

To continue to provide public access to meetings, Port of Kennewick will provide telephonic, video access, and in-person participation options to the public.

To participate by telephone, please call in at: 1-866-899-4679, Access Code: 649-454-829
Or, join on-line at the following link: <https://meet.goto.com/649454829>

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 9, 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 2, 2024
 - B. Approval of Warrant Register Dated July 9, 2024
 - C. Approval of Regular Commission Meeting Minutes June 25, 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
- VI. PRESENTATIONS**
 - A. Vista Field Lot #31 Proposal; Resolution 2024-12 (AMBER)
- VII. REPORTS, COMMENTS AND DISCUSSION ITEMS**
 - A. WPPA Commissioner Seminar and Commission Meeting Scheduling (SKIP)
 - B. Commission Meetings (formal and informal meetings with groups or individuals)
 - C. Non-Scheduled Items
(LISA/BRIDGETTE/TANA/NICK/LARRY/AMBER/MICHAEL/CAROLYN/TIM/KEN/TOM/SKIP)
- VIII. PUBLIC COMMENT** *(Please state your name and address for the public record)*
- IX. ADJOURNMENT**

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



PORT OF KENNEWICK REGULAR COMMISSION MEETING

DRAFT

JUNE 25, 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 (via telephone)
Kenneth Hohenberg, Vice President (via telephone)
Thomas Moak, Secretary (via telephone)
- Staff Members:** Tana Bader Inglima, Deputy Chief Executive (via telephone)
Larry Peterson, Director of Planning and Building (via telephone)
Amber Hanchette, Director of Real Estate (via telephone)
Michael Boehnke, Director of Operations (via telephone)
Bridgette Scott, Executive Assistant (via telephone)
Lisa Schumacher, Special Projects Coordinator
Carolyn Lake, Port Counsel (via telephone)
David Phongsa, Capital/Marketing Projects Coordinator (via telephone)

PLEDGE OF ALLEGIANCE

Commissioner Novakovich led the Pledge of Allegiance.

PUBLIC COMMENT

No comments were made.

CONSENT AGENDA

- A. Approval of Direct Deposit and E-Payments Dated June 14, 2024**
Direct Deposit and E-Payments totaling \$90,960.88
- B. Approval of Warrant Register Dated June 25, 2024**
Expense Fund Voucher Number 105975 through 106007 for a grand total of \$157,045.36
- C. Approval of Regular Commission Meeting Minutes June 11, 2024**

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

JUNE 25, 2024 MINUTES

DRAFT

PRESENTATIONS

A. Congress for New Urbanism (CNU) Conference

Commissioner Moak recently attended the Congress for New Urbanism Conference in Cincinnati, Ohio and presented his take aways from the Conference (*Exhibit A*). Commissioner Moak emphasized place making at Columbia Gardens and Vista Field and the need to create vibrancy at the Port's developments.

B. Cayuse Five Day of Remembrance in Oregon City Tribal Event

Commissioner Novakovich reported on a memorial event in Oregon that he attended on behalf of the Port of Kennewick where a monument was established to honor The Cayuse Five. He reported on the historic significance of that memorial and the tragic story of those tribal members. Commissioner Novakovich felt it was both an honor to be asked to attend and that the invitation underscores the profound friendship we've established between the Port of Kennewick and the Confederated Tribes of the Umatilla Indian Reservation (*Exhibit B*).

REPORTS, COMMENTS AND DISCUSSION ITEMS

A. Kennewick Waterfront

1. Vibrancy Events and Marketing

Ms. Bader Inglima updated the Commission on how the Port is promoting both Clover Island and Columbia Gardens to generate vibrancy and activity (*Exhibit C*). Ms. Bader Inglima presented some of the Port's new advertising promotions.

Mr. Phongsa stated due to the Blue Bridge construction traffic on Columbia Drive, the Port saw an opportunity to try out billboard advertising on Columbia Drive. Mr. Phongsa reported the Port will have a billboard advertising Columbia Gardens starting next month, until the end of the year. Mr. Phongsa outlined the event schedule at Columbia Gardens and stated due to the construction at Vista Field, there will not be any events held there this year. Mr. Phongsa updated the Commission on the Port's social media accounts and stated there has been a 786% increase in engagement on Clover Island and 74% increase on Columbia Gardens and reported that PS Media has created sponsored ads and pop ups for Port properties.

B. Vista Field Southern Gateway Project Update

Mr. Peterson updated the Commission on the Vista Field Southern Gateway project and stated the project is on time and on budget (*Exhibit D*).

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

Commissioners reported on their respective committee meetings.

D. Non-Scheduled Items

Ms. Hanchette reported that the Clover Island Inn has begun working on their property improvement plan, as part of the Hilton Spark franchise requirements. CI Hospitality started painting the exterior of the building white and hopes to be completed by boat race weekend. In addition to the exterior paint, they will be adding the Hilton Spark image and signage.

PORT OF KENNEWICK REGULAR COMMISSION MEETING

JUNE 25, 2024 MINUTES

DRAFT

Mr. Boehnke reported that he has been working with a local metal worker to fix and reinstall the Eagle statues at the Clover Island Boat Launch. Mr. Boehnke anticipates the statues will be re-installed later this summer.

Commissioner Novakovich asked for thoughts and prayers for Ron Swanby, owner Swampy's BBQ.

PUBLIC COMMENTS

Mike Luzzo, Kennewick. Mr. Luzzo offered comments on Commissioner Moak's CNU presentation and stated that the Port should be cognizant of safety concerns for children in their planning for Vista Field.

No further comments were made.

COMMISSION COMMENTS

No comments were made.

ADJOURNMENT

With no further business to bring before the Board; the meeting was adjourned 3:28 p.m.

APPROVED:

**PORT of KENNEWICK
BOARD of COMMISSIONERS**

Skip Novakovich, President

Kenneth Hohenberg, Vice President

Thomas Moak, Secretary



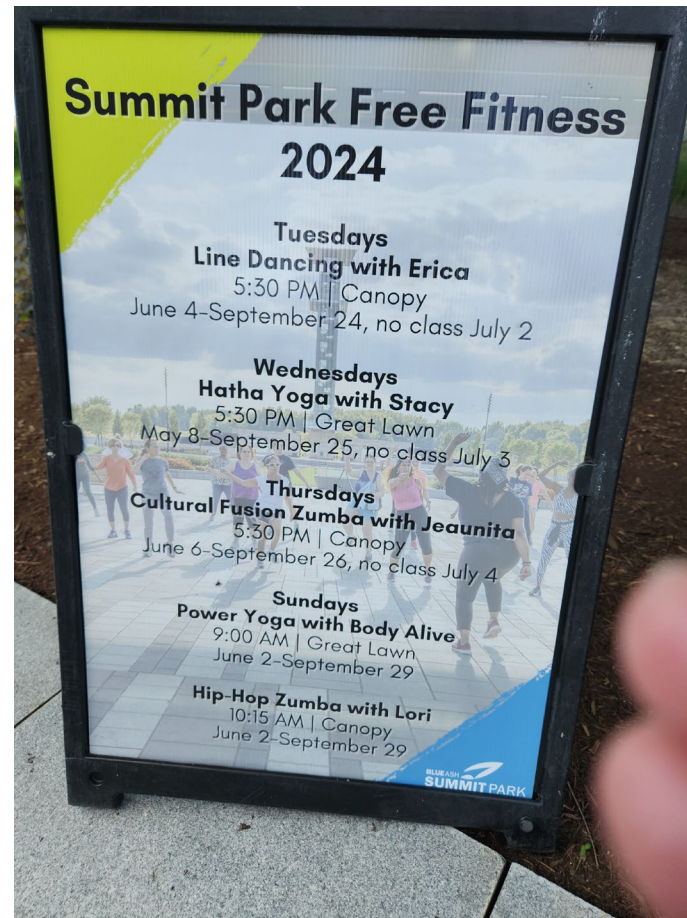
Summit Park @ Blue Ash









A poster for Summit Park Free Fitness 2024. The poster has a yellow top-left corner and a blue bottom-right corner. The background is a photograph of people exercising in a park. The text is arranged in sections for each day of the week, listing the activity, instructor, time, and location. The poster is mounted on a black frame.

Summit Park Free Fitness 2024

Tuesdays
Line Dancing with Erica
5:30 PM | Canopy
June 4-September 24, no class July 2

Wednesdays
Hatha Yoga with Stacy
5:30 PM | Great Lawn
May 8-September 25, no class July 3

Thursdays
Cultural Fusion Zumba with Jeaunita
5:30 PM | Canopy
June 6-September 26, no class July 4

Sundays
Power Yoga with Body Alive
9:00 AM | Great Lawn
June 2-September 29

Hip-Hop Zumba with Lori
10:15 AM | Canopy
June 2-September 29

MUSKOGEE
SUMMIT PARK

Cincinnati Riverfront—the Banks



JOHN & PHYLLIS W.
SMILE
RIVERFRONT
PARK

FLYING PIG

- This is a challenging play feature
- Please closely supervise your children
- Pulling on the ropes attached to the wings and the body will activate the pig
- Use caution when climbing into or dismounting from the pig
- Smaller children will need assistance getting into and out of the pig
- Children should enter and exit the pig by climbing the net

CINCINNATI PARK BOARD




   #cincyparks









EXHIBIT A



EXHIBIT A







EXHIBIT A

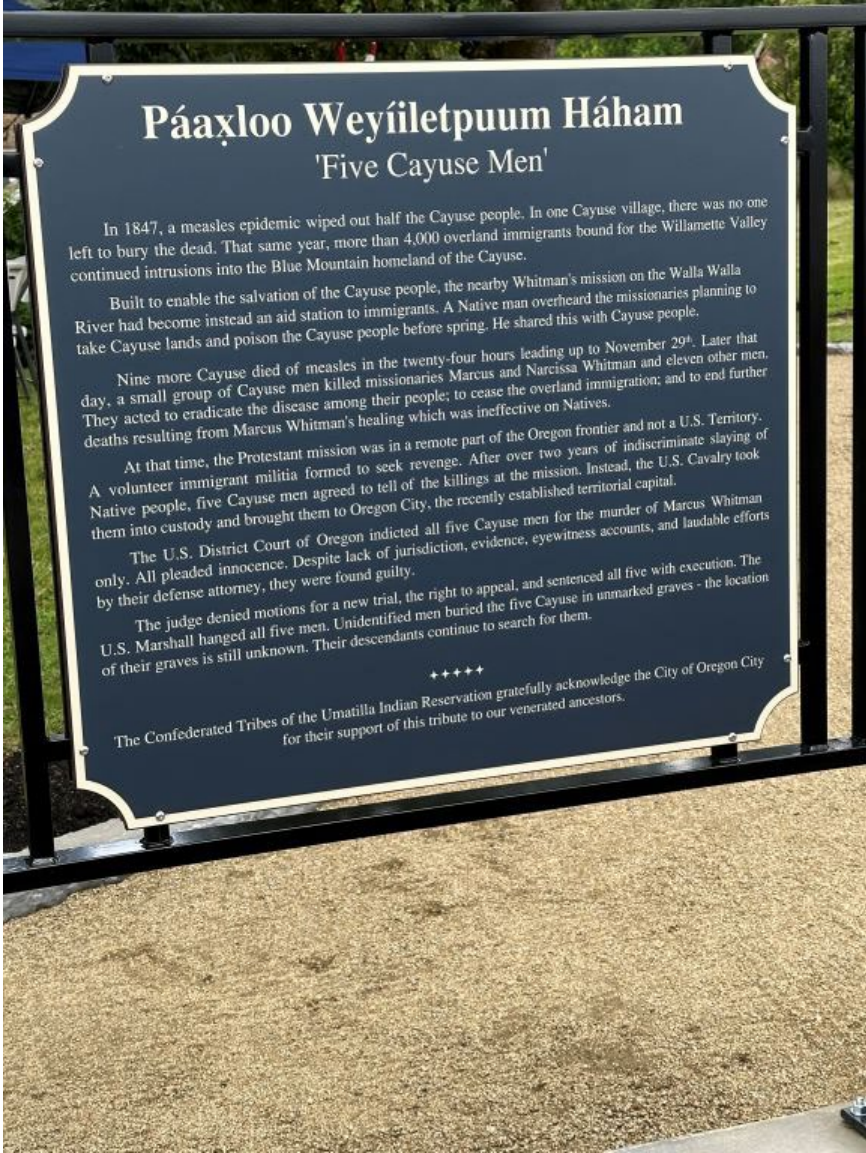


DORA—Designation Outdoor Refreshment Area



Five Cayuse Men Day of Remembrance June 3, 2024

Permanent Tribute
Confederated Tribes of the Umatilla Indian Reservation
and City of Oregon



Land, Earth

EXHIBIT B

This land hears our prayers.

This land bears witness to all that happens here.

The names of the five elders who died here are not forgotten.

Their names echo across the Earth as we speak them.

These ancestors are buried nearby, far from their homeland.

Our families long to bring them home.

Perhaps the land where they are buried will reveal itself.

We continue to pray for these relations.

by Phil Cash Cash

Historic Waterfront District Vibrancy Events & Marketing

Columbia Gardens & Clover Island



DISCOVER KENNEWICK'S HISTORIC WATERFRONT DISTRICT: CLOVER ISLAND

Clover Island features a Lighthouse, nine public art installations, twelve scenic viewpoints, two waterfront restaurants, a brewpub and hotel lodging. The Riverwalk, and a free public boat launch offer options for sun-filled recreation.

101 Clover Island Drive | Kennewick, WA 99336



Cloversland.org



DISCOVER KENNEWICK'S HISTORIC WATERFRONT DISTRICT: COLUMBIA GARDENS

Columbia Gardens Wine & Artisan Village features boutique winery tasting rooms including Bartholomew, Palencia/Monarcha, Gordon Estate, and Muret-Gaston wine bar; six food trucks; Swampy's BBQ Kitchen; and seven public art installations. Award-winning wines and great food nestled alongside a scenic waterfront.

325 E. Columbia Gardens Way | Kennewick, WA 99336



ColumbiaGardensVendors.com

Come Discover Kennewick's Historic Waterfront

Clover Island... a Columbia River destination

- Two waterfront restaurants, a brewpub & hotel lodging
- Lighthouse & Riverwalk
- Ice, food & beverages to go
- Scenic viewpoints & public plazas
- Boat launch & marina
- Public artwork



Columbia Gardens... an Urban Wine & Artisan Village



Columbia Gardens

- Bartholomew Winery
- Monarcha Winery
- Six Food Trucks
- Tasting Rooms
- Gordon Estate Winery
- Muret-Gaston Wine Bar
- Public Art
- Recreation

ColumbiaGardensVendors.com



Discover Kennewick's Historic Waterfront

Columbia Gardens... Wine & Artisan Village



Wiyakutpa
The
Gathering
Place

*Clover Island...
a Columbia River destination*



Clover Island



Columbia Gardens



Columbia Gardens Wine & Artisan Village



- Bartholomew Winery
- Monarcha Winery
- Six Food Trucks
- Tasting Rooms
- Gordon Estate Winery
- Muret-Gaston Wine Bar
- Public Art
- Recreation

ColumbiaGardensVendors.com



- Gordon Estate Winery
- Muret-Gaston Wine Bar
- Public Art
- Recreation

Columbia Gardens Wine & Artisan Village

EXHIBIT C



- Bartholomew Winery
- Monarcha Winery
- Six Food Trucks
- Tasting Rooms

ColumbiaGardensVendors.com

A destination waterfront in Kennewick, Washington





Columbia Gardens Wine and Artisan Village

Sponsored · 🌐

Read all about new developments at V... See more

PORT of KENNEWICK

Read our latest newsletter

- New Wine Village Artwork
- Vista Field Attracting Developers
- Port Amenities, Events & More

Available Now At:
PortofKennewick.org/Newsletter

portofkennewick.org
Port Newsletter - Port of Kennewick

Learn more

PORT of KENNEWICK

Read our latest newsletter

- New Wine Village Artwork
- Vista Field Attracting Developers
- Port Amenities, Events & More

PORT of KENNEWICK

Read our latest newsletter



READ NOW

PORT of KENNEWICK

Spring 2024 Newsletter

READ NOW



Work at the Wine Village
...iner Transformed
...g colorful floral imagery have

EXHIBIT C

PORT of KENNEWICK



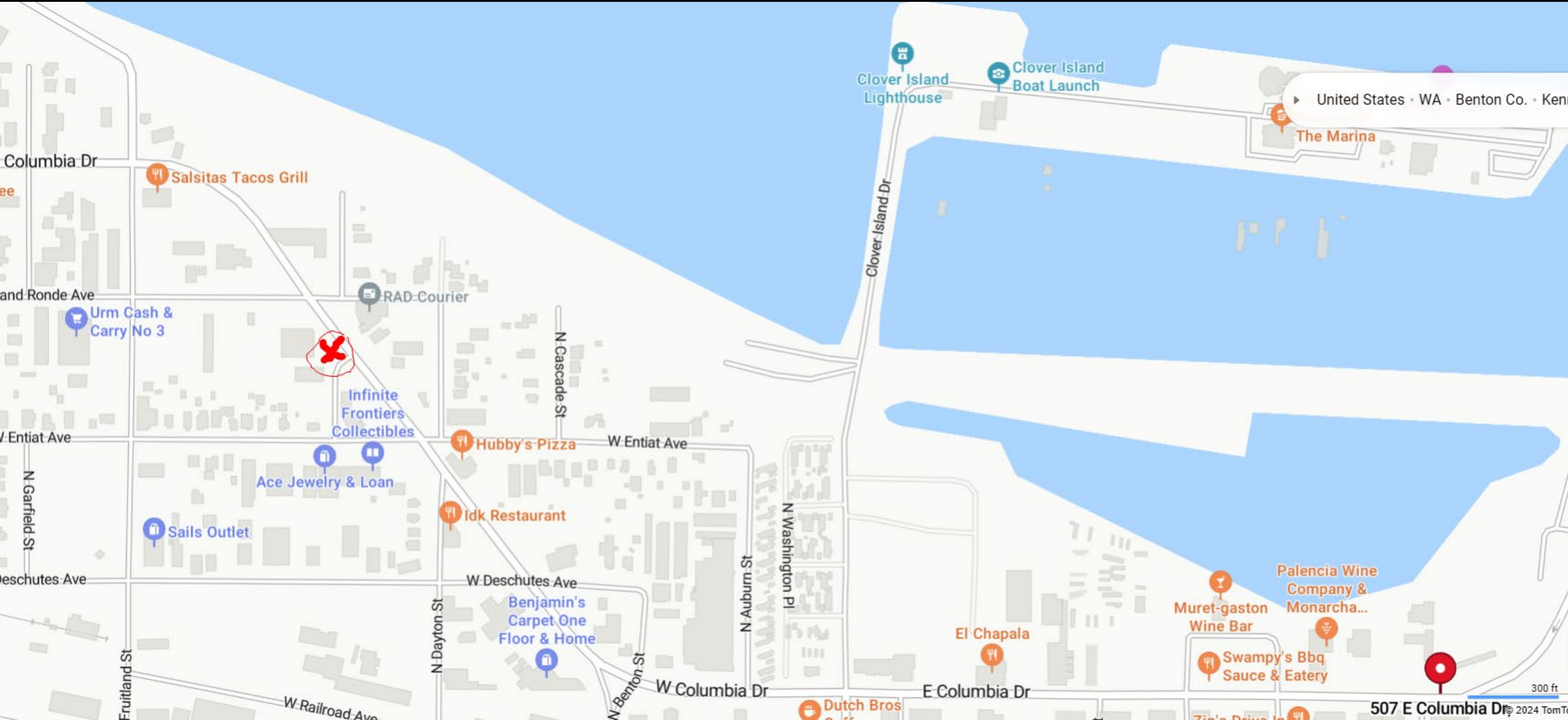
Spring 2024
Newsletter

READ NOW

Columbia Drive Billboard

EXHIBIT C

graphic on west side of billboard with image facing eastbound traffic



Relax on the Waterfront

**Food, Wine, Art
& Recreation**

**Columbia Gardens
Clover Island**

← Left 1/2 mile.





PORT of
KENNEWICK

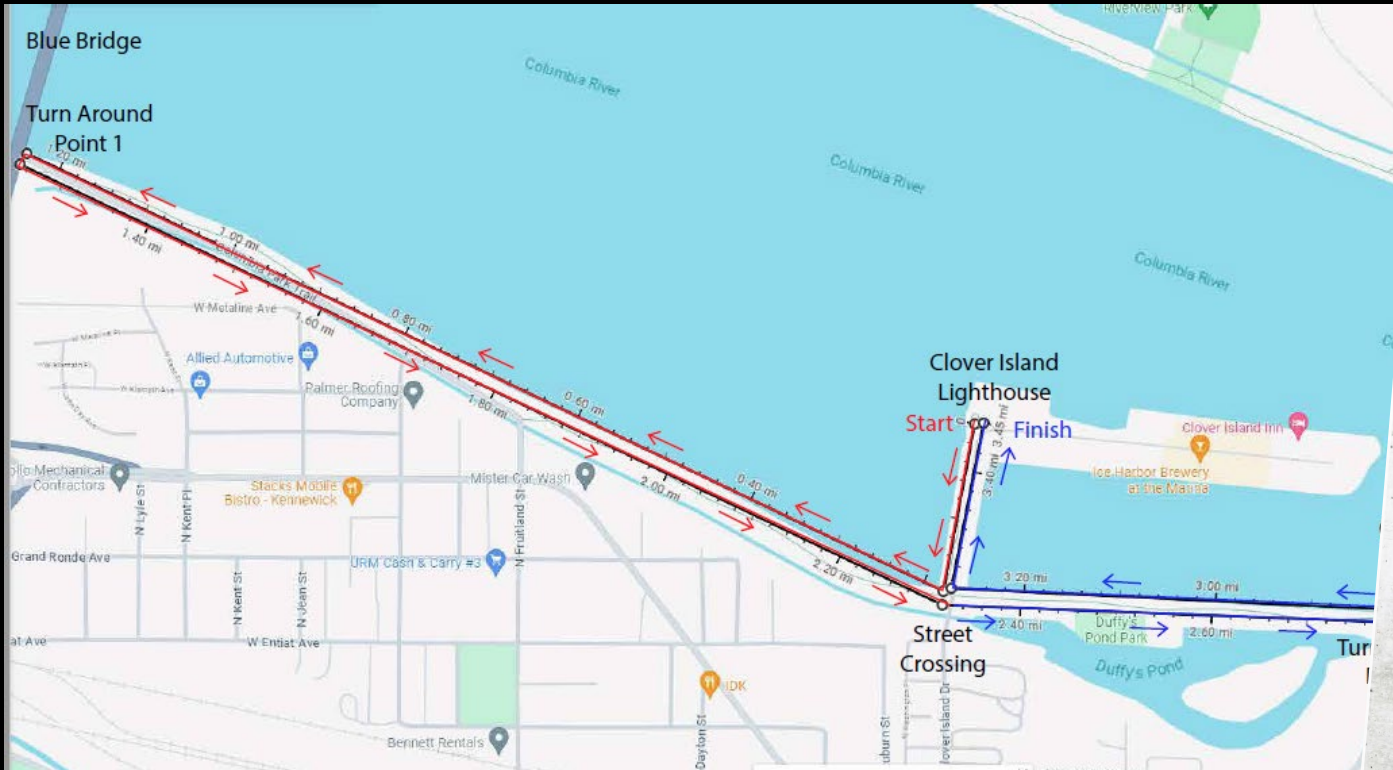
101 CLOVER ISLAND DRIVE
KENNEWICK, WA 99336
509.586.1186



**ALL AGES
FREE
EVENT**

**5K STARTS AT
LIGHTHOUSE
ON CLOVER
ISLAND AT
8:30AM**

- # COME JOIN US!
- 5K Walk/Run/Bike
 - Local health & wellness vendors
 - Fitness & health education
 - Explore Kennewick's historic waterfront district, public art, & recreation









2024 EVENTS

15 MARCH	THIRD FRIDAYS (4-8)	16 AUGUST	THIRD FRIDAYS (4-8)
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325 E COLUMBIA DRIVE
KENNEWICK, WA 99336



EXHIBIT C

Drink Pink

FUNDRAISER

MAY 10 • 4-7 PM

COLUMBIA GARDENS WINE AND ARTISAN VILLAGE



\$50



INCLUDES ANY COMBINATION OF SIX ITEMS
WINERIES WILL BE FEATURING ROSÉ
FOOD TRUCKS OFFER A SIGNATURE BITE
PROCEEDS BENEFIT THOSE BATTLING BREAST CANCER



Sponsored by:



WWW.BENTONFRANKLINFAIR.COM/DRINKPINK



Columbia Gardens Wine & Artisan Village

OPEN LATE 4-8

food trucks public art tasting rooms recreation pop-up vendors entertainment Swampy's BBQ

325 E Columbia Drive
KENNEWICK, WA 99336

Bartholomew Estate GORDON Estate MONARCH Muret-Gaston Winery

THIRD FRIDAY

AFTER HOURS SHOPPING AT PARTICIPATING LOCATIONS

LIVE MUSIC TALENT LOUNGE AT BLACKTHORNE NEIGHBORHOOD PUB

POP-UP MARKETS

RED MOUNTAIN KITCHEN INDOOR MARKET FRIDAY 5/15 - 5 TO 7 PM

Barb & Shira Baker Shop Catfish Alley Amy Morris Jewelry Barbara's & Christy's March Co. The Buffalo Cupcake Portland Tea LLC

215 W. KENNEWICK AVE. RED MOUNTAIN KITCHEN

DOWNTOWN DINING

THIRD FRIDAYS COLUMBIA GARDENS WINE & ARTISAN VILLAGE

HISTORIC DOWNTOWN KENNEWICK Partnership



08
JUNE

COLUMBIA GARDENS
WINE & ARTISAN VILLAGE
PRESENTS

13
JULY
2024

EXHIBIT C

SUMMER SATURDAYS

CRAFTS AND STREET FOOD MARKET

NIGHT MARKET

4 P M - 8 P M

FREE | ALL AGES EVENT

325 E COLUMBIA DRIVE,
KENNEWICK, WA 99336

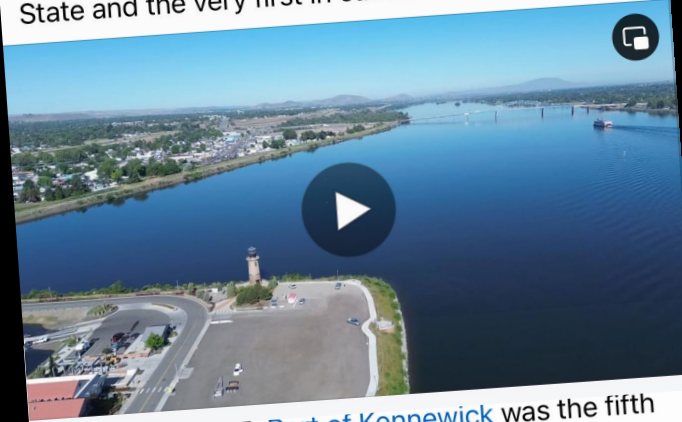




Clover Island

Jun 7 · 🌐

Founded in 1915, [Port of Kennewick](#) was the fifth public port district established in Washington State and the very first in eastern Was... See more



Founded in 1915, [Port of Kennewick](#) was the fifth public port district established in Washington State and the very first in eastern Washington. Since 1941, when the Port purchased Clover Island, it has managed the land for public benefit.

Initially, the Port constructed riverside docks and public warehouses for storage and distribution of trade goods. Initially, Clover Island was leased for barge and tugboat construction. Then, following the flood of 1948 the Port constructed a large public marina for recreational use.

Today, the focus for Clover Island is on public access, environmental stewardship, and urban renewal. Starting in 2006, the Port upgraded the island's infrastructure, built new commercial buildings, constructed a fully-functioning lighthouse, added the Clover Island Riverwalk, and installed numerous artworks—with the goal of bringing new vitality to Kennewick's historic waterfront.

WEEKLY

***SCHEDULE**



**MONDAY
6.10.24**

BOBABLASTIC (11:15-6:30)

**TUESDAY
6.11.24**

BOBABLASTIC (11:15-6:30)
TASTE OF WOK (11-2)

**WEDNESDAY
6.12.24**

BOBABLASTIC (11:15-6:30)
FRIDA'S MEXICAN GRILL (10-2)
TASTE OF WOK (11-2)

**THURSDAY
6.13.24**

BOBABLASTIC (11:15-6:30)
BOTANAS CULICHI (12-7)
FRIDA'S MEXICAN GRILL (10-7)
TASTE OF WOK (11-2)

**FRIDAY
6.14.24**

BOBABLASTIC (11-7:30)
BOTANAS CULICHI (12-7)
CULTURE SHOCK BISTRO (12-6)
FRIDA'S MEXICAN GRILL (10-2 & 4-7)
TASTE OF WOK (11-2)

**SATURDAY
6.15.24**

BOBABLASTIC (11-7:30)
BOTANAS CULICHI (12-7)
CULTURE SHOCK BISTRO (12-6)
FRIDA'S MEXICAN GRILL (10-7)

**SUNDAY
6.16.24**

FATHER'S DAY

BOBABLASTIC (11:15-6:30)
BOTANAS CULICHI (12-7)
CULTURE SHOCK BISTRO (12-5)

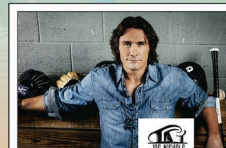
*UNFORESEEN CIRCUMSTANCES MAY CAUSE LAST MINUTE ADJUSTMENTS TO VENDOR SCHEDULES. PLEASE FOLLOW THEIR SOCIAL MEDIA PAGES FOR DAILY SPECIALS/CURRENT HOURS.

EXHIBIT C



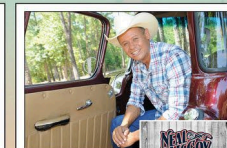
2024 SUMMER CONCERT SERIES

Celebrating 19 Years of Music on the Island!



JOE NICHOLS

Sunday, June 16 — "Winner of ACM Top New Male Vocalist and three-time Grammy nominee" Opening Band = Stompin' Ground, Room and Table Packages Available **GA Tickets: \$50-\$55 + tax**



NEAL MCCOY

Sunday, August 4 — "Two-time Entertainer of the Year and Texas Country Music Hall of Fame inductee," Opening Band = Foolish Fortune, Room and Table Packages Available **GA Tickets: \$50-\$55 + tax**

THUNDER ON THE ISLAND
Every Wednesday
from 6 - 9pm
June 14 - August 16
FREE, Family Friendly, 21 and Over Bar Area, Bands Are Subject to Change

June 12

Backroads

June 19

Stompin' Ground

June 26

Coyote Kings

July 3

Dr. Rock & The Sturgeons

July 10

Chris Loid & The Green Light Polly

July 17

Nuketown

July 24

American Honey

July 31

Englewood Heights

August 7

Fat Fox

August 14

Groove Principal

GARRATT WILKIN & THE PARROTHEADS

Saturday, May 25 — "Celebrating the life and music of Jimmy Buffet," Opening Band = The Shades, Room and Table Packages Available **GA Tickets: \$30-\$35 + tax**



FASTLANE Sun., May 26

"Celebration of the Eagles" Opening Band = Badlands, Room and Table Packages Available **GA Tickets: \$30-\$35 + tax**



YESTERDAY Sat., July 20

"Endorsed by Paul McCartney" Opening Band = Colorblind, Room and Table Packages Available **GA Tickets: \$30-\$35 + tax**



SON OF A GUN

Sunday, Sept. 1 — "Best Guns n' Roses Tribute Band" Opening Band = Saints of Nevermore, Room and Table Packages Available **GA Tickets: \$30-\$35 + tax**



FAN HALEN

Sunday, July 7 — "Voted #1 Van Halen Tribute Band," Opening Band = The Knockdowns, Room and Table Packages Available **GA Tickets: \$30-\$35 + tax**

Summer Concert Series Information:

- All Concert Packages Include 1 Night Stay for Standard Room and 2 Tickets with Table Seating
- All Paid Events Are 21 and Over Only
- Gates Open at 6pm
- No Outside Food and Beverage
- Outdoor Event
- General Admission Seating
- Food and Beverage Available for Purchase
- Ticket Prices Are Subject to Additional Taxes and Fees
- For Room Packages and Tables, Visit

Get Tickets Online Now @ www.ThunderOnTheIsland.com

Special Thanks to Our Partners:



435 Clover Island Drive • Kennewick • (509) 586.0541 • www.cloverislandinn.com

Clover Island Social Media

INCREASE over previous 90 days

Followers: 107 Reach: up 2,000%
Engagement: up 786%
3-second video views: up 100%

Gender



• 65.7% Women • 34.3% Men

Age and gender

• Women • Men



Columbia Gardens Social Media

EXHIBIT C

INCREASE over previous 90 days

Followers: 4.4k Reach: up 72%

Engagement: up 74%

3-second video views: up 499%

1-minute video views: up
1,000%

Gender



• 84.2% Women • 15.8% Men

Age and gender

• Women • Men




Sponsored Ads on Social Media

EXHIBIT C

Columbia Gardens Wine and Artisan Village
Published by Anne Marie Anderson · 2d · 🌐


Experience the ultimate wine village adventure! Tasting rooms, great food, riverfront path & more. Come and discover public art and scenic views on patios overlooking the water.



WWW.PORTOFKENNEWICK.ORG/
Columbia Gardens Wine & Artisan Village
A partnership of local, state and federal agencies has been cc

Columbia Gardens Wine and Artisan Village
Published by Anne Marie Anderson · April 10 · 🌐

Inviting tasting rooms, food trucks, riverfront paths, captivating public art, and patios with scenic views. Come experience everything the wine village has to offer.



Columbia Gardens' Patios [Learn more](#) **Columbia Gardens** [Learn more](#)


[See insights and ads](#) [Boost post](#)

79 [Like](#) [Comment](#) [Share](#)

[Comment as Columbia Gardens Wine and Artisan Village](#)

Columbia Gardens Wine and Artisan Village
Published by Anne Marie Anderson · April 15 · 🌐

Inviting tasting rooms, food trucks, riverfront paths, captivating public art, and patios with scenic views. Come experience everything the wine village has to offer.



Enjoy the art! [Learn more](#) **325 East Columbia Gardens Way** Wine Bar [Get directions](#)

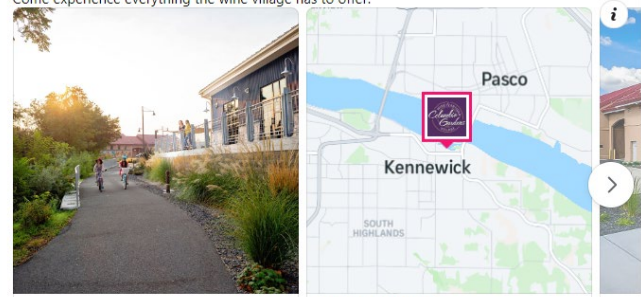
[See insights and ads](#) [Boost post](#)

24 [Like](#) [Comment](#) [Share](#)

[Comment as Columbia Gardens Wine and Artisan Village](#)

Columbia Gardens Wine and Artisan Village
Published by Anne Marie Anderson · January 25 · 🌐

Inviting tasting rooms, food trucks, riverfront paths, captivating public art, and patios with scenic views. Come experience everything the wine village has to offer.



Relax on the Riverfront [Learn more](#) **325 East Columbia Gardens Way** Wine Bar [Get directions](#) [A gre adve](#)

[See insights and ads](#) [Boost post](#)

51 [Like](#) [Comment](#) [Share](#)

[Comment as Columbia Gardens Wine and Artisan Village](#)

Upcoming Events



2024 EVENTS

15 MARCH	THIRD FRIDAYS (4-8)	16 AUGUST	THIRD FRIDAYS (4-8)
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325 E COLUMBIA DRIVE
KENNEWICK, WA 99336



VISTA FIELD Southern Gateway Project

June 6, 2024



VISTA FIELD Southern Gateway Project

EXHIBIT D



June 10, 2024

VISTA FIELD Southern Gateway Project

June 10, 2024



VISTA FIELD Southern Gateway Project

EXHIBIT D



June 12, 2024

VISTA FIELD Southern Gateway Project

June 14, 2024



EXHIBIT D

VISTA FIELD Southern Gateway Project



June 24, 2024

VISTA FIELD Southern Gateway Project

EXHIBIT D



June 24, 2024

VISTA FIELD Southern Gateway Project



June 12, 2024

EXHIBIT D



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: _____

SKIP NOVAKOVICH, *President*

By: _____

KENNETH HOHENBERG, *Vice President*

By: _____

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 2C555EB006D7460...</div>	Royce Barney	06/27/2024
Signature	Name Printed	Date

Signed by Seller:

Signature	Name Printed	Date
-----------	--------------	------



EXHIBIT B



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

Columbia Point Eye Care Clinic



- South Facing Elevation

[view of open-air pavilions]

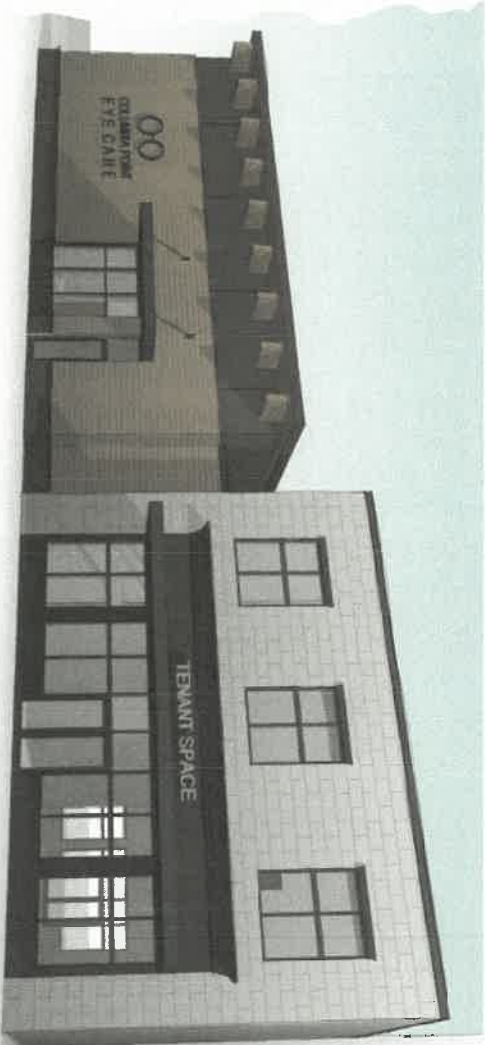




EXHIBIT C

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.



COMMUNITY FIRST BANK

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,

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

MOTION TO APPROVE:

I move approval of 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.

MOTION TO APPROVE WITH CONDITIONS:

I move approval of Resolution 2024-12 authorizing a 90-Day Right to Negotiate time-period with Cantley Vision Inc for the development of a medical office building and retail space on Lot 31 in the port's Vista Field development project; **And, I direct the CEO to address the following matters (if any):**

1. _____
2. _____
3. _____

MOTION TO DENY:

I move to approve Resolution 2024-12 rejecting a 90-Day Right to Negotiate time-period with Cantley Vision Inc for the development of a medical office building and retail space on Lot 31 in the port's Vista Field development project development for the following reason:

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: _____

SKIP NOVAKOVICH, President

By: _____

KENNETH HOHENBERG, Vice President

By: _____

THOMAS MOAK, Secretary