTED by the Board of Commissioners of the Port of Kennewick on the 9th day of July 2024.

***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:

DocuSigned by:

Thomas Moak

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THOMAS MOAK, *Secretary*

Vista Field Development Proposal Collaborative Design Process Review

Date: July 9, 2024
To: Port Commission
From: Tim Arntzen, CEO

I. PROJECT PROPOSAL:

- Vista Field Phase I – Lot 31
- Medical Use – Columbia Point Eye Care Clinic
- 7,000 sf building, 6,826 sf parcel

II. INITIAL PROJECT REVIEW:

I have reviewed the proposed project as described in the Letter of Intent (LOI) submitted by Dr. Brandon Furness and Dr. Royce Barney, hereafter referred to as the “Developer” and incorporated as Cantley Vision Inc, PS. The Developer’s LOI first submitted on May 9, 2024, and updated on June 27, 2024, is more completely described in attached as Exhibit “A.”

Briefly stated, the project contemplates a 7,000 square foot building containing approximately 1,500 sf of retail tenant space with the balance dedicated to medical offices and optical retail for Columbia Point Eye Care Clinic.

Lot 31 is located west of Crosswind Boulevard on Azure Drive. Medical is a desired use in Vista Field and creates a natural transition between future residential development and activity envisioned closer to the water feature and open-air pavilions.

The maps and drawings attached as Exhibit “B” will assist in project evaluation.

After consultation with Amber Hanchette, Director of Real Estate and Larry Peterson, Director of Planning, and pursuant to steps set out in the Collaborative Design Process (as formally adopted by the Port Commission), I have concluded that the project, on its face, meets the basic criteria of the CDP.

“We are encouraged that they are treating all three building elevations with care, not only the façade along Azure Drive, but also the pedestrian walkway as well as the parking lot frontage.”

Matt Lambert,
Vista Field Town Architect

In short, the LOI demonstrates a likelihood that the:

- (1) Development concept is “likely” to assist with redevelopment of Vista Field;
- (2) Developer has selected a Builder who possesses the relevant experience in constructing quality projects like those set forth in attached Builder resume;
- (3) Price and terms appear to be reasonable.

Below is a summary discussion related to the above criteria:

Real Estate:

- ✓ That the Developer followed the port’s proposal submission process by providing a letter of intent, financial institution support letter and answers to the basic Proposal Checklist questions;
- ✓ In each request for information, they have been responsive and accommodating;
- ✓ The Developer is owner of two Columbia Point Eye Care Clinics in the Tri-Cities – Richland & Kennewick;
- ✓ Port staff were able to meet with the Developer’s team and offered guidance in the proposal development process; and

About the Developers:

Dr. Brandon Furness

Dr. Furness joined Columbia Point Eye Care Clinic after practicing at Vista Optical in the Kennewick Fred Meyer for 5 years. He and his family quickly fell in love with the Tri-Cities after moving here in 2009 and now feel like it has always been home.

He was raised along with five siblings in Salmon, Idaho, where he enjoyed small town living. Dr. Furness earned his Bachelors in Biology from BYU-Idaho, graduating with honors in 2004. He went on to earn his Doctorate of Optometry from the Southern College of Optometry in Memphis, Tennessee, graduating with honors in 2009.

Dr. Furness loves caring for a variety of patients. Whether old, young, or somewhere in between, he will take the time to provide the best solution for your eye care needs. His easy-going demeanor is sure to make you comfortable during your visit. Dr. Furness’ areas of expertise include customized contact lens fitting, treatment of eye diseases such as glaucoma, macular degeneration, dry eye syndrome, and diabetic eye complications. He also enjoys working with patients to determine if they are good candidates for LASIK or cataract surgery.

Dr. Furness enjoys time spent with his family as well as serving in his church. He enjoys watching and playing all sports and is an avid BYU Cougar fan. Since moving to the Tri-Cities he has really gained a love for spending time on the water.

Dr. Furness is a member of the American Optometric Association (AOA) and Optometric Physicians of Washington (OPW).

Dr. Royce Barney

Dr. Barney joined Columbia Point Eye Care Clinic after receiving his optometry degree from the Southern California College of Optometry. His education provided experience in pediatric, geriatric and primary eye care. He enjoyed his time at the Garden Grove Children's clinic providing low-income children with eye care and vision correction. Young patients remain some of his favorites to have sitting in his exam chair.

His education also allowed him to serve some of the people he admires most: America's veterans and active military men and women, having rotated through both the VA Hospital in Salt Lake City, UT and the Lemoore Naval Hospital in Central California. He was also trained in specialty contact lens fitting at the Moran Eye Center of the University of Utah Medical School, and the renowned Hoopes Vision center in Sandy, UT providing pre and postoperative care to Lasik and cataract patients.

Dr. Barney was raised near Coeur d'Alene, ID until he was a teenager and after several family moves finished high school in the Sun Valley, ID area. He served a two-year mission for The Church of Jesus Christ of Latter Day Saints to Northern Mexico and has maintained fluency in the Spanish language. He completed his undergraduate studies at Brigham Young University-Idaho with a BS in Biology. He enjoys snowboarding, skiing, golf and about anything else involving sports and the outdoors. Dr. Barney and his wife Aubree have a young son and daughter.

Builder/General Contractor:

At this stage of the project, Developer is planning to use Hummel Construction and Development Group of Kennewick. Builder resume included.

Planning:

The mixed-use building proposed for Lot 31 is approximately 7,000 sf in size with interesting and attractive elevations along the three exposed sides.

Building design considerations were extended beyond the required two frontage walls to also yield an attractive southern façade, which will be visible from the Vista Field Pavilions and Deschutes Avenue.

The proposed medical use and daytime activity meshes nicely with other known (Vista Field Pavilions) and anticipated uses.

Typically medical users have activity on weekdays from 7am-5pm which allows for efficient sharing of the joint-use parking lots with hospitality uses that typically experience higher evening and weekends activity.

Daytime activity in the medical office equals jobs at Vista Field while the patients/customers add foot traffic and vibrancy to the neighborhood.

Nearly 1,500sf of the building is reserved for a yet to be identified tenant, a decision which further adds to the mix of uses while providing a lower cost option for a business seeking a Vista Field location.

The Columbia Point Eye Care Clinic project will be a positive addition to Vista Field as it touches on many elements identified in the Master Plan; mixed-use, elevation variations, attractive facades, jobs, balancing of activities between uses/buildingsand the tenant space provides an opportunity for further private sector investment.

CEO DIRECTION TO STAFF:

Based on my review, and in accordance with the CDP, I arranged for the parties to participate in the preliminary collaborative design process. On May 20, 2024, the parties met for the initial CDP project review then again for a Design Development review on June 7, 2024. Following is a summary of the process.

III. COLLABORATIVE DESIGN PROCESS REVIEW:

A. Consistency with Master Plan (*summary by Matt Lambert, DPZ CoDesign*)

Complete memo provided as Exhibit "C."

IV. FINANCIAL ANALYSIS:

(Revenue to Port; Port Sale Expenses, Economic Impact; Developer's Financial Capability).

A. Revenue to Port: \$143,346.00

B. Port Sale Expenses:

Four percent (4%) real estate commission and closing costs. Proceeds of sale to help offset cost of construction for common-area parking to be jointly used by Developer and neighboring parcels.

C. Developer's Financial Capabilities:

Letter of reference from lender.

V. LEGAL ANALYSIS:

(Could the proposal subject the port to potential legal issues; does the project place burdens on the port or other purchasers, etc.?)

At first review, proposed project is compliant with the Vista Field master plan in terms of use, location, and site plan. Additional background on Developers to be performed by legal counsel during due diligence period.

VI. CONCLUSION AND RECOMMENDATIONS:

Medical uses are essential to supporting the residential community envisioned for Vista Field.

VII. EXHIBITS:

A: LOI / References / Mutual Intentions Agreement

B: Site Map / Project Renderings

C: Vista Field Town Architect Summary





6119 Burden Blvd., Suite C
Pasco WA, 99301
Office: 509.416.6319
contact@lybbertfielding.com

EXHIBIT A

June 27, 2024

Port of Kennewick
C/O Amber Hanchette

RE: **Letter of Intent (LOI)** for Lot 31 of Vista Field Phase 1

Hello Amber,

The purpose of this letter is to express the interest of Cantley Vision Inc, PS ("Buyer") and/or it's entities, to purchase from the Port of Kennewick ("Seller") the property commonly known as Lot 31 of Vista Field Phase 1, with a Parcel ID of 132991BP5674031, and located in the City of Kennewick in Benton County, Washington and consisting of +/- 6,826 square feet of land and all improvements, if any (the "Property").

Attachments to this LOI:

- Building Inspiration Images (as a reference for the "look-and-feel" that Buyers are trying to achieve)
- References
- Builder Bio
- Letter of Credit

Immediately after Closing of this potential transaction, Buyer intends to construct, own, and operate a vision center and optical boutique retail location on the Property, as well as lease out a portion of the building. Buyer expects that the building will be completed no later than 24 months after the Port of Kennewick Commissioners' approval of a purchase and sale agreement.

More specifically:

Buyer intends to construct a building that is approximately 6,500 square feet. Buyer intends to operate its business out of +/- 3,500 square feet and lease out the remaining +/- 3,000 square feet as office and/or retail space. Preliminarily, Buyer's thoughts are to construct a building that is partially two story and partially one story.

Buyer has engaged Kyle Lepper with LPR Architecture in Richland, WA as its architect for development and construction of the Property.

Buyer currently owns and operates its business under the name Columbia Point Vision and at the following two locations: 7015 Deschutes Ave Suite A in Kennewick, and 3200 Duportail St Suite 101 in Richland.

Buyer's services to the general public include optometric services; eye care products including eyeglasses, specialty eyewear, frames; and contact lenses.

You can view Buyer's website at: www.columbiapointvision.com.

Buyer proposes that the Purchase and Sale Agreement include the following terms, together with such other terms as are customary and as are approved by Seller and Buyer in their sole discretion:

1. Purchase Price

\$143,346.00

2. Payment Terms

Cash at Closing.

3. Closing Costs

Both parties agree to pay any and all closing costs that are customary for this type of transaction, including but not limited to:

Seller shall pay the premium for the owner's standard coverage title policy. Buyer shall pay the excess premium attributable to any extended coverage or endorsements requested by Buyer, and the cost of any survey required in connection with the same.

Seller and Buyer shall each pay one-half of the escrow fees.

Seller shall pay the real estate excise taxes.

Seller shall pay Lybbert Fielding Real Estate LLC a commission at Closing equal to 4% of the Purchase Price.

Real and personal property taxes and assessments shall be pro-rated as of Closing.

4. Parking

Buyer needs 20 parking stalls.

5. Litigation and/or Claims



Neither Cantley Vision Inc, PS nor its owners Royce Barney and Brandon Furness is currently or has in the last 10 years been named a party to any litigation and/or a claim.

6. Other Terms

Additional terms are to be negotiated during Buyer’s 90 day right to negotiate after Commissioner approval, including earnest money, feasibility period, escrow company, title company, closing date, and other customary terms.

The parties agree they will not be bound to any of the terms above unless they formally prepare and sign a mutually acceptable Purchase and Sale Agreement and deliver a signed copy to one another. Execution of this letter does not obligate a party to execute a Purchase and Sale Agreement.

Respectfully,

Cody Fielding
Lybbert Fielding Real Estate

Signed by Buyer:

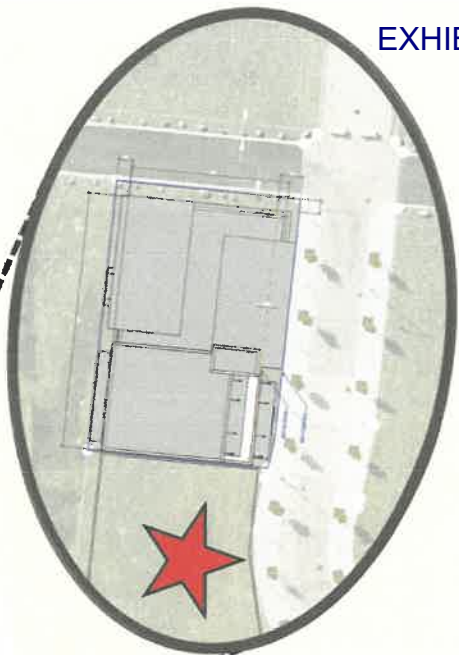
<div>DocuSigned by: Brandon Furness 16701DC98763401...</div>	Brandon Furness	06/27/2024
Signature	Name Printed	Date
<div>DocuSigned by: Royce Barney 2C655EB006D7460...</div>	Royce Barney	06/27/2024
Signature	Name Printed	Date

Signed by Seller:

Signature	Name Printed	Date
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EXHIBIT A



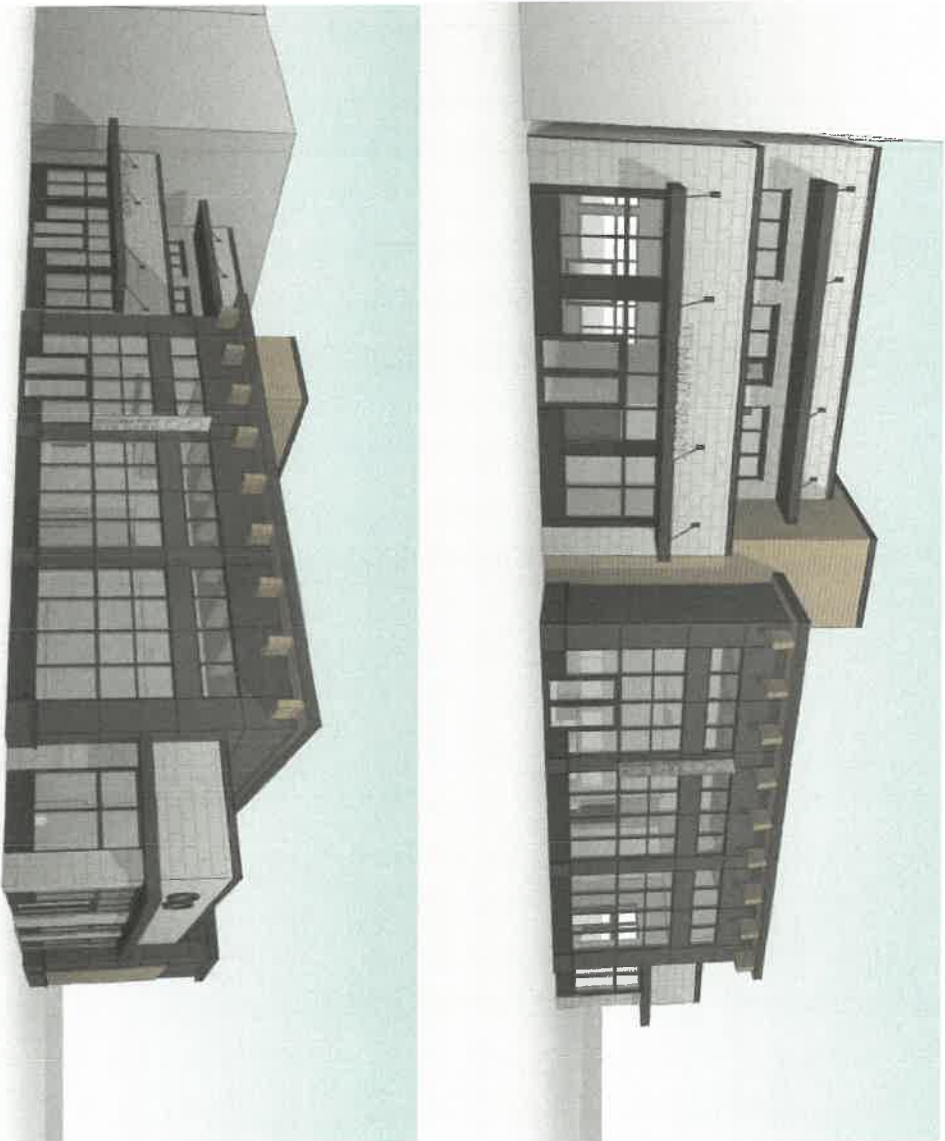
Building

VISTA FIELD
Phase #1, Lot 31
Columbia Point
Eye Care Clinic
*Dr. Furness
& Dr. Barney*



EXHIBIT B

Columbia Point Eye Care Clinic



- South Facing Elevation

[view of open-air pavilions]





EXHIBIT C

VISTA FIELD, SINGLE FAMILY RESIDENTIAL

Dear Commissioners,

DPZ is excited to advance the Columbia Point Vision proposal in coordination with LPR Architecture. There are many strengths to this proposal both from a program perspective and for architectural variety. We are encouraged that they are treating all three building elevations with care, not only the facade along Azure Drive, but also the pedestrian walkway to parking as well as the parking lot frontage. The proposed building includes a tenant space in addition to the Columbia Point Vision, providing two storefront spaces adding activity to Azure Drive and the plaza. LPR Architecture has been a pleasure to work with and we are confident that they will uphold the Port and DPZ's vision for high quality materials and design as we continue to work together through design review. DPZ supports the Lot 31 proposal by Columbia Point Vision and looks forward to continued collaboration.

Sincerely Yours,

Matthew Lambert, Partner, DPZ CoDesign

**COMMUNITY FIRST BANK****KENNEWICK BRANCH**PO Box 6919 | 6401 W. Clearwater Ave.
Kennewick WA 99336 | 509.783.3435

May 9, 2024

Cantley Vision Inc. PS
3200 Duportail St., Suite 101
Richland, WA 99352

Dear Royce & Brandon:

Thank you for considering Community First Bank for your financing needs relative to your proposed commercial construction project at Vista Field. Our proposed terms and pricing are outlined below:

Loan Type: Commercial Real Estate (Owner-Occupied)**Borrower:** TBD**Guarantor(s):** Royce Barney, Brandon Furness, & Cantley Vision Inc. PS**Loan Amount:** \$1,636,800 (80% of Total Project Costs of \$2,046,000)**Loan Term:** 312-month term; 12-month interest-only construction period, then 300-months fully amortized.**Interest Rate:****Option #1:**

Construction Draw Period (12-months): Variable interest rate using the Wall Street Journal Prime Rate ("Prime Rate"). Today, this rate is **8.50%**.

Permanent Financing: Interest rate will be the 5-year FHLB (index) + 3.00% (margin), fixed for the first five years of the loan and adjusted every five years thereafter.

As of today, the 5-year FHLB is 4.60% so the rate would be **7.60%**, today.

Option#2:

You may also elect to go with the 5-year FHLB + margin at closing if you prefer, adjusting every 5 years thereafter.

Loan Fee: 1.0% of loan amount**Loan to Value:** Up to 80%**Collateral:** 1st Deed of Trust on TBD property**Pre-Payment Penalty:** 5 years – 5% in year one, 4% in year two, 3% in year three, 2% in year four, and 1% in year five.



KENNEWICK BRANCH
PO Box 6919 | 6401 W. Clearwater Ave.
Kennewick WA 99336 | 509.783.3435

Other: Subject to the following conditions:

- Plans & Specifications for new building
- Construction Cost Breakdown from Contractor
- Satisfactory appraisal.
- Satisfactory title report.
- Final Underwriting
- Environmental Questionnaire

This letter is not an attempt to define all the terms and conditions of this financing transaction. It should also not be construed as a commitment to lend money. Further negotiations within the general scope of these outlined terms shall not be precluded by the issuance of this letter.

Oral agreements or commitments to loan money, to extend credit, or to forbear from enforcing repayment of a debt are not enforceable under Washington law.

Thanks again for Giving Community First Bank the opportunity to assist with your financing needs. Should you have any questions regarding this Term Sheet, please contact me a 509-735-5004.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Doak'.

David Doak
Vice President & Commercial Lender



COMMUNITY FIRST BANK

KENNEWICK BRANCH

PO Box 6919 | 6401 W. Clearwater Ave.
Kennewick WA 99336 | 509.783.3435

5/2/2024

To Whom It May Concern:

RE: Columbia Point Eye Care (bank reference letter)

Columbia Point Eye Care (Brandon Furness and Royce Barney) has been a client of Community First Bank since 2019 and the bank deeply values the relationship.

The relationship consists of various deposit accounts and credit facilities.

Account balances average in the mid six-figure range and the amount of historical debt is minimal. Columbia Point Eye Care maintains a low to mid-range six-figure operating line of credit which has not been utilized since its inception in 2021. The client maintains the line of credit for contingency reasons but to date, has not had to utilize it.

As stated, Community First Bank values our relationship with Columbia Point Eye Care and we are excited to grow our relationship via financing their new location at Vista Field.

Should you have any questions, please do not hesitate to reach out to me.

Sincerely,

David Doak
VP & Commercial Lender
509-735-5004
ddoak@community1st.com

April 30th, 2024

To Whom It May Concern:

I am writing to endorse Columbia Point Vision Clinic's bid to build a new location in Kennewick Washington.

I have worked with Dr. Barney and Dr. Furness in various business capacities over the last nine years as Territory Account Manager. It has been a pleasure calling on them since they treat me as a business partner versus a vendor.

Columbia Point Vision Clinic has been one of the Tri-Cities' optical leaders. They have continued to upgrade and expand their business while carefully tending to their patient base. Dr. Barney and Dr. Furness have done an excellent job investing in their business and moving it forward while caring for the community they serve. Their Richland location is an anchor for the business park that they are in. They draw in hundreds of patients a month from all over the surrounding areas.

I believe that a brand-new Columbia Point Vision Clinic in Kennewick would be a great addition to the community. They would continue to be business leaders and innovators in the optical space.

Please let me know if I can provide any more information on the candidacy for Columbia Point Vision Clinic's bid for building a new vision clinic.

Sincerely,

Kevin Lee
Senior Vision Territory Manager
Bausch & Lomb Vision Care
(509)-309-4295
Kevin.lee@bausch.com

I am writing this on behalf of Columbia Point Eyecare, who I have had the pleasure of working with for the last year, but have known of professionally in the industry, for five years.

The doctors, clinic manager, and entire staff are extremely capable and offer the highest level of patient care in their community. Their thriving practices continue to grow and expand because of the excellent care they provide, but also because of the smart way they run their business. I work with top performing practices across the entire west region and Columbia a point is one of those practices.

Dr. Barney, Dr. Furness, and Manal have been easy to work with and always very transparent and honest in all my dealings with them. I am excited to continue partnering with them as they expand their practices in the tri-cities area.

Joalene Lehto
Regional Key Account Manager
Essilor of America
Cell: 360.903.9144

Builder Information

Buyer intends to use Hummel Construction and Development to construct its building.

Hummel Construction and Development has a solid reputation built on many qualities including excellent communication, terrific customer service, and high-quality craftsmanship.

You can view past projects and learn more about Hummel Construction and Development on its website located here:

www.hcd-gc.com



5418 W HOOD AVE, STE 160
KENNEWICK, WA 99336
(509) 713-1440
Hcd-gc.com

ABOUT US:

Established in 2018, Hummel Construction and Development, LLC is a second generation owned general contracting business.

Hummel Construction values integrity, transparency, open communication and long-lasting relationships with its customers. Our mission is to construct the best by utilizing advanced construction knowledge and committing to the finest craftsmanship and quality.

TYPE OF WORK

➤ **Commercial**

New Construction
Tenant Improvements
Remodels

➤ **Industrial**

Agricultural

➤ **Multi-Family & Mixed Use**

Town Homes
Apartments

➤ **Residential**

New Construction
Remodels/Additions
Shops



SERVICES

- General Contracting
- Construction Management
- Design Build
- Consulting | Pre-Construction



KEY TEAM MEMBERS

- James Hummel, Managing Member
- Sherry Hummel, Office Manager
- Corey Chandler, Project Manager
- Matt Minnich, Project Manager
- Colton Montgomery, Superintendent
- Ethan Sanders, Superintendent

HUMMEL CONSTRUCTION PROJECT EXPERIENCE

COMMERCIAL CONSTRUCTION



TENANT IMPROVEMENTS



RESIDENTIAL



EXPERIENCE

CALVARY CHAPEL EXPANSION
 3 EYED FISH RESTAURANT
 TAPTEAL BUSINESS PARK
 HORN RAPIDS FLEX SPACE
 RIO GRANDE 12K SHELL
 FAT CAT SUITES SHELL
 FAT CAT STORAGE UNITS
 RIVERSIDE PROFESSIONAL CNTR
 OAK HARBOR FREIGHT
 STORAGE STATION
 249 JACKRABBIT LANE 5K
 263 JACKRABBIT LANE 10K
 SUMMIT STORAGE UNITS
 2250 KEENE ROAD BUILDING
 SIGMA 2 & SIGMA 4 RENO
 DIAMOND BACK FARMS
 CED WAREHOUSE
 HIGHLAND MS TRACK & FIELD
 KNUTZEN MEATS FREEZER
 EXPANSION PH 1 & 2
 RATTLESNAKE MT SHOOTING
 FACILITY

EXPERIENCE

JERSEY MIKE'S PASCO
 PORTER'S REAL BBQ RICHLAND
 SHELBY'S SPORTS CAR
 FREESTONE ENVIORNMENTAL
 PROOF GASTROPUB
 TC CIDER HOUSE
 DOUGLAS FRUIT
 REVITALIZE SPINE & SPORTS
 COLDWELL BANKER TOMLINSON
 STATE FARM INSURANCE
 FRESH LEAF
 RAAN COFEE
 APS CORPORATE OFFICE
 2205 FRONTAGE TI
 NORTHWEST JUSTIC CENTER
 COLUMBIA INDUSTRIES
 FAT CAT SUITES 1-5
 JAYDAY CAFE & BOBA
 CRUMBL COOKIES (KENNEWICK,
 RICHLAND & YAKIMA)
 NATIONAL FIRE SUPPLY &
 WALLA WALL SAW TI

EXPERIENCE

HI POINT FARMS HOUSING
 WELLHOUSE HEIGHTS DEVELOP.
 MOORE CUSTOM HOME
 REATA CUSTOM HOME
 TUCKER CUSTOM HOME
 VANHOLLEBEKE CUSTOM HOME
 KLIEST ADDITION PH. 1 & 2
 WYRICK ADDITION
 SZENDRE ADDITION
 WATSON ADDITION
 LETOURNEAU ADDITION
 HORSESHOE ADDITION
 MOORE ADDITION
 PASSEY SHOP
 MCGEE SHOP
 MCDANIEL SHOP
 HENDRICKSON SHOP
 KAVAYA SHOP
 KNIGHT SHOP

STAFF PAST WORK EXPERIENCE

COMMERCIAL CONSTRUCTION



TENANT IMPROVEMENTS



RESIDENTIAL/MULTI-FAMILY



EXPERIENCE

GESA BANK - RICHLAND

GESA BANK - PASCO

COUNTRY MERCANTILE -
RICHLAND

VOLM CORPORATE
WAREHOUSE

BUSH CAR WASHES
- EDISON STREET,
KENNEWICK
- DALLES MILITARY RD,
WALLA WALLA
- KENNEDY DRIVE
WEST RICHLAND

BUSH WAR ROOM - RICHLAND

SOUTHRIDGE TOWERS

27TH AVENUE THURSTON
SHELL BUILDING

BURDEN BLVD SHELL
BUILDING

ST MICHELLE WINERY
- COLUMBIA CREST
- CANOE RIDGE
- 14 HANDS

EXPERIENCE

RATTLESNAKE HARLEY
DAVIDSON

VERIZON WIRELESS TENANT
IMPROVEMENT

Z-PIZZA

BMW OF TRI-CITIES TENANT
IMPROVEMENT

ENTERPRISE RENTAL
- WASHINGTON
- OREGON

HOP JACKS RESTAURANT

EXPERIENCE

NAVIGATOR VILLAS
TOWNHOMES

10TH AND OLYMPIA PLACE
4-PLEXES

CANYON LAKES CUSTOM
HOME

REFERENCES



TRAVIS MATSON
MATSON DEVELOPMENT, LLC
253 JACKRABBIT LANE
KENNEWICK, WA 99338 (509)
727-2584



GREG FORD
FORD GROUP, LLC
4818 W 20TH CT KENNEWICK,
WA 99338 (509) 521-6559



TIM BUSH
BUSH LIVING TRUST
3019 DUPORTAIL STREET
RICHLAND, WA 99352
(509) 947-7902



HUMMEL CONSTRUCTION
AND DEVELOPMENT, LLC

Mutual Intentions Agreement

AGREEMENT RELATING TO POTENTIAL TRANSACTION

Form Date: March 28, 2024

This Agreement confirms the mutual intentions of the Port of Kennewick, through its staff ("Port") and the undersigned on behalf of its heirs, successors, assigns and business associates (the Undersigned) and its affiliates ("Undersigned") (collectively "Parties") with respect to the potential transaction described below (the "Potential Transaction"):

General Understanding of the Parties:

1. Discussions between the Parties are to explore the viability of the Potential Transaction and shall not create an obligation on either party to take or refrain from any action.
2. The Port may, in its discretion, arrange for further action including but not limited to introducing the Undersigned's concept to the Port's Commission or appropriate third parties for the purpose of gathering information and analyzing feasibility and cost. The Parties understand that complete confidentiality cannot be guaranteed.
3. Except as specifically set forth above, neither party shall publicly communicate information related to the Potential Transaction, until the Potential Transaction is presented to the Port Commission in a public commission meeting.
4. A binding obligation shall only be created by a written agreement setting forth all material terms and conditions of the Potential Transaction, signed by the authorized representatives of the Parties; no binding agreement shall be effective except upon the affirmative vote by a majority of the Port Commission in a public commission meeting.
5. Each party shall be responsible for all costs it incurs with respect to the Potential Transaction, including but not limited to professional and attorney's fees and costs. Neither party shall be responsible for any damages, whatsoever, directly or incident to this matter.
6. The Port makes no representations with respect to the Potential Transaction and the Undersigned agrees to exercise all due diligence it deems necessary.
7. At such time that the Undersigned has submitted to the Port a Letter of Intent ("LOI") describing its Vista Field development proposal, the Undersigned further acknowledges and agrees as follows:
 - a. With respect to the Port's evaluation of and potential action on the LOI, the Undersigned authorizes the Port (and its duly authorized representatives) to:
 - i. access relevant records of the Undersigned ("Records") to evaluate the merits of the LOI and the Undersigned's ability to perform as described in its LOI;
 - ii. rely on the Records provided; and
 - iii. disseminate and discuss the Records in public and non-public private settings.
 - iv. The Records may be subject to public disclosure pursuant to RCW Chapter 42.56, the Washington Public Records Act ("PRA"), provided however, in

such case, the Port will provide prompt written notice (the "Notice") to the Undersigned of the request for information and the contact information of the requestor at least ten (10) days prior to any Records disclosure, so that the Undersigned may seek protective orders or other appropriate remedies and/or waive compliance with the provisions of the PRA and this Agreement. Unless such protective orders are obtained and provided to the Port, the Port will release to the public the requested information to the extent required by, and in compliance with, the Washington PRA; provided to the extent that any portions of Undersigned's Records are exempt from disclosure under the Washington PRA as determined by a Court, those portions will be redacted.

8. The Undersigned releases the Port and its duly authorized representatives from liability for any damages which may arise related to the use, dissemination, and discussion of the Records.
9. This Agreement is effective until the construction project contemplated by either the Potential Transaction or LOI is fully completed; provided the herein above Paragraph 8. "Release" shall survive expiration and or termination of this Agreement and the terms of this Agreement shall survive any closing that may result from the Potential Transaction or LOI.

B. L.
Undersigned

4/17/24
Date

[Signature]
Undersigned

4/17/24
Date

DocuSigned by:
Tim Amtgen
Port of Kennewick

4/19/2024
Date



Port of Kennewick Commission Discussion: Governance, Ethics & Conflicts of Interest

Presented by
Carolyn Lake
Port Legal Counsel





AGENDA REPORT

TO: Port Commission

FROM: Tana Bader Inglima, Deputy CEO

MEETING DATE: July 23, 2024

AGENDA ITEM: Resolution No. 2024-14 - Hanford Area Economic Investment Funds (HAEIF) Grant to support Vista Field Commercial Use Development

I. REFERENCE(S): Resolution 2024-14

II. FISCAL IMPACT: \$325,000

\$325,000 positive to the port. The pending sale of Vista Field lot 31 for optical care center/retail space and other future commercial and business investment along Azure Drive requires construction of vehicle parking. A&E design for these improvements is currently underway. If successful, this HAEIF grant would be utilized to help with construction of commercial use parking areas within the 2025 budget. Having these HAEIF funds available for parking improvements would allow the Port to continue pursuing commercial development opportunities within Vista Field.

III. DISCUSSION:

The HAEIF Advisory Committee has \$560k available this grant cycle to fund infrastructure projects that focus on creating primary jobs and encourage new development and business expansion. They also have indicated a preference to fund a few larger projects of economic significance rather than many smaller actions. *And although HAEIF requires a 25% local match, applications containing greater matching funds will receive preference.*

Staff are directed within the port's Work Plan to seek grant funding to make improvements as identified within the Vista Field Master Plan. However, port policy requires Commission approval of all grant applications. At the Commission's direction, port staff would submit a grant application to help fund the parking area, roads, and utility work to support proposed commercial development on Azure Drive. That project work (excluding design and permits) is estimated at \$650,000; thus, we could seek a \$325,000 HAEIF grant—offering a 50% local match.

IV. STAFF RECOMMENDATION:

Approve Resolution 2024-14 authorizing Port staff to submit a HAEIF grant application.

V. ACTION REQUESTED OF COMMISSION:

***Motion:** I move approval of Resolution 2024-14 authorizing the submittal of a Vista Field parking improvement grant application to the Hanford Area Economic Investment Fund Advisory Committee; and further authorizing the Port's Executive Director to execute all subsequent documents necessary for implementation of the grant funding request.*

PORT OF KENNEWICK

RESOLUTION NO. 2024-14

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PORT OF KENNEWICK AUTHORIZING APPLICATION TO THE HANFORD AREA ECONOMIC INVESTMENT FUND FOR CONSTRUCTION OF A PARKING AREA TO SUPPORT COMMERCIAL DEVELOPMENT AT VISTA FIELD

WHEREAS, the Hanford Area Economic Investment Fund (HAEIF) Advisory Committee has announced they will receive Infrastructure Grant Applications in August 2024; and

WHEREAS, the Port of Kennewick's Work Plan calls for improvements to Vista Field to attract commercial use and business development; and

WHEREAS, this grant program offers an opportunity to apply for \$325,000 which the port would match with \$325,000 (50%); and

WHEREAS, grant applications containing matching funds in excess of the HAEIF 25% target will receive preference; and

WHEREAS, submission of the grant applications requires Commission approval by resolution.

NOW, THEREFORE; BE IT RESOLVED that the Port of Kennewick Board of Commissioners hereby authorizes Port staff to submit an application of \$325,000 to the Hanford Area Economic Investment Fund Committee (HAEIF) for funding consideration for improvements to support commercial development at Vista Field; and agrees to commit the required (50%) match by apportioning up to \$325,000 from the Port's 2025 Construction Fund.

ADOPTED by the Board of Commissioners of the Port of Kennewick this 23rd day of July 2024.

**PORT OF KENNEWICK
BOARD OF COMMISSIONERS**

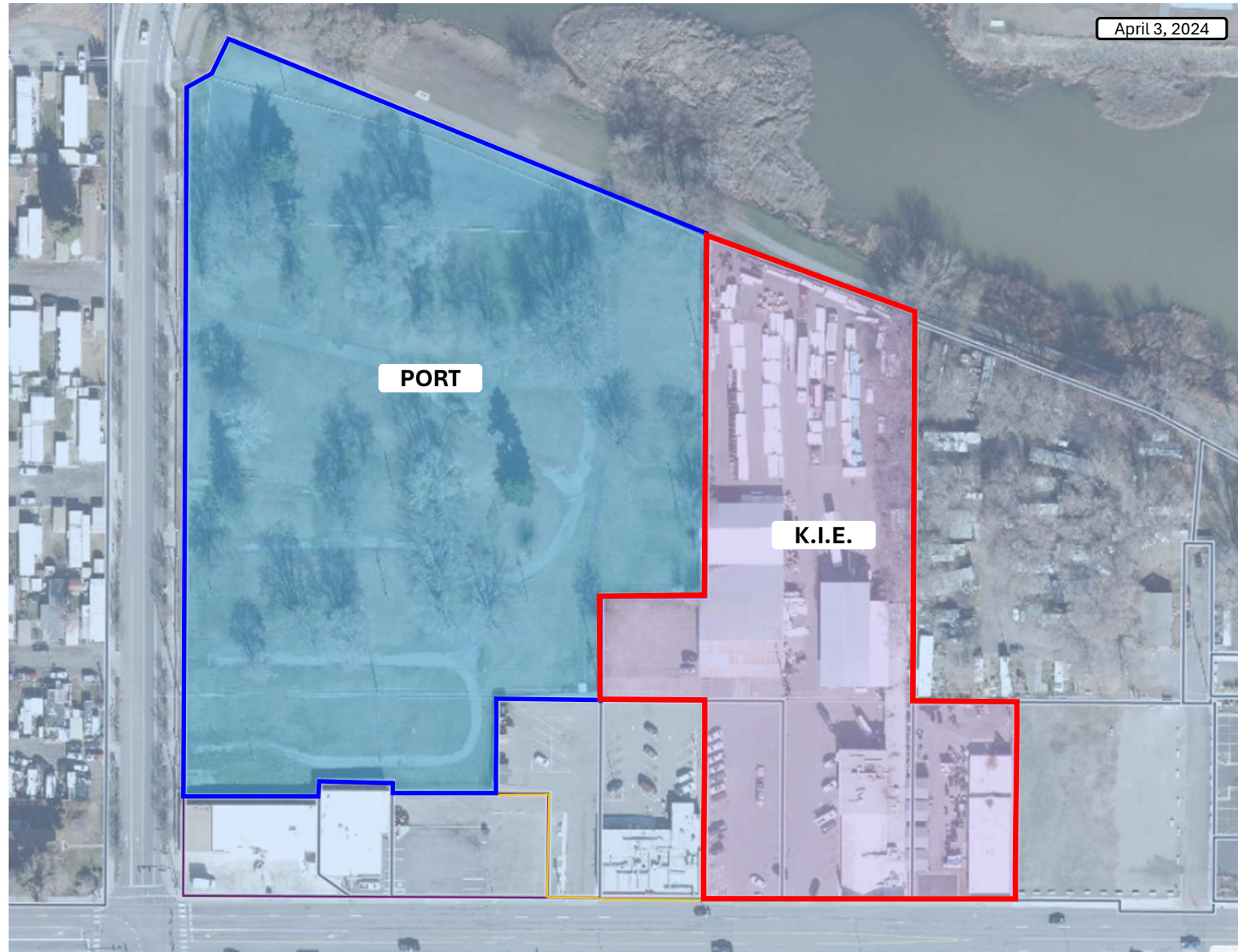
By: _____
Skip Novakovich, *President*

By: _____
Kenneth Hohenberg, *Vice President*

By: _____
Thomas Moak, *Secretary*

EXISTING

Parcels & Ownership



April 3, 2024

POTENTIAL SWAP

Revised Parcels &
Ownership

K.I.E receives

100ft x 100ft (10,000sf)
Adjacent existing gravel
parking area

PORT receives

50ft x 210ft± (10,500sf)
Panhandle adjacent
Duffy's Pond Trail

*Expenses to be paid and/or shared by
K.I.E. and PORT. Agreement on
Responsibility needed.*

- ☐ Survey, Deeds & City fees
- ☐ Tree Removal
- ☐ Site Control [fencing/Ecology blocks]
- ☐ "Material" Removal

