



# PORT OF KENNEWICK REGULAR COMMISSION MEETING

NOVEMBER 12, 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)  
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  
David Phongsa, Marketing/Capital Projects Coordinator (via telephone)  
Carolyn Lake, Port Counsel (via telephone)

## PLEDGE OF ALLEGIANCE

Commissioner Hohenberg led the Pledge of Allegiance.

## PUBLIC COMMENT

No comments were made.

## CONSENT AGENDA

- A. Approval of Direct Deposit and E-Payments Dated November 1, 2024**  
Direct Deposit and E-Payments totaling \$114,559.70
- B. Approval of Warrant Register Dated November 12, 2024**  
Expense Fund Voucher Number 106391 through 106419 for a grand total of \$65,652.84
- C. Approval of Regular Commission Meeting Minutes October 22, 2024**
- D. Approval of the First Amendment to the Water Rights Purchase and Sale Agreement from December 31, 2024 to December 31, 2024; Resolution 2024-31**
- E. Cancellation of November 26, 2024 and December 24, 2024 Commission Meeting**

**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.

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NOVEMBER 12, 2024 MINUTES

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*Commissioner Novakovich recessed the Regular Meeting at 2:04 p.m. and declared an Open Public Hearing for discussion regarding the 2025-2026 Budget and the 2025 Levy Certification.*

## **PUBLIC HEARING**

### **A. 2025-2026 Budget Adoption**

Mr. Kooiker presented Resolution 2024-28, adoption of the 2025-2026 Budget.

***MOTION:*** *Commissioner Moak moved to approve Resolution 2024-28 adopting the Port of Kennewick's 2025 and 2026 Budget as presented; and the board further ratifies and approves all action by Port officers and employees in furtherance hereof; Commissioner Hohenberg seconded.*

## **PUBLIC COMMENTS**

No comments were made.

### ***Discussion:***

*Commissioner Moak stated this is an exciting budget and it puts our resources in an area where we as a group, decided is the most important area, which is Vista Field, and the budget reflects that. Commissioner Moak appreciates everyone's work that has made this come to pass and he looks forward to further growth and development at Vista Field.*

*Commissioner Hohenberg concurs with Commissioner Moak and stated it fits in nicely with the work plan as well. Commissioner Hohenberg offered kudos to Mr. Arntzen and the entire team for continuing to move the Port forward.*

*Commissioner Novakovich agrees with his fellow Commissioners and thinks Mr. Kooiker and staff have done a great job on this budget.*

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

### **B. Levy Certification**

### **C. Increase in Tax Capacity**

Mr. Kooiker presented Resolution 2024-29 certifying the Port's Levy Certification, which allows the Port to collect taxes in 2025 and Resolution 2024-30 allows the Port to take the 1% statutory increase.

***MOTION:*** *Commissioner Hohenberg moved to approve Resolution 2024-29, certifying the Port of Kennewick's tax levy for 2025 collections and Resolution 2024-30 increasing the Port of Kennewick's tax levy capacity in 2025; Commissioner Moak seconded.*

## **PUBLIC COMMENTS**

No comments were made.

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

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*Commissioner Novakovich closed the Public Hearing at 2:10 p.m. regarding the 2025 and 2026 Budget and 2025 Levy Certification and reconvened the Regular Commission Meeting.*

## ACTION ITEMS

### **A. Chief Executive Officer Evaluation**

Mr. Kooiker stated for Commission consideration is Resolution 2024-32, the CEO's performance evaluation (*Exhibit A*). Mr. Kooiker stated the CEO evaluation committee includes Ms. Lake, Commissioner Hohenberg, and Mr. Kooiker. The Committee has been working on the performance evaluation for several months and recommends an additional 6% pay adjustment for 2025, based upon issues that arose in 2024 and review of local port CEO salaries.

Ms. Lake stated the committee was able to perform its duties because we were able to reflect upon a year of accomplishments. Ms. Lake believes the evaluation was a good reflection of the Port's culture of positivity, respect, and achievement, led by the CEO, which allowed for a rapid response to anything that comes, expected or unexpected. Ms. Lake stated for that reason, the committee recommends the salary adjustment, as stated in Exhibit A.

Commissioner Hohenberg stated the past year has been a great year for the Port and we have moved much further than anyone thought. The Commission sets the culture, but it is the CEO's responsibility to make sure the culture of the staff continues to be high performing. Commissioner Hohenberg stated the CEO's responsiveness has been exceptional and he is very happy with the work that the CEO has done.

Mr. Arntzen stated leadership starts at the top, and he recognized that it has been a successful year because of the winning team. Mr. Arntzen stated it has been a pleasure to work for this Commission and he enjoys working with the people that help create the Port's success.

***MOTION:*** *Commissioner Hohenberg moved to approve Resolution 2024-32 regarding the CEO's 2024 Annual Performance Review and adopting the CEO Evaluation Committee's Performance Appraisal Rating recommendation attached as Exhibit "A" and that the Commission hereby deems the CEO's performance for 2024 as: "exceptional". Commissioner Novakovich seconded.*

## PUBLIC COMMENTS

No comments were made.

### ***Discussion:***

*Commissioner Hohenberg appreciates that we have been focused on the future of Vista Field, which is reflected in the budget and work plan, as a direct result of Mr. Arntzen's actions and pulling the team together. Commissioner Hohenberg supports this motion.*

*Commissioner Novakovich echoed Commissioner Hohenberg's comments and stated this Port team has been through a lot of the years and has held together and that reflects the quality of the leadership. Commissioner Novakovich is very supportive of this.*

# PORT OF KENNEWICK REGULAR COMMISSION MEETING

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*With no further discussion, motion carried. All in favor 2 Ayes (Commissioners Hohenberg & Novakovich): 1 Abstain (Commissioner Moak).*

**MOTION:** *Commissioner Hohenberg moved that the Commission, in its approval of Resolution 2024-32, in accordance with the CEO's contract, and with consideration the CEO Evaluation Committee's recommendation, adopt a CEO salary adjustment for 2025 of a one-time salary adjustment of +6%, which is consistent with the range contained in the CEO Employment Agreement. Commissioner Novakovich seconded.*

## PUBLIC COMMENTS

No comments were made.

### ***Discussion:***

*Commissioner Hohenberg stated one of the items that was discussed in the evaluation committee was "catch up and keep up." It is important to keep up with inflation, but there are times you need to play catch up with the competitors and what the market bares, which is reflected in this recommendation. It is not about the current CEO, but also about the future, that the position is attractive to bring in another quality person to lead the organization. As a result, Commissioner Hohenberg strongly supports the evaluation committee's recommendation.*

*Commissioner Novakovich supports this, and stated the Port has an excellent person leading this team, and he would like to see it continue. Commissioner Novakovich stated one of the wisest things Mr. Arntzen has undertaken was succession planning and that he was forward thinking enough to consider the Port's future. Commissioner Novakovich believes the CEO is well deserving of the salary increase.*

*With no further discussion, motion carried. All in favor 2 Ayes (Commissioners Hohenberg & Novakovich): 1 Abstain (Commissioner Moak).*

## REPORTS, COMMENTS AND DISCUSSION ITEMS

### ***A. Vista Field***

#### ***1. Kuki Groundbreaking November 22, 2024***

*Ms. Hanchette shared that the groundbreaking for Kuki Izakaya Japanese restaurant at Vista Field lot 15 is scheduled for Friday, November 22, 2024, at 10:00 a.m. (Exhibit B)*

#### ***2. Southern Gateway Project Update***

*Mr. Phongsa reported that the Southern Gateway project is on time and under budget (Exhibit C).*

### ***B. 2023 SAO Accountability and Financial Audit***

*Mr. Kooiker received word this morning that the Port received clean opinions for the 2023 accountability and financial audits. Mr. Kooiker stated this is the 29<sup>th</sup> year the Port has received a clean audit, and he is very proud of the Port's transparency.*

# PORT OF KENNEWICK REGULAR COMMISSION MEETING

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## **C. CEO Report**

Mr. Arntzen shared that the Port received a Handford Area Economic Investment Fund (HAEIF) Grant in the amount of \$325,000 for the Vista Field parking lot improvements.

Commissioner Novakovich stated as a HAEIF member, he abstained from the vote. Commissioner Novakovich reported HAEIF budgeted \$560,000 for grants and after reviewing the applications, the Board funded all the projects, which amounted to over \$1,000,000 in local grants.

Mr. Arntzen and Mr. Kooiker presented the Port's Rural Capital County Fund application for the Vista Field parking lots to Benton County senior staff. Mr. Arntzen stated Benton County has done an excellent job reinvesting the Rural Capital County Funds in our own community.

Mr. Arntzen stated Port staff and counsel continue to work with Blue Chart Homes on the Purchase and Sale Agreement (PSA) to ensure that the complicated paperwork is accurate on both sides.

Ms. Hanchette shared that the Port is running several parallel paths for the Blue Chart PSA, which include final contract documents, neighborhood infrastructure, amenities, and the binding site plan versus preliminary plat process. Ms. Hanchette stated there are a lot of moving parts and several people involved in completing the complex PSA.

Commissioner Moak appreciates the complexity of the PSA and thanked staff for taking the time to work out the details.

Mr. Arntzen would like to work collaboratively with the Commission on long term projects that are separate from the Port's Comprehensive Scheme, approximately 3 to 10 years out.

Commissioner Novakovich tasked the Commission to come up with 7-10 long term projects by first meeting in February 2025.

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

Commissioners reported on their respective committee meetings.

## **E. Non-Scheduled Items**

Mr. Kooiker thanked the Commission for the CEO evaluation process believes it was very smooth, additionally, this is Commissioner's Hohenberg first year of a two-year term.

Mr. Peterson attended a pre-construction meeting with the City, local utility companies, and the contractor for Kuki Izakya Japanese restaurant at Vista Field's lot 15. Mr. Peterson stated this is the first private sector investment construction project at Vista Field.

Mr. Arntzen congratulated the Commission and Mr. Kooiker and staff on the two clean audits.

Mr. Arntzen thanked the Commission for the performance review and thanked the CEO Evaluation committee for their hard work on the review.

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Mr. Arntzen reported that he attended the funeral for a beloved CTUIR Tribal leader who had been a friend to the port and personal friend to both him and Commissioner Novakovich. In fact, they were some of the only non-tribal members invited, which was very humbling. Mr. Arntzen believes the positive relationship we've established with the CTUIR is hopefully setting an example within our community for the importance of reconnecting with the Native American culture.

Commissioner Novakovich recollected a breakfast with the tribal elder prior to his passing in which he wanted to collaborate on a document about the relationship between the Port and the CTUIR and how it was developed, what the partnership means, and the benefits are to both parties.

Mr. Arntzen stated one of the CEO goals is to update the historical portion of the Comprehensive Scheme with an emphasis on the history between the Port and the CTUIR.

Commissioner Novakovich thanked Commissioner Moak for all the research he did for the Veterans memorials that Commissioner Novakovich attended and stated it was very beneficial.

## **PUBLIC COMMENTS**

Alicia Cullison of Emerald Spark Events reported that many events have already been booked for the Clover Island concert series and thanked the Port for the support.

Commissioner Novakovich requested a schedule of events once finalized.

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 at 3:04 p.m.

# PORT OF KENNEWICK REGULAR COMMISSION MEETING

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**APPROVED:**

**PORT of KENNEWICK  
BOARD of COMMISSIONERS**

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*Skip Novakovich*

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*Skip Novakovich, President*

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*Kenneth Hohenberg*

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*Kenneth Hohenberg, Vice President*

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**Thomas Moak**

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*Thomas Moak, Secretary*

# PORT OF KENNEWICK

## RESOLUTION NO. 2024-28

### A RESOLUTION OF THE BOARD OF COMMISSIONERS OF PORT OF KENNEWICK ADOPTING THE 2025 & 2026 BUDGET

**WHEREAS**, the Board of Commissioners of Port of Kennewick met at a regular meeting on October 22, 2024, a quorum of the Commission being present; and

**WHEREAS**, Port of Kennewick has properly given notice of the public hearing held on November 12, 2024, to consider Port of Kennewick's Budget for the 2025 and 2026 calendar years, pursuant to RCW 84.55.120; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Port of Kennewick after a public hearing, and after duly considering all relevant evidence and testimony presented, has adopted the attached budget for Port of Kennewick for the year 2025 & 2026.

**ADOPTED** by the Board of Commissioners of Port of Kennewick at its Regular Meeting on November 12, 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

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**Thomas Moak**  
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THOMAS MOAK, Secretary





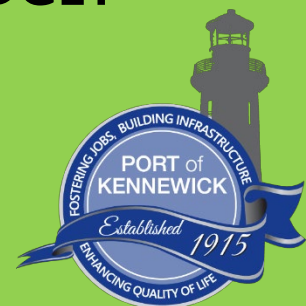
## Port of Kennewick

### 2025/26 PRELIMINARY BUDGET

*Fostering Jobs*

*Building Infrastructure*

*Enhancing Quality of Life*



# Mission & Goals

**The Port of Kennewick's mission is to provide and support sound economic growth opportunities that create jobs and/or improve the quality of life of the port district citizens.**

## **Economic Development and Job Creation Goals:**

- Provide the public with high quality projects and services within a healthy work environment.
- Evaluate economic development opportunities based on results to be derived district-wide versus project-specific or jurisdiction-specific.
- Encourage transparency, open competition and equal project consideration, fostering a reputation for fairness with the local business community.
- Seek to fund projects with available resources.
- Support intergovernmental cooperation by partnering with entities which demonstrate support.

## **These above goals will be accomplished through the following projects:**

- Vista Field Redevelopment
  - Infrastructure for parking lots: Woonerf North and South, Pavillions, Lots 23-25, Brockman
  - Infrastructure for Blocks 1 and 2.
  - Daybreaks Commons Construction

**Financial, Operational, and Budget Philosophy:**

- The Port is maintaining its goal of a balanced budget.
- The Port is fiscally sound and is ensuring its available resources do not exceed expenditures.
- The Port’s budget allows funding for additional staff to facilitate budgeted capital projects while promoting fiscal responsibility.
- The Port will continue to report Return on Investment as appropriate and share audited financial reports with the public.

**2025/26 PRELIMINARY BUDGET\***

Total Revenues	\$ 20,160,486
Total Expenses (less capital and promotional hosting)	\$ 15,493,646
<b>Profit (Loss)</b>	<b>\$ 4,666,840</b>
Capital Expenses	\$ 12,435,608
Promotional Hosting Expenses	\$ 51,250
Beginning Cash on Hand	\$ 12,498,942
Bond Principal Payments	\$ 900,000
Reserve Fund	\$ 2,500,000
Unrestricted Fund Balance	\$ 1,278,924
<b>Ending Cash on Hand</b>	<b>\$ 3,778,924</b>

\*The 2025 & 2026 Preliminary Budget PowerPoint Presentation is integral to the Port of Kennewick’s preliminary budget document.

\*For questions regarding this report, contact the Port’s Chief Financial Officer, Nick Kooiker at 509-586-1186

# PORT OF KENNEWICK

## RESOLUTION NO. 2024-29

### A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE PORT OF KENNEWICK CERTIFYING THE PORT'S 2025 LEVY

**WHEREAS**, the Board of Commissioners of the Port of Kennewick met and considered its budget for the calendar year 2025 and 2026 at a regular meeting on October 22, 2024, a quorum of the Commission being present; and

**WHEREAS**, a legal notice of public hearing on the Preliminary Budget of Port of Kennewick for the calendar year of 2025 and 2026 was published in accordance with RCW 53.35.020, RCW 53.35.045 and RCW 84.52.020; and

**WHEREAS**, the Port's actual levy amount from 2024 year was \$5,061,120; and

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

**WHEREAS**, the Board of Commissioners of Port of Kennewick after hearing and after duly considering all relevant evidence and testimony presented, determined that the Port of Kennewick requires a regular levy for the 2025 tax year in the amount of \$5,800,000, which includes an increase in property tax revenue from the previous year, amounts resulting from the addition of new construction, improvements to property, any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the district and in its best interest.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Port of Kennewick substantiate that an increase in the regular property tax levy is hereby authorized for the levy to be collected in 2025 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be approximately \$60,000, which is a one-percent increase from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

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

**APPROVED** and dated by the Commissioners of the Port of Kennewick at a Regular Meeting on November 12, 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

## CERTIFICATION OF TAX LEVY

**STATE OF WASHINGTON**  
**County of Benton**

In accordance with RCW 84.52.020, I, **Nick Kooiker**, CFO/Auditor for Port of Kennewick, do hereby certify to the Benton County legislative authority that the Commissioners of said district request that the following levy amounts be collected in 2025 as provided in the district's budget, which was adopted following a public hearing held on November 12, 2024. I hereby request the Board of County Commissioners of Benton County, Washington, to make said regular levy of the Kennewick Port District, as set forth below, and that said regular levy is for operation, maintenance, land acquisition, construction, and the levy is to be distributed as follows:

Expense (General) Fund	\$5,794,095
Administration Refund Fund	\$5,905
<b><i>Total Regular Levy</i></b>	<b><i>\$5,800,000</i></b>
<i>Population Certification:</i>	<i>Above 10,000</i>

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

**CERTIFIED** this 12<sup>th</sup> day of November, 2024.

***CERTIFIED BY:***

**PORT of KENNEWICK**  
**CFO/AUDITOR**



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Nick Kooiker



Ordinance / Resolution No. 2024-29  
RCW 84.55.120

WHEREAS, the Commissioners of Port of Kennewick has met and considered  
(Governing body of the taxing district) (Name of the taxing district)  
its budget for the calendar year 2025; and,

WHEREAS, the districts actual levy amount from the previous year was \$ 5,061,120; and,  
(Previous year's levy amount)

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

BE IT RESOLVED by the governing body of the taxing district that an increase in the regular property tax levy  
is hereby authorized for the levy to be collected in the 2025 tax year.  
(Year of collection)

The dollar amount of the increase over the actual levy amount from the previous year shall be \$ 60,000  
which is a percentage increase of 1 % from the previous year. This increase is exclusive of  
(Percentage increase)

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

Adopted this 12 day of November, 2024.

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DocuSigned by: <u>Kenneth Hohenberg</u> 89F77EAC8921416...	<u>Kenneth Hohenberg</u> Commissioner District 1
DocuSigned by: <u>Thomas Moak</u> A35176A2D2CD413...	<u>Thomas Moak</u> Commissioner District 2

**If additional signatures are necessary, please attach additional page.**

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

To ask about the availability of this publication in an alternate format, please call (360)705-675. Teletype (TTY) users may use the Washington Relay Service by calling 711. For tax assistance, call (360) 534-1400.

# PORT OF KENNEWICK

## RESOLUTION NO. 2024-30

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

**WHEREAS**, a public hearing was held at a regular meeting on October 22, 2024 by the Board of Commissioners for the Port of Kennewick regarding the 2025 and 2026 budget; and

**WHEREAS**, pursuant to RCW 84.55.120 and WAC 458-19-005, the rate of inflation (IPD rate) for 2024 is 2.57% and the limit factor for property taxes for 2024 is 101%; and

**WHEREAS**, the Port of Kennewick’s levy amount from the previous year was \$5,061,120; and

**WHEREAS**, the Port has set its increase in tax levy capacity for the 2025 and 2026 budget at one percent (1%) and finds there is substantial need to set the levy limit at one hundred and one percent (101%); and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Port of Kennewick Taxing District that an increase in the regular property tax levy, in addition to the increase resulting from the addition of new construction and improvements to property and any increase in levy value of state assessed property, is hereby authorized for the 2025 levy in the amount of approximately \$60,000 which is a one (1%) percentage increase from the previous year.

**ADOPTED** by the Board of Commissioners of the Port of Kennewick at a Regular Meeting held this 12<sup>th</sup> day of November 2024; and duly signed by its proper officers in the authentication of its passage on said date.

**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

**PORT OF KENNEWICK**

**RESOLUTION 2024-31**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PORT OF KENNEWICK AUTHORIZING THE PORT CHIEF EXECUTIVE OFFICER TO EXECUTE THE FIRST AMENDMENT TO THE WATER RIGHT PURCHASE AND SALE AGREEMENT WITH BENTON COUNTY**

**WHEREAS**, the Port of Kennewick and Benton County have negotiated a purchase and sale agreement on favorable terms for the Port’s surplus water rights remaining from real property sold in 2021 in the Oak Street area; and

**WHEREAS**, the Board of Commissioners of the Port of Kennewick approved Resolution 2023-28 on October 10, 2023 authorizing the Chief Executive Officer to execute the Purchase and Sale Agreement; and

**WHEREAS**, both parties agree it is necessary to extend the closing date of the Agreement from December 31, 2024 to not later than December 31, 2025.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Port of Kennewick authorizes the Chief Executive Officer to execute the First Amendment to the Water Right Purchase and Sale Agreement extending the closing date from December 31, 2024 to “not later than December 31, 2025.”

**BE IT FURTHER RESOLVED** that all action by port officers and employees in furtherance hereof is ratified and approved; and further that the port Chief Executive Officer is authorized to take all action necessary in furtherance hereof.

**ADOPTED** by the Board of Commissioners of the Port of Kennewick this 12th day of November 2024.

**PORT OF KENNEWICK  
BOARD OF COMMISSIONERS**

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*Skip Novakovich*  
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SKIP NOVAKOVICH, President

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*Kenneth Hohenberg*  
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KENNETH HOHENBERG, Vice President

By: DocuSigned by:  
**Thomas Moak**  
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THOMAS MOAK, Secretary



**FIRST AMENDMENT  
TO  
WATER RIGHT PURCHASE AND SALE AGREEMENT**

THIS FIRST AMENDMENT TO WATER RIGHT PURCHASE AND SALE AGREEMENT (the "Amendment") is made and entered into as of this 19th day of November, 2024 (the "Amendment Date"), by and between the SELLER, Port of Kennewick, a Washington Municipal Corporation, and BUYER, Benton County, a municipal corporation established under the laws and constitution of the State of Washington. The Port of Kennewick and Benton County are collectively referred to herein as the "Parties".

WHEREAS, the Parties entered into a Water Right Purchase and Sale Agreement dated October 31, 2023 (the "PSA"), providing for the acquisition by the BUYER of up to 46.03 acre-feet per year of consumptive use water under the Port of Kennewick's Water Right, as described in the PSA; and

WHEREAS, the PSA established December 31, 2024, as the latest allowable date of closing for purposes of closing the Parties' purchase-and-sale transaction thereunder, unless otherwise agreed by the Parties in writing; and

WHEREAS, the Parties have not yet been able to satisfy all necessary conditions to effectuate the closing, including procurement of the required final and binding administrative approval from the Washington State Department of Ecology ("Ecology") of the Port of Kennewick's Water Right Transfer Application, as defined in the PSA, on terms consistent therewith, and do not expect to be able to do so to allow the transaction to close by December 31, 2024; and

WHEREAS, the Parties desire to amend the PSA to extend the latest possible date of closing allowed thereunder, with the expectation of procuring satisfactory Ecology approval of the Port of Kennewick's Water Right Transfer Application and satisfying all other PSA contingencies on or before December 31, 2025.

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants set forth herein, the receipt of which are hereby acknowledged, the Parties hereby agree as follows:

1. Consistent with requirements under PSA Paragraph 14 (Changes in Writing), Paragraph 6 of the PSA is hereby amended, in its entirety, to read as follows:

**CLOSING:** The closing hereunder shall be held and delivery of all items to be made at the Closing under the terms of this Agreement shall be made at the offices of the parties' agreed Closing Agent: Pacific Alliance Title, 311 N. 4th St Suite 102, Yakima WA 98901, (509) 225-6809. The "Closing" or "date of closing" shall be construed as the date upon which all appropriate documents are recorded and proceeds of this sale are available for disbursement to SELLER. Notwithstanding the foregoing, the parties may agree, in writing, to extend the date of Closing; provided, the delay in Closing is not the fault of either party and both parties exercise their best efforts to

minimize the term of any agreed extension of Closing. Closing shall occur with twenty-one (21) days after BUYER'S acknowledgment in writing to the Closing Agent of the satisfaction of the Contingencies and shall be in any event not later than December 31, 2025, which shall be the Termination Date of this Agreement, unless the parties agree to an extension of time in writing. If Closing does not occur by the Termination Date, SELLER shall refund Earnest Money, with interest, to BUYER.

2. This Amendment shall be effective upon its mutual execution and delivery by the Parties. Except as expressly amended and modified hereunder, the PSA is affirmed, confirmed, and ratified by the Parties and shall remain in full force and effect.

3. This Amendment may be executed and delivered by original instruments or telephonic or electronic mail facsimiles in any number of counterparts, all of which together shall constitute one and the same Amendment.

4. The undersigned certify by their signatures below that they are authorized to bind, represent and sign for the indicated party.

**SELLER:**

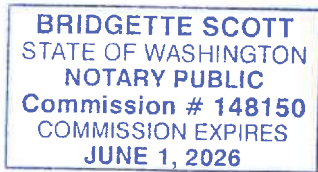
**PORT OF KENNEWICK**


  
\_\_\_\_\_  
Tim Arntzen, Chief Executive Officer

STATE OF WASHINGTON )  
 ) ss.  
County of Benton )

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 14th day of November, 2024.



  
\_\_\_\_\_  
Notary Public in and for the state of Washington,  
residing in Richland  
My Commission Expires: 06-01-2026

**BUYER:**

**BOARD OF BENTON COUNTY COMMISSIONERS**

DocuSigned by:  
*Jerome Delvin*  
7ED07603283E486...  
Jerome Delvin, Commissioner

DocuSigned by:  
*Will McKay*  
135987D784E74CF...  
Will McKay, Commissioner

DocuSigned by:  
*Michael Alvarez*  
D0C6F57E34874E4...  
Michael Alvarez, Commissioner

Attest:  
DocuSigned by:  
*Amanda Pearson*  
34825A975E034CE...  
Amanda Pearson, Clerk of the Board

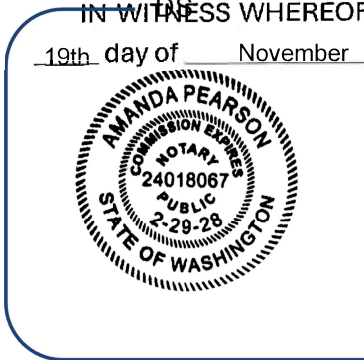
Approved as to form:

*Ryan Brown*  
Ryan Brown, Chief Civil Deputy, Prosecutor's Office

STATE OF WASHINGTON )  
 ) ss.  
County of Benton )

On this day personally appeared before me Jerome Delvin, known to me to be a Commissioner of Benton County, a Washington municipal corporation, who executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this  
19th day of November, 2024.



DocuSigned by:  
*Amanda Pearson*  
34825A975E034CE...  
Notary Public in and for the state of  
Washington, residing in Kennewick  
My Commission Expires: 02-29-2028

STATE OF WASHINGTON )  
 ) ss.  
County of Benton )

On this day personally appeared before me Will McKay, known to me to be a Commissioner of Benton County, a Washington municipal corporation, who executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this <sup>DS</sup> 19th day of November, 2024.



DocuSigned by:

*Amanda Pearson*

34825A975E034CE...

Notary Public in and for the state of  
Washington, residing in Kennewick  
My Commission Expires: 02-29-2028

STATE OF WASHINGTON )  
 ) ss.  
County of Benton )

On this day personally appeared before me Michael Alvarez, known to me to be a Commissioner of Benton County, a Washington municipal corporation, who executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this <sup>DS</sup> 19th day of November, 2024.



DocuSigned by:

*Amanda Pearson*

34825A975E034CE...

Notary Public in and for the state of  
Washington, residing in Kennewick  
My Commission Expires: 02-29-2028

# RESOLUTION 2024-0803

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

**IN THE MATTER OF THE FIRST AMENDMENT TO THE WATER RIGHT PURCHASE AND SALE AGREEMENT BETWEEN BENTON COUNTY AND THE PORT OF KENNEWICK, AMENDING RESOLUTION 2023-728**

**WHEREAS**, Benton County is in need of water rights to continue use of its existing irrigation system for the landscaping at the Benton County Fairgrounds and Event Center property; and

**WHEREAS**, the Port of Kennewick has water rights available that it is willing to transfer to the County for this purpose; and

**WHEREAS**, the County and the Port have shared a mutually beneficial partnership on many projects in the past; and

**WHEREAS**, in recognition of the long-standing partnership the Port will transfer these water rights in exchange for the County covering its administrative costs to do so; and

**WHEREAS**, on October 31, 2023, the Board of County Commissioners approved a Purchase and Sale Agreement (PSA) for the acquisition of water rights from the Port of Kennewick; and


**WHEREAS**, the PSA established December 31, 2024, as the "Termination Date" for purposes of closing the Parties' purchase and sale transaction, thereunder, unless otherwise agreed by the Parties in writing; and

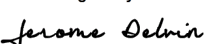
**WHEREAS**, the Parties have not, as of the amendment date, satisfied or waived all contingencies under Paragraph 2 and 3 of the PSA requiring final and binding administrative approval from the Washington State Department of Ecology of the Port of Kennewick's Water Right Transfer Application; and


**WHEREAS**, the Board finds that proper review and consideration has been made and it appears to be in the public's best interest to approve a First Amendment to the Water Right Purchase and Sale Agreement with the Port of Kennewick; **NOW THEREFORE**


**BE IT RESOLVED**, that the attached First Amendment to the Purchase and Sale Agreement (PSA) for the acquisition of water rights from the Port of Kennewick extending the "Termination Date" to December 31, 2025 and amending Resolution 2023-728 is hereby approved by the Board.

Dated this 19<sup>th</sup> day of November 2024.

Attest:   
34825A975E034CE...  
Clerk of the Board

DocuSigned by:  
  
7ED07603283E486...  
Chairman

DocuSigned by:  
  
D8C8F57E34874E4...  
Chairman Pro-Tem

DocuSigned by:  
  
135987D784E74CF...  
Commissioner

Constituting the Board of  
County Commissioners of Benton  
County, Washington



# Commissioners' Agenda Action Sheet

**Meeting Date:** November 19, 2024  
**Subject:** Water Rights for Benton County Fairgrounds and Event Center – First Amendment  
**Presenter:**  
**Prepared By:** Jerrod MacPherson  
**Reviewed By:**  
**PA Review:** **Approved:** Yes      **Denied:** No      **N/A:** No  
*(If denied, include reasoning)*

**Type of Agenda Item:** Consent Agenda

**Summary / Background Information**

On October 31, 2023, the Board of County Commissioners approved a Purchase and Sale Agreement for the acquisition of water rights from the Port of Kennewick. These water rights are to be assigned to the Benton County Fairgrounds and Event Center property. This document established a "Termination Date" of December 31, 2024, for the purposes of closing the Parties' purchase and sale transaction. This was in part due to the requirement of a final and binding administrative approval from the Washington State Department of Ecology for the Port of Kennewick's water right transfer application. The Benton County Water Conservancy Board accepted the Port of Kennewick's water right transfer application in March of 2024. The Water Conservancy Board works on applications in the order that they are filed. There were two applications filed ahead of the Port of Kennewick's water right transfer application at the time. Those two applications were resolved in August/September of this year and the Water Conservancy Board is now turning to the Port of Kennewick's application for review, which will ultimately extend the review and approval process into 2025 – which is beyond the existing "Termination Date" of December 31, 2024.

Therefore, an amendment to the Water Right Purchase and Sale Agreement has been drawn up to extend the "Termination Date" of said agreement to December 31, 2025, and has been signed by the Port of Kennewick.

**Fiscal Impact**

The County will pay \$10,000 to cover the administrative costs of the transfer. The value of the water rights exceeds \$250,000.

**Recommendation**

Move to approve as part of the Consent Agenda.

**Suggested Motion**

I move to approve the Board signs and adopts the attached Resolution and First Amendment to the Water Right Purchase and Sales Agreement with the Port of Kennewick extending the "Termination Date" to December 31, 2025.

**Signatures Required on Agreements/Contracts**

Agreement and Notary.

***PORT OF KENNEWICK***

***Resolution No. 2024-32***

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE PORT OF KENNEWICK APPROVING THE PORT CHIEF EXECUTIVE  
OFFICER'S 2024 PERFORMANCE EVALUATION**

**WHEREAS**, the Port Commission oversees the annual evaluation of the Port's Chief Executive Officer's ("CEO") performance pursuant to the CEO's Employment Agreement, and pursuant to Resolution 2022-19, by which the Commission authorized a CEO Evaluation Committee.

**WHEREAS**, the CEO Evaluation Committee consists of Port Commissioner Ken Hohenberg, Port Chief Financial Officer Nick Kooiker and Port General Legal Counsel Carolyn Lake.

**WHEREAS**, as directed by the Port Commission through its adoption of Resolution 2022-19, the CEO Committee met on multiple occasions to undertake the CEO evaluation, using the evaluation procedure, as described in Resolution 2022-19, Exhibit A.

**WHEREAS**, the CEO Evaluation Committee also is charged with offering a recommendation for salary adjustment in accordance with the CEO employment agreement.

**WHEREAS**, the CEO Evaluation Committee has shared its written recommendation with the CEO as Resolution 2022-19 directs and has shared its written recommendation with the full Commission, with a copy attached hereto as **Exhibit A**.

**NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:**

1. **Performance Evaluation.** The Port of Kennewick Board of Commissioners has reviewed the CEO Evaluation Committee's recommendation attached as Exhibit "A" and hereby  approves  modifies the CEO's performance evaluation as recommended.
2. **Performance Appraisal Rating.** The Port of Kennewick Board of Commissioners, in accordance with the CEO's contract, and with consideration of the CEO Evaluation Committee's recommendation hereby deems the CEO's performance for 2024 as:  "exceptional",  "satisfactory", or  "above satisfactory".
3. **CEO Salary Adjustment.** The Port of Kennewick Board of Commissioners, in accordance with the CEO's contract, and with consideration the CEO Evaluation Committee's recommendation, adopts a CEO salary adjustment for 2025 as follows:

a one-time salary adjustment of +6%, based on the CEO's Employment Agreement.

Other: \_\_\_\_\_.

**ADOPTED** by the Board of Commissioners of Port of Kennewick on the 12<sup>th</sup> day of November, 2024.

By: DocuSigned by:  
*Skip Novakovich*  
0E53A30E1C8E442...  
SKIP NOVAKOVICH  
*President*

By: DocuSigned by:  
*Kenneth Hohenberg*  
89F77EAC8921416...  
KENNETH HOHENBERG  
*Vice President*

By: Abstain  
THOMAS MOAK  
*Secretary*



**EXHIBIT A -**

**ANNUAL PERFORMANCE REVIEW  
Individual Commissioner Evaluation of  
CEO’s Performance**

IMPORTANT DUTIES/EXPECTATIONS	PERFORMANCE APPRAISAL		COMMISSIONER COMMENTS
<ul style="list-style-type: none"> <li>➤ <b>Attach extra papers as necessary</b></li> <li>➤ <b>Factors should be reviewed in terms of quality, quantity and timeliness</b></li> </ul>	Met	Not met	
<p>I. <u>Vision and Purpose</u></p> <p>A. Assists the Commission in defining its shared vision. Communicates that direction to the organization.</p> <p>B. Collaborates with the Commission to advance the Port’s vision and purpose.</p> <p>C. Advocates the vision by strategic resource allocation toward attainment.</p>	<p>X</p> <p>X</p> <p>X</p>		<p>The CEO has assisted Commission with its shared vision and communicates that direction in the following ways:</p> <ul style="list-style-type: none"> <li>• Prepared a “Look Ahead” Briefing Memo for commission discussion in January.</li> <li>• Issued Bid and awarded contract for VFDF A &amp; B exterior renovations with completion in early 2025)—<b>a CEO Goal.</b></li> <li>• Completed the hiring and managing of a contractor to undertake A&amp;E for Vista Field joint-use parking infrastructure, for the pavilion parking project-<b>a CEO Goal.</b></li> <li>• Coordinated the Benton County Rural County Capital Fund (RCCF) grant; completed design, then bid and secured contractor for the Southern Gateway Transformation project.</li> <li>• Held a ground-breaking event with Port and Benton County Commissioners and GAME, Inc. and managed the contractor in demolition and renovation work to date. Project at 80% completion and</li> </ul>

**EXHIBIT A -**

		<p>on-track to be completed in March 2025.</p>
<p>II. <u>Strategic Agility</u></p> <p>Is proactive; anticipates future trends, benefits and consequences; has broad knowledge and perspective; can objectively state possibilities and probabilities.</p>	<p>X</p>	<p>The CEO created workflows in Laserfiche to automate notifications regarding lease, contract, insurance, and registration expirations with the ability to upload current documents to port.</p> <p>The CEO coordinated a smooth, seamless transition of port technology and computer support services to new IT contractor, including redundant backups and ongoing staff tech-security training.</p>
<p>III. <u>Operating Plans/Financial Plans</u></p> <p>A. Develops, maintains and implements strategic plans and operational goals that effectively brings the Port’s vision to fruition.</p>	<p>X</p>	<p>The CEO revised the Vista Field Collaborative Design Process. Responded to inquiries and/or initiated contact with at least 17 parties interested in Vista Field in 2024. Delivered four 90-Day Right-to-Negotiate presentations: Lot 25 for a five-story mixed-use condo, apartment, commercial building; Lot 15 for a Japanese restaurant; BlueChart Homes (300+ single family homes); and Lot 31 for an optical care clinic/retail tenant space. Presented purchase and sale agreements for both Lot 15 and Lot 25. Closed on Lot 15.</p> <p>Designed/installed a vinyl “art wrap” on the Columbia Gardens container restroom.</p> <p>Managed marina at 100% capacity during peak season; coordinated 17 boat haul-outs (average of 4 per month May through August); and coordinated environmental</p>

**EXHIBIT A -**

<p>B. Administers the Port’s financial affairs consistent with state law and adopted policies, budget and financial guidelines.</p>	<p>X</p>	<p>compliance, reporting, insurance, and the three-week process of safely removing of a sunken vessel from C dock and eventually from Clover Island.</p> <p>As part of the Southern Gateway Transformation Project, researched Vista Field’s naval aviation history and began preparing display panels to share information about the simulated decking material and the VSK call sign; began exploring a potential aviation-themed art wrap on the Deschutes’ side of the port’s maintenance storage hangar.</p> <p>Under CEO management, the Port received another clean audit opinion (28th consecutive) from the Washington State Auditor’s Office for the port’s 2021 and 2022 financial statements, and accountability/compliance audits. <i>Having clean audits is perhaps one of the most important measures of solid management and fiscally-sound leadership.</i></p> <p>The CEO provided oversight and administration of biennial budget, invoices, 36 leases and 79 contracts (small works, major works, A&amp;E, non-A&amp;E, maintenance/operations, and technology); and provided financial presentations to commissioners including the port’s 2024 Tax Levy capacity/certification; and spring budget presentation in May 2024.</p>
<p>IV. <u>Integrity</u> Sets the tone for the Port by exemplifying consistent values and high ethical awareness, honesty, and fairness.</p>	<p>X</p>	<p>The CEO supported the CTUIR in several advertising promotions including the NW Native Economic Summit; 25<sup>th</sup></p>

**EXHIBIT A -**

		<p>anniversary of the Tamastslkit Cultural Institute; and the Two Cultures, One Community Pow Wow.</p> <p>Managed process of transferring surplus water rights from the port’s Oak Street holdings to Benton County to sustain the county’s fairground operations.</p> <p>Managed process of relocating tenants and working with insurance carrier following fire at the Oak Street Industrial Park DB3. Negotiated insurance settlement, researched options, removed asbestos, and prepared bid documents to demolish surplus section and renovate the remainder. Contract was bid in August, awarded in October, and on track for completion in Spring of 2025.</p>
<p>V. <u>Political and Institutional Sensitivity</u></p> <p>A. Maneuvers through complex political and institutional situations effectively; anticipates potentially negative reactions, recommends and plans a course of action; views politics as a necessary part of organizational and public sector life and works to be effective within that reality. Unless otherwise not practical, obtains Commission concurrence prior to publicly stating position.</p>	<p>X</p>	<p>The issue of the Clover Island hotel sale arose as an unidentified, yet desirable and time-sensitive opportunity one that also required thoughtful consideration, and strategic action. The CEO negotiated and finalized long-term ground lease with a new hotel ownership group—allowing the Clover Island Inn to be sold; thus enabling a series of private-sector property improvements designed to secure a <i>Spark by Hilton</i> franchise.</p> <p>The CEO managed challenging property/ security/health/safety issues and police and agency incident reports regarding</p>

**EXHIBIT A -**

<p>B. Develops solutions to complex issues that challenge the Port’s ability to recognize its vision and purpose. Demonstrates sensitivity to resource availability when developing solutions.</p> <p>C. Leads the Port in building effective relationships with tenants, customers and community.</p>	<p>X</p> <p>X</p>	<p>squatters, car crashes into lighthouse wall/streetlights, vandalism, graffiti, broken locks, restrooms destruction, and other property damage.</p> <p>Continued relationship with TRIDEC to assist the Port in marketing Vista Field including attending ICSC in Las Vegas.</p> <p>Coordinated a successful Governor’s Smart Communities / Smart Partnership Award ceremony for Clover Island restoration &amp; recreational improvements with participation from the CTUIR, USACE, Washington State RCO, Benton County, City and Port of Kennewick.</p> <p>Worked to strengthen MOU relationship with the Confederated Tribes of the Umatilla Indian Reservation. Traveled to Pendleton, OR to meet with JD Tovey, CTUIR Interim Executive Director, and continued conversations regarding cultural resource aspects of port projects, potential Plymouth Island land transfer, possible investment at Vista Field, and repatriation of cultural artifacts.</p> <p>Bid and constructed a foundation for the placement of a professionally built, mobile stage; then purchased, received, licensed, insured, and trained staff on stage operations and maintenance. The stage is intended to expand the number and type of concerts</p>
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**EXHIBIT A -**

		<p>designed to bring additional people, business, and visitor spending to Clover Island. Finalized stage lease with the Clover Island Inn’s ownership group—a <b>CEO Goal</b>.</p> <p>Worked to create vibrancy at Columbia Gardens and Clover Island including the Monarcha Festival, two Summer Saturdays Night Markets, recurring First Friday’s events, and pop-up activities at Columbia Gardens in partnership with the HDKP/SOCO Creative District; and organized a fun-run at Clover Island.</p> <p>Oversight and management of port marketing, advertising, and outreach efforts which included updating television ads, refreshing still and video imagery with models, writing and publishing newsletters, and preparing and placing print and broadcast ads, flyers, posters, social media, direct-mail and tradeshow promotions for Vista Field, Columbia Gardens, Clover Island, The Willows, Cable Greens, Roosevelt and Oak Street properties/facilities.</p>
<p>VI. <u>Knowledge/ Decision Quality</u></p> <p>A. Knows how successful public ports work; knowledgeable in current and possible future practices, trends and information affecting port management, the port industry and our Port; knows the competition; is aware of how strategies and tactics work in the marketplace.</p>	<p><b>X</b></p>	<p>The CEO manages the port as a highly productive, successful, fiscally-sound organization—ensuring transparent public engagement via virtual meetings. He has worked to ensure Port compliance with evolving federal, state, and local resolutions and regulations related to state of emergency declarations. And conducted internal audits regarding lease revenue, utilities, payroll, maintenance equipment,</p>

**EXHIBIT A -**

		<p>and insurance.</p> <p>Under CEO Leadership, the marina handbook was updated, marina signage upgraded, and the Port secured new float vests for the port’s life-jacket loaner program.</p> <p>He contracted for algae treatment with an aquatic herbicide at the boat launch and within the marina harbor.</p> <p>Bid out the demolition and removal of the former Vista Field FBO building, including asbestos evaluation and hazardous materials mitigation—project to be completed in early 2025.</p> <p>Worked on mapping Vista Field land, utilities, and roadways to make those available with link from Vista Field website to the ARC-GIS database (project at 33% completion).</p> <p>Renewed leases with Rollin Ice Cream, Swampy’s BBQ, Culture Shock Bistro, Botanas Culichi, Bobablastic, and Frida’s Mexican Grill; and welcomed Nana’s Kitchen to the Columbia Gardens Wine &amp; Artisan Village.</p> <p>Removed invasive trees and coordinated a land exchange at The Willows between Port of Kennewick and KIE to ensure future waterfront access/connectivity.</p> <p>Removed, refurbished, and reinstalled the port’s “Fair Game” (fighting eagles) art installation.</p> <p>Added four speed humps to Clover</p>
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**EXHIBIT A -**

<p>B. Makes good decisions based on analysis, wisdom, experience and judgment; most solutions and suggestions turn out to be correct when judged over time.</p>	<p><b>X</b></p>		<p>Island to enhance pedestrian and vehicle safety.</p> <p>Addressed ongoing maintenance at Vista Field including weeds; tree health; chlorine purchase, storage, and applications; relocated the Vista Field water feature electrical vault; and contracted for repair of the perimeter fence.</p> <p>Added dog waste bag stations to Clover Island, Columbia Gardens, and Vista Field.</p> <p>Replaced HVAC serving Ice Harbor Brewing at the Marina.</p> <p>Renovated landscape, irrigation, catch basin, drainage, and sidewalk for Cedar’s restaurant.</p>
<p>VII. <u>Leadership/Management</u></p> <p>A. Demonstrates an entrepreneurial spirit by identifying ways to generate revenue, investment capital and maximizes the financial potential of existing port assets.</p>	<p><b>X</b></p>		<p>Secured \$80k grant for deferred maintenance activities on Clover Island including repainting the marina boardwalk, refreshing The Gathering Place, and restoring public amenities.</p> <p>Wrote and submitted a \$325,000 grant application to the Hanford Area Economic Investment Fund Advisory Committee to support parking improvements at Vista Field.</p> <p>Coordinated with Washington State Department of Transportation to add Muret-Gaston’s logos with the @Columbia Gardens footer to the blue tourist panel sign on Highway 395.</p>



**EXHIBIT A -**

<p>B. Rallies support behind the vision and strategic plan; can inspire and motivate staff and community.</p>	<p><b>X</b></p>	<p>Coordinated a tour for the Washington State RCO Board of Directors to showcase the state’s investments in Clover Island improvements, and for the Washington Public Ports Association executive team to view Kennewick’s Historic Waterfront District and Vista Field.</p> <p>Helped coordinate a ribbon cutting/media event for Swampy’s BBQ at Columbia Gardens.</p> <p>Updated the photo wall within the port’s office lobby.</p> <p>Presented Port projects to regional chamber members at the State of the Ports luncheon, and managed media involvement for 104 positive print and broadcast stories regarding port activities.</p> <p>Ensured Veterans Christmas Tree at The Willows was lit for holiday season, expanded the number of light strings for trees and shrubs on Clover Island—and distributed a holiday media announcement to help draw visitors/spending to east Kennewick during the winter season.</p> <p>Supported City of Kennewick with funding for traffic mitigation and intersection improvements at Deschutes Avenue and Columbia Center Boulevard.</p> <p>Participated and spoke as partner with City of Richland at their Center Parkway North roadway</p>
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**EXHIBIT A -**

<p>C. Creates an environment where employees at all levels contribute their knowledge, skills, abilities and ideas in a way that maximizes their potential. Employee potential is not limited by divisional walls or job title. Appropriately delegates to others. Is a good judge of talent; hires the best people available inside or outside the organization.</p> <p>D. Creates a climate in which people want to do and can do their best; can motivate team or project members; empowers others; invites input and shares ownership and visibility. Makes each person feel his/her work is important.</p>	<p>X</p> <p>X</p>	<p>extension ribbon cutting event; and received Benton City’s I-182 South Sub-Area Plan—Port of Kennewick financially supported both projects.</p> <p>Works with staff and legal counsel to complete a succession planning report. Commission received 50% review in August; and on October 8, 2024, Commission approved the Report - <b>a CEO Goal.</b></p> <p>Secured biennial contract for temporary maintenance labor as way of mitigating for continued limitation of Coyote Ridge work crews while maintaining high port standards.</p>
<p>VIII. <u>Initiative/Courage/Adaptability</u></p> <p>A. Self-starting ability. Promptly takes hold and follows through with minimum direction.</p> <p>B. Willingness to state opinions and reasons without concern about the popularity of the views. Fortrightness in dealing with Commission, customers, suppliers, and others in the organization.</p>	<p>X</p> <p>X</p>	<p>Initiated emergency actions to remove the Metz Plaza shade structure, as well as a damaged section of the island’s north dock (Cedars) and evaluated options for renovating those assets.</p> <p>Worked with USACE to stabilize a section of the east end of Clover Island that eroded after initial 1135 restoration project. Coordinated a spring 2024 shoreline plant viability inspection with USACE and worked to close-out that project.</p> <p>When safety concerns were raised over the Port’s open water boat dock, the CEO initiated discussions and in collaboration with the restaurant owners,</p>

**EXHIBIT A -**

<p>C. Ability to adjust to changing conditions or unusual assignments. Flexibility in undertaking a variety of assignments, acceptance of decisions which go counter to own opinion.</p>	<p><b>X</b></p>	<p>fashioned a mutually agreeable and fair solution (lease modification) which put the issue to rest with limited financial and staff resource investment, and the overwhelming support of the restaurant, media, boaters, and general public.</p> <p>Once it was determined the former FBO building was an attractive nuisance with insurance concerns related to life/health/safety, the CEO worked with staff to begin the process of removing that tired structure, including asbestos evaluation and hazardous materials mitigation. A small works demolition contract has been secured and all permits with City of Kennewick &amp; Benton Clean Air Agency have been completed.</p>
<p>IX. <u>Loyalty</u></p> <p>Understanding and accepting of goals and policies of the organization. Willingness to support organization and management.</p>	<p><b>X</b></p>	<p>At 22 years, the port’s CEO is the longest serving CEO in the history of Port of Kennewick and according to WPPA is also the longest-serving Washington port executive in their current position—a significant accomplishment.</p>
<p>X. <u>Communications</u></p> <p>A. Effectiveness of exchanging significant information throughout all levels of the organization; with clients, vendors, and the public.</p>	<p><b>X</b></p>	<p>Identified concerns regarding life/health/safety related to failed/deteriorating pilings at the port’s open-water dock on Clover Island; researched options; negotiated satisfactory solution; and executed lease amendment with Cedars for loss of that recreational asset.</p>

**Additional Commissioner Comments:**

## **EXHIBIT A -**

Much of the work at the Port is bounded by the Work Plan and built into the Budget. But nonetheless, invariably, new ideas and priorities emerge throughout the year and 2024 was no different. Under the CEO's leadership, the Port CEO and Staff adapted to each new matter with grace and energy. Just a few 2024 examples are the Cedar's Dock and FBO Building concerns, each of which presented complexities on many levels and required leadership and coordinated management on many fronts. The Port CEO, and under his leadership, Port Staff, responded deftly, professionally and took the actions needed to resolve the matters successfully.

The CEO has led the Port to act with transparency, which maintains the community's trust. The CEO has overseen a tradition of outstanding financial audit outcomes, which reinforces the community's confidence. Throughout it all and perhaps most significantly, the CEO has built a strong culture at the Port of positivity, respect and achievement, which strengthens the community's pride.

Therefore, based on all the above reasons, the CEO Evaluation Committee recommends to the Commission for approval a performance rating of "Exceptional" in accordance with the CEO contract. The purpose of the annual review, with the potential of a salary adjustment, is multifaceted. Here the recommended salary adjustment is warranted by the terms of the CEO's Employment Agreement, by the desire for his compensation to adjust with inflation and remain competitive in the market, and most significantly, by the CEO's exceptional and meritorious performance, all as described above. Accordingly, the Committee recommends a salary adjustment for 2025 of +6%.

**From:** [Tim Arntzen](#)  
**To:** [Nick Kooiker](#)  
**Cc:** [Bridgette Scott](#)  
**Subject:** Performance Review Reply  
**Date:** Sunday, November 3, 2024 6:48:27 AM

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Dear Commissioners:

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One of the most important factors leading to our continued success is the culture we have established at the port. I appreciate the port's culture, which the majority of the commission has fostered, supported, and allowed to organically grow and morph over time. It is this that most defines who we are and what we can accomplish.

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Again, thank you for your trust in me and taking the time to prepare this evaluation.

EXHIBIT A -

**ANNUAL PERFORMANCE REVIEW  
Individual Commissioner Evaluation of  
CEO’s Performance**

IMPORTANT DUTIES/EXPECTATIONS	PERFORMANCE APPRAISAL		COMMISSIONER COMMENTS
<ul style="list-style-type: none"> <li>➤ <b>Attach extra papers as necessary</b></li> <li>➤ <b>Factors should be reviewed in terms of quality, quantity and timeliness</b></li> </ul>	Met	Not met	
<p>I. <u>Vision and Purpose</u></p> <p>A. Assists the Commission in defining its shared vision. Communicates that direction to the organization.</p> <p>B. Collaborates with the Commission to advance the Port’s vision and purpose.</p> <p>C. Advocates the vision by strategic resource allocation toward attainment.</p>	<p>X</p> <p>X</p> <p>X</p>		<p>The CEO has assisted Commission with its shared vision and communicates that direction in the following ways:</p> <ul style="list-style-type: none"> <li>• Prepared a “Look Ahead” Briefing Memo for commission discussion in January.</li> <li>• Issued Bid and awarded contract for VFDF A &amp; B exterior renovations with completion in early 2025)—<b>a CEO Goal.</b></li> <li>• Completed the hiring and managing of a contractor to undertake A&amp;E for Vista Field joint-use parking infrastructure, for the pavilion parking project-<b>a CEO Goal.</b></li> <li>• Coordinated the Benton County Rural County Capital Fund (RCCF) grant; completed design, then bid and secured contractor for the Southern Gateway Transformation project.</li> <li>• Held a ground-breaking event with Port and Benton County Commissioners and GAME, Inc. and managed the contractor in demolition and renovation work to date. Project at 80% completion and</li> </ul>

EXHIBIT A -

			<p>on-track to be completed in March 2025.</p>
<p>II. <u>Strategic Agility</u></p> <p>Is proactive; anticipates future trends, benefits and consequences; has broad knowledge and perspective; can objectively state possibilities and probabilities.</p>	<p>X</p>		<p>The CEO created workflows in Laserfiche to automate notifications regarding lease, contract, insurance, and registration expirations with the ability to upload current documents to port.</p> <p>The CEO coordinated a smooth, seamless transition of port technology and computer support services to new IT contractor, including redundant backups and ongoing staff tech-security training.</p>
<p>III. <u>Operating Plans/Financial Plans</u></p> <p>A. Develops, maintains and implements strategic plans and operational goals that effectively brings the Port’s vision to fruition.</p>	<p>X</p>		<p>The CEO revised the Vista Field Collaborative Design Process. Responded to inquiries and/or initiated contact with at least 17 parties interested in Vista Field in 2024. Delivered four 90-Day Right-to-Negotiate presentations: Lot 25 for a five-story mixed-use condo, apartment, commercial building; Lot 15 for a Japanese restaurant; BlueChart Homes (300+ single family homes); and Lot 31 for an optical care clinic/retail tenant space. Presented purchase and sale agreements for both Lot 15 and Lot 25. Closed on Lot 15.</p> <p>Designed/installed a vinyl “art wrap” on the Columbia Gardens container restroom.</p> <p>Managed marina at 100% capacity during peak season; coordinated 17 boat haul-outs (average of 4 per month May through August); and coordinated environmental</p>

EXHIBIT A -

<p>B. Administers the Port’s financial affairs consistent with state law and adopted policies, budget and financial guidelines.</p>	<p>X</p>	<p>compliance, reporting, insurance, and the three-week process of safely removing of a sunken vessel from C dock and eventually from Clover Island.</p> <p>As part of the Southern Gateway Transformation Project, researched Vista Field’s naval aviation history and began preparing display panels to share information about the simulated decking material and the VSK call sign; began exploring a potential aviation-themed art wrap on the Deschutes’ side of the port’s maintenance storage hangar.</p> <p>Under CEO management, the Port received another clean audit opinion (28th consecutive) from the Washington State Auditor’s Office for the port’s 2021 and 2022 financial statements, and accountability/compliance audits. <i>Having clean audits is perhaps one of the most important measures of solid management and fiscally-sound leadership.</i></p> <p>The CEO provided oversight and administration of biennial budget, invoices, 36 leases and 79 contracts (small works, major works, A&amp;E, non-A&amp;E, maintenance/operations, and technology); and provided financial presentations to commissioners including the port’s 2024 Tax Levy capacity/certification; and spring budget presentation in May 2024.</p>
<p>IV. <u>Integrity</u> Sets the tone for the Port by exemplifying consistent values and high ethical awareness, honesty, and fairness.</p>	<p>X</p>	<p>The CEO supported the CTUIR in several advertising promotions including the NW Native Economic Summit; 25<sup>th</sup></p>



EXHIBIT A -

			<p>anniversary of the Tamastslkit Cultural Institute; and the Two Cultures, One Community Pow Wow.</p> <p>Managed process of transferring surplus water rights from the port’s Oak Street holdings to Benton County to sustain the county’s fairground operations.</p> <p>Managed process of relocating tenants and working with insurance carrier following fire at the Oak Street Industrial Park DB3. Negotiated insurance settlement, researched options, removed asbestos, and prepared bid documents to demolish surplus section and renovate the remainder. Contract was bid in August, awarded in October, and on track for completion in Spring of 2025.</p>
<p>V. <u>Political and Institutional Sensitivity</u></p> <p>A. Maneuvers through complex political and institutional situations effectively; anticipates potentially negative reactions, recommends and plans a course of action; views politics as a necessary part of organizational and public sector life and works to be effective within that reality. Unless otherwise not practical, obtains Commission concurrence prior to publicly stating position.</p>	<p>X</p>		<p>The issue of the Clover Island hotel sale arose as an unidentified, yet desirable and time-sensitive opportunity one that also required thoughtful consideration, and strategic action. The CEO negotiated and finalized long-term ground lease with a new hotel ownership group—allowing the Clover Island Inn to be sold; thus enabling a series of private-sector property improvements designed to secure a <i>Spark by Hilton</i> franchise.</p> <p>The CEO managed challenging property/ security/health/safety issues and police and agency incident reports regarding</p>

EXHIBIT A -

<p>B. Develops solutions to complex issues that challenge the Port’s ability to recognize its vision and purpose. Demonstrates sensitivity to resource availability when developing solutions.</p> <p>C. Leads the Port in building effective relationships with tenants, customers and community.</p>	<p>X</p> <p>X</p>	<p>squatters, car crashes into lighthouse wall/streetlights, vandalism, graffiti, broken locks, restrooms destruction, and other property damage.</p> <p>Continued relationship with TRIDEC to assist the Port in marketing Vista Field including attending ICSC in Las Vegas.</p> <p>Coordinated a successful Governor’s Smart Communities / Smart Partnership Award ceremony for Clover Island restoration &amp; recreational improvements with participation from the CTUIR, USACE, Washington State RCO, Benton County, City and Port of Kennewick.</p> <p>Worked to strengthen MOU relationship with the Confederated Tribes of the Umatilla Indian Reservation. Traveled to Pendleton, OR to meet with JD Tovey, CTUIR Interim Executive Director, and continued conversations regarding cultural resource aspects of port projects, potential Plymouth Island land transfer, possible investment at Vista Field, and repatriation of cultural artifacts.</p> <p>Bid and constructed a foundation for the placement of a professionally built, mobile stage; then purchased, received, licensed, insured, and trained staff on stage operations and maintenance. The stage is intended to expand the number and type of concerts</p>
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EXHIBIT A -

		<p>designed to bring additional people, business, and visitor spending to Clover Island. Finalized stage lease with the Clover Island Inn’s ownership group—a <b>CEO Goal</b>.</p> <p>Worked to create vibrancy at Columbia Gardens and Clover Island including the Monarcha Festival, two Summer Saturdays Night Markets, recurring First Friday’s events, and pop-up activities at Columbia Gardens in partnership with the HDKP/SOCO Creative District; and organized a fun-run at Clover Island.</p> <p>Oversight and management of port marketing, advertising, and outreach efforts which included updating television ads, refreshing still and video imagery with models, writing and publishing newsletters, and preparing and placing print and broadcast ads, flyers, posters, social media, direct-mail and tradeshow promotions for Vista Field, Columbia Gardens, Clover Island, The Willows, Cable Greens, Roosevelt and Oak Street properties/facilities.</p>
<p>VI. <u>Knowledge/ Decision Quality</u></p> <p>A. Knows how successful public ports work; knowledgeable in current and possible future practices, trends and information affecting port management, the port industry and our Port; knows the competition; is aware of how strategies and tactics work in the marketplace.</p>	<p>X</p>	<p>The CEO manages the port as a highly productive, successful, fiscally-sound organization—ensuring transparent public engagement via virtual meetings. He has worked to ensure Port compliance with evolving federal, state, and local resolutions and regulations related to state of emergency declarations. And conducted internal audits regarding lease revenue, utilities, payroll, maintenance equipment,</p>

EXHIBIT A -

		<p>and insurance.</p> <p>Under CEO Leadership, the marina handbook was updated, marina signage upgraded, and the Port secured new float vests for the port’s life-jacket loaner program.</p> <p>He contracted for algae treatment with an aquatic herbicide at the boat launch and within the marina harbor.</p> <p>Bid out the demolition and removal of the former Vista Field FBO building, including asbestos evaluation and hazardous materials mitigation—project to be completed in early 2025.</p> <p>Worked on mapping Vista Field land, utilities, and roadways to make those available with link from Vista Field website to the ARC-GIS database (project at 33% completion).</p> <p>Renewed leases with Rollin Ice Cream, Swampy’s BBQ, Culture Shock Bistro, Botanas Culichi, Bobablastic, and Frida’s Mexican Grill; and welcomed Nana’s Kitchen to the Columbia Gardens Wine &amp; Artisan Village.</p> <p>Removed invasive trees and coordinated a land exchange at The Willows between Port of Kennewick and KIE to ensure future waterfront access/connectivity.</p> <p>Removed, refurbished, and reinstalled the port’s “Fair Game” (fighting eagles) art installation.</p> <p>Added four speed humps to Clover</p>
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EXHIBIT A -

<p>B. Makes good decisions based on analysis, wisdom, experience and judgment; most solutions and suggestions turn out to be correct when judged over time.</p>	<p>X</p>		<p>Island to enhance pedestrian and vehicle safety.</p> <p>Addressed ongoing maintenance at Vista Field including weeds; tree health; chlorine purchase, storage, and applications; relocated the Vista Field water feature electrical vault; and contracted for repair of the perimeter fence.</p> <p>Added dog waste bag stations to Clover Island, Columbia Gardens, and Vista Field.</p> <p>Replaced HVAC serving Ice Harbor Brewing at the Marina.</p> <p>Renovated landscape, irrigation, catch basin, drainage, and sidewalk for Cedar’s restaurant.</p>
<p>VII. <u>Leadership/Management</u></p> <p>A. Demonstrates an entrepreneurial spirit by identifying ways to generate revenue, investment capital and maximizes the financial potential of existing port assets.</p>	<p>X</p>		<p>Secured \$80k grant for deferred maintenance activities on Clover Island including repainting the marina boardwalk, refreshing The Gathering Place, and restoring public amenities.</p> <p>Wrote and submitted a \$325,000 grant application to the Hanford Area Economic Investment Fund Advisory Committee to support parking improvements at Vista Field.</p> <p>Coordinated with Washington State Department of Transportation to add Muret-Gaston’s logos with the @Columbia Gardens footer to the blue tourist panel sign on Highway 395.</p>

EXHIBIT A -

<p>B. Rallies support behind the vision and strategic plan; can inspire and motivate staff and community.</p>	<p>X</p>	<p>Coordinated a tour for the Washington State RCO Board of Directors to showcase the state’s investments in Clover Island improvements, and for the Washington Public Ports Association executive team to view Kennewick’s Historic Waterfront District and Vista Field.</p> <p>Helped coordinate a ribbon cutting/media event for Swampy’s BBQ at Columbia Gardens.</p> <p>Updated the photo wall within the port’s office lobby.</p> <p>Presented Port projects to regional chamber members at the State of the Ports luncheon, and managed media involvement for 104 positive print and broadcast stories regarding port activities.</p> <p>Ensured Veterans Christmas Tree at The Willows was lit for holiday season, expanded the number of light strings for trees and shrubs on Clover Island—and distributed a holiday media announcement to help draw visitors/spending to east Kennewick during the winter season.</p> <p>Supported City of Kennewick with funding for traffic mitigation and intersection improvements at Deschutes Avenue and Columbia Center Boulevard.</p> <p>Participated and spoke as partner with City of Richland at their Center Parkway North roadway</p>
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EXHIBIT A -

<p>C. Creates an environment where employees at all levels contribute their knowledge, skills, abilities and ideas in a way that maximizes their potential. Employee potential is not limited by divisional walls or job title. Appropriately delegates to others. Is a good judge of talent; hires the best people available inside or outside the organization.</p> <p>D. Creates a climate in which people want to do and can do their best; can motivate team or project members; empowers others; invites input and shares ownership and visibility. Makes each person feel his/her work is important.</p>	<p>X</p> <p>X</p>	<p>extension ribbon cutting event; and received Benton City’s I-182 South Sub-Area Plan—Port of Kennewick financially supported both projects.</p> <p>Works with staff and legal counsel to complete a succession planning report. Commission received 50% review in August; and on October 8, 2024, Commission approved the Report - a <b>CEO Goal</b>.</p> <p>Secured biennial contract for temporary maintenance labor as way of mitigating for continued limitation of Coyote Ridge work crews while maintaining high port standards.</p>
<p>VIII. <u>Initiative/Courage/Adaptability</u></p> <p>A. Self-starting ability. Promptly takes hold and follows through with minimum direction.</p> <p>B. Willingness to state opinions and reasons without concern about the popularity of the views. Fortrightness in dealing with Commission, customers, suppliers, and others in the organization.</p>	<p>X</p> <p>X</p>	<p>Initiated emergency actions to remove the Metz Plaza shade structure, as well as a damaged section of the island’s north dock (Cedars) and evaluated options for renovating those assets.</p> <p>Worked with USACE to stabilize a section of the east end of Clover Island that eroded after initial 1135 restoration project. Coordinated a spring 2024 shoreline plant viability inspection with USACE and worked to close-out that project.</p> <p>When safety concerns were raised over the Port’s open water boat dock, the CEO initiated discussions and in collaboration with the restaurant owners,</p>

EXHIBIT A -

<p>C. Ability to adjust to changing conditions or unusual assignments. Flexibility in undertaking a variety of assignments, acceptance of decisions which go counter to own opinion.</p>	<p><b>X</b></p>	<p>fashioned a mutually agreeable and fair solution (lease modification) which put the issue to rest with limited financial and staff resource investment, and the overwhelming support of the restaurant, media, boaters, and general public.</p> <p>Once it was determined the former FBO building was an attractive nuisance with insurance concerns related to life/health/safety, the CEO worked with staff to begin the process of removing that tired structure, including asbestos evaluation and hazardous materials mitigation. A small works demolition contract has been secured and all permits with City of Kennewick &amp; Benton Clean Air Agency have been completed.</p>
<p>IX. <u>Loyalty</u></p> <p>Understanding and accepting of goals and policies of the organization. Willingness to support organization and management.</p>	<p><b>X</b></p>	<p>At 22 years, the port’s CEO is the longest serving CEO in the history of Port of Kennewick and according to WPPA is also the longest-serving Washington port executive in their current position—a significant accomplishment.</p>
<p>X. <u>Communications</u></p> <p>A. Effectiveness of exchanging significant information throughout all levels of the organization; with clients, vendors, and the public.</p>	<p><b>X</b></p>	<p>Identified concerns regarding life/health/safety related to failed/deteriorating pilings at the port’s open-water dock on Clover Island; researched options; negotiated satisfactory solution; and executed lease amendment with Cedars for loss of that recreational asset.</p>

**Additional Commissioner Comments:**



**EXHIBIT A -**

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# VISTA FIELD SOUTHERN GATEWAY

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Construction Update  
November 12, 2024



**VISTA FIELD**

















THANK YOU

Larry Peterson

Director of Planning & Development

Port of Kennewick

[www.vistafield.com](http://www.vistafield.com)



You're Invited

## VISTA FIELD GROUNDBREAKING EVENT

KUKI IZAKAYA JAPANESE RESTAURANT

Lot 15:

697 Crosswind Blvd  
Kennewick, WA 99336

**FRIDAY, NOVEMBER 22, 2024**  
**10AM - 10:30AM**



**VISTAFIELD**