



PORT OF KENNEWICK REGULAR COMMISSION MEETING

APRIL 22, 2025 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
Nick Kooiker, Deputy Chief Executive Officer/CFO
Amber Hanchette, Director of Real Estate
Michael Boehnke, Director of Operations
Bridgette Scott, Executive Assistant (via telephone)
Lisa Schumacher, Special Projects Coordinator
David Phongsa, Marketing/Capital Projects Coordinator
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 April 17, 2025**
Direct Deposit and E-Payments totaling \$92,317.18
- B. Approval of Warrant Register Dated April 22, 2025**
Expense Fund Voucher Number 106835 through 106871 for a grand total of \$152,587.46
- C. Approval of Regular Commission Meeting Minutes April 8, 2025**
- D. Gunderson Rail Services LLC dba Greenbrier Rail Services Lease Renewal: Resolution 2025-12**

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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NEW BUSINESS

A. *Washinton Economic Development Association (WEDA) Committee*

Mr. Arntzen reported the Port was recently awarded the Economic Development Award for Economic Response and Recovery from the Washington Economic Development Association (WEDA). Mr. Arntzen thought it would be a good idea for the Port to join WEDA and now needs a representative to attend meetings.

Commissioner Novakovich would be pleased to be the Port representative.

Mr. Arntzen stated the Commission Organization Representation list is updated every two years and if the Commission agrees, we will amend the Committee list informally today and formally add WEDA in 2026.

PRESENTATION

A. *Legislative Issues Report*

Ms. Lake gave a presentation on the 2025 Legislative Update thus far (*Exhibit A*).

REPORTS, COMMENTS AND DISCUSSION ITEMS

A. *Vista Field*

Ms. Hanchette reported the groundbreaking of Blueberry Bridal on April 17, 2025 was very successful, in thanks to Ms. Bader Inglima and staff (*Exhibit B*). Amber Keller, owner, has been a strong advocate for Vista Field from the very beginning and turned in her proposal at the Vista Field grand opening event on June 16, 2022. Ms. Keller has worked diligently to get to this point and is very excited about moving forward.

Ms. Hanchette stated the groundbreaking for Columbia Point Eyecare has been postponed until further notice, while the developers finalize details.

B. *Kennewick Waterfront*

Mr. Boehnke reported that the remaining sections of the Clover Island North dock have been removed completely and will be transported to Oak Street for dismantling and disposal. Additionally, Wildlands, the shoreline contractor, has been working on plant clean up and general irrigation maintenance and repair. Ms. Bader Inglima is working with the USACE, to bring over a biologist for a species count for the spec plants that were originally installed. This will be an annual event, as outlined in 1135 Shoreline restoration grant.

Mr. Boehnke stated the construction has been completed on the marina bathrooms and now has full key-fob access. The bathroom will be open to marina tenants only.

Mr. Phongsa reported on upcoming events for Columbia Gardens and Clover Island (*Exhibit C*).

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C. CEO Report

Mr. Arntzen gave a presentation to the Kennewick Kiwanis Club and stated it was a very lively crowd.

Mr. Arntzen recently visited the newly constructed Urban Mixed-Use community in Moscow Idaho, (*Exhibit D*) designed by Laurence Qamar.

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

Commissioners reported on their respective committee meetings.

E. Non-Scheduled Items

Ms. Bader Inglima received an email from Eric ffitch, Washington Public Ports Association (WPPA) Executive Director, requesting an interview with Mr. Arntzen or Ms. Bader Inglima, and Commissioner Novakovich to discuss the Port's message in the community. The WPPA has hired a consultant to update their goals and objectives with a focus on strategic communication planning and will be interviewing several other ports. From the interviews, the WPPA will develop a list of consensus messages for each community and broad themes that would be useful to each port. Ms. Bader Inglima inquired if the Commission is agreeable, she will reach out to Mr. ffitch for further details.

The consensus of the Commission is to move forward to assist the WPPA.

Ms. Bader Inglima commended the Commission for their investment in improving Clover Island and stated the Tri-City Birders are hosting a bird and brews event on Clover Island on April 23, 2025. This will include an hour of birding on the river and Duffy's Pond and then head to Ice Harbor at the Marina, for refreshments.

Ms. Bader Inglima reported that *Taylorred Living*, a local magazine, recently featured an article on the power of public art: how murals and creative revitalization are enriching communities, boosting tourism and reducing graffiti. The article featured several of the Port's artworks, including the Latino Mural at Columbia Gardens and it highlighted the investment the Commission has made on public art.

Ms. Bader Inglima reported the Regional Chamber of Commerce is holding the annual State of the Ports Luncheon on April 23, 2025 at 11:30 a.m. at the Red Lion Hotel in Pasco.

Commissioner Moak stated in the *Tri-Cities Journal of Business*, is a planning survey for downtown Kennewick. The City of Kennewick and Benton-Franklin Council of Governments have embarked on an area-wide planning initiative to support revitalization and attract development and investment in downtown Kennewick. Commissioner Moak encouraged people to fill out the survey and provide feedback.

PUBLIC COMMENTS

No comments were made.

PORT OF KENNEWICK REGULAR COMMISSION MEETING

APRIL 22, 2025 MINUTES

COMMISSION COMMENTS

No comments were made.

Commissioner Novakovich anticipates the Executive Session will last approximately 45 minutes, per RCW 42.30.110(1)(c) and RCW 42.30.110(1)(i)(iii). Two matters related to the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price and related to legal risks of a proposed action that the agency has identified when public discussion of the legal risks is likely to result in an adverse legal of financial consequence to the agency, with no action anticipated. Commissioner Novakovich asked the public to notify Port staff if they will return after the executive session so staff can advise if the session concludes early.

Commissioner Novakovich recessed the Regular Commission Meeting at 2:53 p.m. until 3:38 p.m.

Commissioner Novakovich convened the meeting into Executive Session at 2:53 p.m. for approximately 45 minutes.

EXECUTIVE SESSION

RCW 42.30.110 (1)(c) & RCW 42.30.110 (1)(i)(iii)

Two matters related to the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price and related to legal risks of a proposed action that the agency has identified when public discussion of the legal risks is likely to result in an adverse legal of financial consequence to the agency.

Ms. Scott extended the session at 3:38 p.m. for an additional 15 minutes (3:53 p.m.).

Commissioner Novakovich adjourned the Executive Session at 3:53 p.m.

Commissioner Novakovich reconvened Regular Commission Meeting at 3:54 p.m.

No decisions or actions were or will be made as a result of the Executive Session.

ADJOURNMENT

With no further business to bring before the Board; the meeting was adjourned at 3:54 p.m.

PORT OF KENNEWICK REGULAR COMMISSION MEETING

APRIL 22, 2025 MINUTES

APPROVED:

PORT of KENNEWICK

BOARD of COMMISSIONERS

DocuSigned by:

Skip Novakovich

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Skip Novakovich, President

DocuSigned by:

Kenneth Hohenberg

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Kenneth Hohenberg, Vice President

DocuSigned by:

Thomas Moak

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Thomas Moak, Secretary

PORT OF KENNEWICK

Resolution No. 2025-12

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE PORT OF KENNEWICK APPROVING
A THIRD FIVE YEAR LEASE RENEWAL OPTION WITH
GUNDERSON RAIL SERVICES, LLC D/B/A GREENBRIER RAIL SERVICES***

WHEREAS, the Port of Kennewick (Port) is authorized to enter into certain leases upon such terms as the Port Commission deems proper; and

WHEREAS, effective May 1, 2025, Greenbrier Rail Service, LLC exercised the third of six five-year options to renew its September 9, 1994 Lease with the Port, at an adjusted lease rate of \$5,500.00 per month through April 30, 2030; and

WHEREAS, the Port Commission has called a regularly scheduled public meeting with notice of such meeting given as provided by law and such public meeting was held at such time and on said date; and

WHEREAS, Port staff and the Port attorney have reviewed the proposed Addendum to Lease and find it is in proper form and it is in the Port's best interest; and after consideration of the attached Addendum to Lease, the Port Commission has determined that the Addendum is proper.

NOW THEREFORE, BE IT HEREBY RESOLVED that the Board of Commissioners of the Port of Kennewick hereby approve the Addendum to Lease confirming exercise of the third of six five (5) year lease renewal options with Gunderson Rail Service, LLC.

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 all action necessary and can pay all expenses necessary in furtherance hereof.

ADOPTED by the Board of Commissioners of the Port of Kennewick on the 22nd day of April, 2025.

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

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

DocuSigned by:
By: *Kenneth Hohenberg*
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KENNETH HOHENBERG, Vice President

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

THIRD ADDENDUM TO LEASE

THIS THIRD ADDENDUM TO LEASE (this "Addendum") is entered into on this _____ day of _____, 2025 (the "Effective Date"), by and between the Port of Kennewick, a Washington municipal corporation (as "Landlord"), and Gunderson Rail Services, LLC, an Oregon limited liability company d/b/a Greenbrier Rail Services (as "Tenant"), who are collectively referred to herein as the "Parties".

RECITALS

WHEREAS, on or about September 9, 1994, the Parties entered into a commercial lease relating to real property described as:

THE SOUND 700 FEET OF THE NORTHWEST QUARTER OF THE
SOUTHEAST QUARTER AND THE SOUTH 700 FEET OF THE
NORTHEAST QUARTER OF THE SOUTHWEST QUARTER ALL IN
SECTION 23, TOWNSHIP 8 NORTH, RANGE 30 EAST, W.M., BENTON
COUNTY, WASHINGTON.

TOGETHER WITH A 60 FOOT WIDE ACCESS AND UTILITY EASEMENT,
BEING THE WEST 60 FEET OF THE EAST 110 FEET OF THE SAID
NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, LYING
NORTHERLY OF THE SOUTH 700 FEET THEREOF AND SOUTHERLY OF
THE NORTH 20 FEET THEREOF.

TOGETHER WITH AND SUBJECT TO EASEMENTS, RESDERVATIONS,
COVENANTS AND RESTRICTIONS OF RECORD AND IN VIEW.

(the "Lease Agreement");

WHEREAS, a copy of which is attached hereto as **Exhibit A**; and

WHEREAS, the twenty (20) year Lease Agreement commenced on May 15, 1995 and ended on April 30, 2015; and

WHEREAS, the Lease Agreement allows Tenant to exercise up to six (6) five (5) year option extensions on the lease term; and

WHEREAS, Tenant previously exercised two (2) of its six (6) possible option extensions under the terms of the Lease Agreement; and

WHEREAS, the current option period commenced on May 1, 2020 and expires on April 30, 2025; and

WHEREAS, Tenant now desires to exercise its third option to extend the term of the Lease Agreement for another five (5) years from May 1, 2025 to April 30, 2030; and

NOW, THEREFORE, the Parties hereby agree to amend the Lease as follows:

AGREEMENT

1. Recitals. The Recitals set forth above are hereby incorporated into this Third Addendum by this reference.
2. Commercial Property Lease. The Lease Agreement described in the Recitals above is incorporated by reference into this Third Addendum as though written in full and shall, except as otherwise specifically modified herein and through prior amendments and addendums, remain in full force and effect.
3. Extension Terms.
 - 3.1 Authorization of Option Term. Tenant has exercised the third of six five (5) year options to renew the Lease Agreement pursuant to Paragraph 16 thereof. The third renewal period commences on May 1, 2025 and shall end on April 30, 2030.
 - 3.2 Rent. Pursuant to Paragraph 16 of the Lease Agreement, the Parties have negotiated a fair market rental rate for the renewal period as follows:

Price Per Acre: \$137.50
Total Acreage Leased: +/- 40 acres
Base Monthly Rent (not including LET): \$5,500.00
Leasehold Tax (LET)(current rate 12.84%): \$ 706.20
4. Further Acts and Documents. The Parties shall execute any and all further documents, instruments, and other conveyances and agreements, and shall do all acts which may be necessary or appropriate to fully implement the provisions of this Third Addendum.
5. Construction.
 - 5.1 In the event of any conflict, inconsistency or ambiguity between the terms of the Lease Agreement and this Third Addendum; the terms of this Third Addendum shall govern and control.
 - 5.2 Any terms that are capitalized in this Third Addendum but not otherwise defined herein that are capitalized and defined in the Lease Agreement shall have the same meaning for purposes of this Third Addendum as they have for purposes of the Lease Agreement.
 - 5.3 The descriptive headings in this Third Addendum are for convenience only and will not control or affect the meaning or construction of any provision herein.
6. Counterparts. This Third Addendum may be executed in several counterparts, each of which shall be an original and shall constitute one and the same instrument.

7. Authority to Sign. Each of the persons signing below on behalf of any party hereby represents and warrants that he or she or it is signing with full and complete authority to bind the party on whose behalf of whom he or she or it is signing, to each and every term of this Third Addendum.

IN WITNESS WHEREOF, the Parties have executed this Third Addendum as of the Effective Date first written above.

LANDLORD : Port of Kennewick

A Washington Municipal Corporation by Authority of its Board of Commissioners

By: _____
Tim Arntzen, Chief Executive Officer

Approved:

Approved as to form:

Nick Kooiker, Port Auditor/CFO

Taud Hume, Port Counsel

TENANT: GUNDERSON RAIL SERVICES, LLC

an Oregon limited liability company dba Greenbrier Rail Services

By: _____

Its: _____

ACKNOWLEDGEMENTS

State of Washington)
)ss
County of Benton)

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

GIVEN under my hand and official seal this ____ day of _____, 2025.

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

State of Washington)
)ss
County of Benton)

On this day personally appeared before me _____, to me known to be the _____ of **Gunderson Rail Services, LLC**, the Oregon limited liability company that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated he is authorized to execute the said instrument.

GIVEN under my hand and official seal this ____ day of _____, 2025.

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

EXHIBIT A

(Lease Agreement)

Port of Kennewick 2025 Legislative Update...so far...



Presented by
Carolyn Lake
Port Legal Counsel



2025 Legislative Update

- **Exempting Fuels Used for Agricultural Purposes from the Climate Commitment Act:**
- HB 1912, sponsored by Rep. Dent (R-13th LD, Moses Lake), addresses an exemption for fuels used for agricultural purposes under the climate commitment act.





2025 Legislative Update

Governance

Oath of Office for Local Elected Officials:

HB 1573, sponsored by Rep. Parshley (D-22nd LD, Olympia), provides additional flexibility for local elected officials, including port commissioners, to take their oath of office following their election.

2025 Legislative Update

Port Commissioner Elections:

SB 5370, sponsored by Sen. Harris (R-17th LD, Camas) and cosponsored by Sen. Chapman (D-24th LD, Port Angeles) and Sen. Lovelett (D-40th LD, Anacortes), amends Title 53 RCW to allow voters to extend port commissioner terms from four to six years in certain circumstances.



2025 Legislative Update



- **Public Works Responsible Bidding for Public Works: HB 1549, sponsored by Rep. Fosse (D-38th LD, Everett)**
- Places additional requirements on contractors that bid on public works projects to produce an apprenticeship utilization plan.

2025 Legislative Update



Economic Development- Non-resident Vessel Permit Length Requirements:

SB 5281, sponsored by Sen. Chapman (D-24th LD, Port Angeles), increases the allowable non-resident vessel length from 200 feet to 300 feet.

2025 Legislative Update

WANING

Transportation: *Supply Chain Competitiveness*

SB 5649, sponsored by Sen. Liias (D-21st LD, Edmonds), creates the Supply Chain Competitiveness Infrastructure Program, a grant and loan program overseen by WSDOT. This would have provided funding for port and port-adjacent projects which result in removing supply chain barriers or bottlenecks.



2025 Legislative Update

DEAD

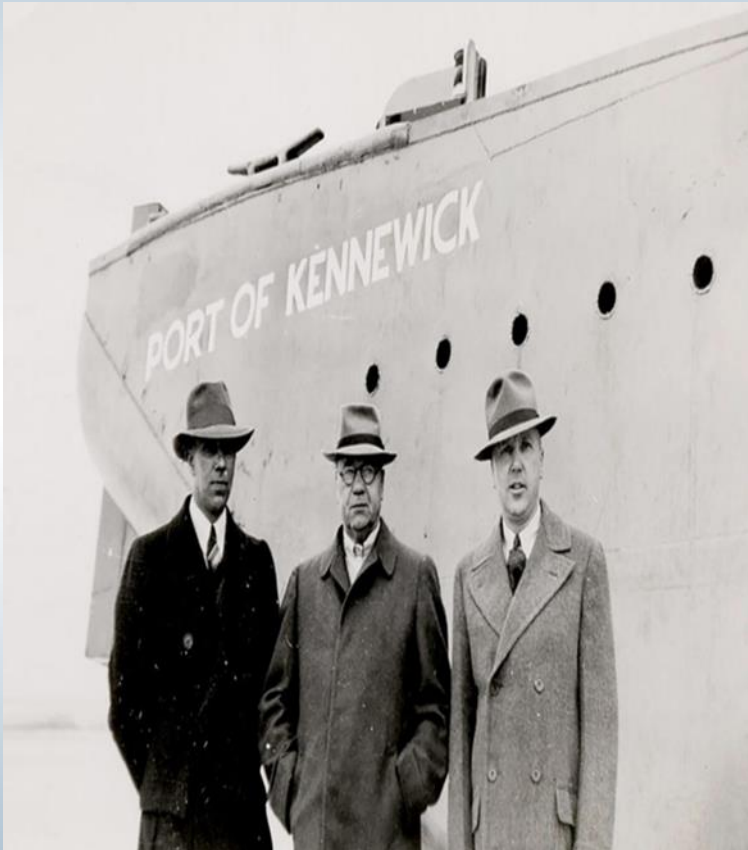
**Labor /
Artificial Intelligence
Bargaining:**



HB 1622 sponsored by Rep. Parshley (D-22nd LD, Olympia).

Would have required public-sector employers, including ports, to bargain with their represented employees over the decision to adopt or modify the use of artificial intelligence (AI).

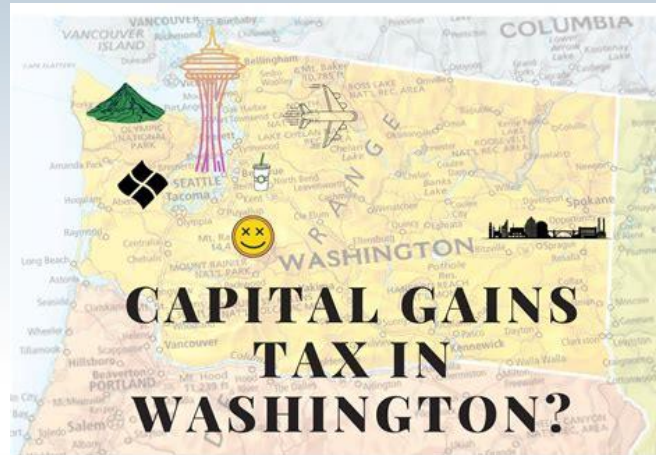
2025 Legislative Update



- **Passenger-only Ferries:** HB 1923, sponsored by Rep. Nance (D-23rd LD, Kitsap County), sought to increase passenger only ferry service by authorizing local governments, including port districts, to create passenger only ferry service districts.

2025 Legislative Update

Budget proposals released by budget leaders on April 15:



- **Capital Gains & Estate Tax** - Tiered structure with an additional 2.9% surcharge on sale of stocks, bonds, and assets above \$1 million per year.
- Increases the estate exclusion amount to \$3 million and adjusts it for inflation.
- Raises \$351 million for 2025-2027 biennium.

2025 Legislative Update

Budget proposals released by budget leaders on April 15:

- **B & O Surcharges and Rate Increases for Large Businesses –**

Intent to generate new revenue from an existing tax:

- Four hundred corporations with \$250 million in annual revenue pay a temporary increased rate (HB 2049 and HB 2081);
- Nearly all other industries see an increase in the existing B&O tax rate (.484 on the majority of industries; .471 for retail sector) to .5 permanently (HB 2081).
- Raises \$2.4 billion in 2025-2027 biennium.



2025 Legislative Update

Budget proposals released by budget leaders on April 15:

Property Tax Cap Increase

– Allows for up to 3% annual property tax increases based on inflation and population growth for local governments, including ports. Raises \$200 million in 2025-2027 biennium.

BUT! As of Monday 4/21:

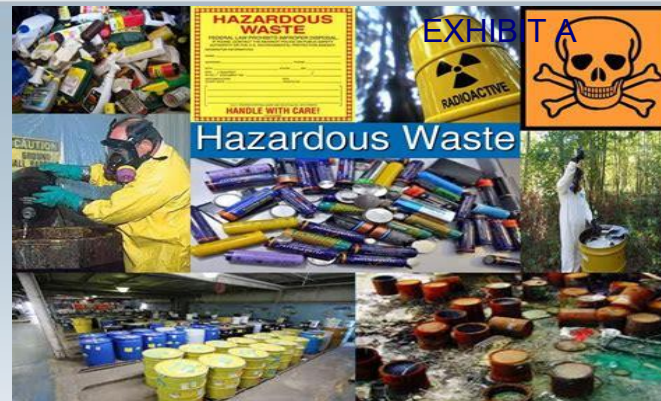
The property tax battle of 2025 ended.

Democrats ended attempts to repeal the voter-approved 1% limit on property tax growth, citing a lack of “three-corner” agreement - meaning no agreement amongst Democratic leadership of the House, Senate and Democratic Gov. Bob Ferguson.



2025 Legislative Update

Budget Cut proposals:



- MTCA Account Sweep: The Senate operating budget proposal calls for a **combined \$100 million transfer** of funds from the Model Toxics Control Act (MTCA) to the general fund. A large group of stakeholders including ports, industry, cities, and environmental nonprofits came together and sent a letter to legislative leaders opposed to this move.
- MTCA Remedial Action Grant (RAG) lapse requirements: The Senate capital budget proposal includes **funding lapse** requirements for RAG reappropriations prior to 2020 if contracts are not finalized and funding is not spent down by a specified date.

2025 Legislative Update

EXHIBIT A



- **Budget Cut proposals:**

Cuts to Department of Commerce Economic Development Programs:

A combined \$156 million cut to economic development programs at the Department of Commerce's Office of Economic Development & Competitiveness in both proposed operating budgets.

LAST.....2025 Legislative Update



Alcohol Service in Public Places:
HB 1515, sponsored by Rep. Reed (D-36th LD, Seattle), allows local governments, including port districts, to request approval from the Washington State Liquor and Cannabis Board (LCB) to provide expanded outdoor alcohol service for liquor licensees at large events...

HINT:



Know why??

2025 Legislative Update

Alcohol Service in Public Places: SEATTLE FIFA!



2025 Legislative Update

AT A GLANCE

- *Length: 105 days; Regular session began on January 13, 2025*
- *For up-to-date WPPA legislative information, visit:
leg.wa.gov tvw.org washingtonports.org*
- *Visit WPPA website at: washingtonports.org*
- **REMAINING SESSION CUTOFF DATES**
- *April 27, 2025: Last Day of Session*

Thank you!





Blueberry Bridal

Groundbreaking
Ceremony

April 17, 2025













You're Invited

VISTA FIELD
GROUNDBREAKING
EVENT

COLUMBIA POINT EYE CARE
Opt 2
6037 Azure Drive
Kennewick, WA 99336

TUESDAY, APRIL 22, 2025
10AM - 10:30AM

VISTAFIELD

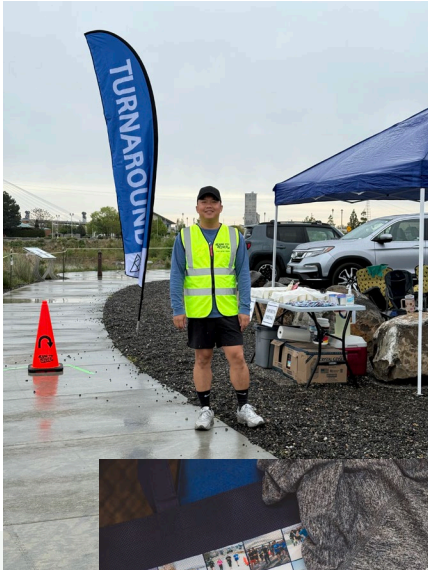
POSTPONED

2025

Upcoming Events



2025 Run The River Marathon & Relay



Sponsored by Runners Soul

April 19th

Great community event, Port of Kennewick
volunteer aid station & turn around point on Clover
Island, over 900 participants





February 4th, 2025

Annual Recap Meeting with Columbia Gardens Wine and Artisan Village tenants

Bartholomew Winery
Gordon Estate Winery
Monarcha Winery
Muret-Gaston Wine Bar
Botanas Culichi
Frida's Mexican Grill
Nana's Kitchen





The poster features a dark purple background with a faint silhouette of a mountain range. At the top center is the logo for Columbia Gardens Wine & Artisan Village, which consists of a circular emblem with the text 'WINE & ARTISAN' at the top, 'Columbia Gardens' in a script font in the center, and 'VILLAGE' at the bottom. Below the logo, the text '2025 EVENTS' is written in large, bold, yellow capital letters. The events are listed in two columns, separated by a vertical white line. Each event entry includes a date in large yellow numbers, the month in small white capital letters, and the event name in white capital letters. At the bottom left, the address '325 E COLUMBIA DRIVE KENNEWICK, WA 99336' is written in white. At the bottom right is a QR code.

**WINE & ARTISAN
Columbia Gardens
VILLAGE**

2025 EVENTS

3 MAY	SIP & SAVOR HOSTED BY SWAMPY'S BBQ	16 AUGUST	SIP'N SATURDAYS @ MONARCHA (4-8)
31 MAY	SIP'N SATURDAYS @ BARTHOLOMEW	20 SEPTEMBER	SOCO CREATIVE ARTS FESTIVAL (4-8)
21 JUNE	QUILT SHOW (12-5)	31 OCTOBER	HALLOWEEN TRUNK-OR-TREAT (4-8)
19 JULY	SIP'N SATURDAYS @ GORDON (4-8)	6 DECEMBER	WINTERFEST (12-4)

325 E COLUMBIA DRIVE
KENNEWICK, WA 99336



2025 Events

Columbia Gardens Wine and Artisan Village

1. NEW Sip & Savor, hosted by Swampy's BBQ
2. NEW Sip'N Saturdays series at rotating wineries
3. NEW Quilt Show
4. 3rd Annual SOCO Creative Arts Festival
5. 2nd Annual Halloween Trunk-Or-Treat
6. 2nd Annual Winterfest Event

2025 Upcoming Events



Sip & Savor

May 3rd

Hosted by Swampy's BBQ
in collaboration with all 4 wineries



Sip & Show

June 21st

Hosted by Discount Vac & Sew
in collaboration with all tenants



Art Splash on Clover Island

June 22nd

In collaboration with Emerald Spark
Events & SOCO Creative District



Thank you

See you there!

Urban Mixed-Use Development

Moscow, Idaho











