



REGULAR COMMISSION MEETING

PORT OF KENNEWICK

AUGUST 14, 2012 MINUTES

CALL TO ORDER

Commission President Skip Novakovich called the Commission meeting to order at 2:00 p.m. in the Port of Kennewick Commission Chambers located at 350 Clover Island Drive, Suite 200, Kennewick, Washington 99336.

The following were present:

Board Members: Skip Novakovich, President
Don Barnes, Vice-President
Gene Wagner, Secretary

Staff Members: Tim Arntzen, Executive Director
Tana Bader Inglima, Director of Governmental Relations & Marketing
Tammy Fine, Director of Finance/Auditor
Larry Peterson, Director of Planning
Teresa Hancock, Real Estate & Special Projects Coordinator
Bridgette Scott, Executive Assistant
Lucinda Luke, Port Counsel

PLEDGE OF ALLEGIANCE

Ms. Ginger Eagle led the Pledge of Allegiance.

Mr. Arntzen introduced Ms. Eagle from the Washington Public Ports Association (WPPA). Ms. Eagle is visiting ports in Eastern Washington. Commissioner Novakovich is on the WPPA Legislative Committee and Ms. Eagle was able to meet with Commissioner Novakovich prior to today's meeting. Ms. Eagle's visit demonstrates the WPPA makes an effort to visit ports throughout the state, even though they are based in Olympia. WPPA is very familiar with the diverse ports throughout the state.

Ms. Eagle stated Washington has 75 ports, with 50 on the east side. Ms. Eagle is visiting some of the eastern ports in the wine country. Ms. Eagle has not been in Kennewick in six years and exclaimed a lot has happened in six years! She is impressed with the developments and is excited to receive a tour of the facilities. She commented the WPPA uses Port of Kennewick's staff to train others and also uses them as an example for other ports.

PUBLIC COMMENTS

Ed Frost, 609 W. Albany Avenue, Kennewick. Mr. Frost thanked Port staff for developing the parking lot in the Willows, making it easier to visit Duffy's Pond. Mr. Frost inquired if the joint meeting with the City of Kennewick is still scheduled for August 28, 2012 at 6:00 pm. Ms. Scott confirmed the meeting date and time.

Carl Cadwell, 1361 Gage Boulevard, Richland. Dr. Cadwell commended the Port on moving forward on Clover Island. However, he is in angst about the Commission wavering on their decision made two years ago to keep Vista Field open. Prior to that decision, Cadwell Laboratories was



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seriously looking to leave the area because of the imminent closure of the airport. When the Port Commissioners voted keep Vista Field open, his company built a two million dollar addition onto the Cadwell Laboratories building located at Vista Field, creating additional living-wage jobs in Kennewick. In addition to the extension of Cadwell Laboratories, he stated Pacific Cataract and Laser Institute is currently building a new office next to the airport. Dr. Cadwell commented it appears the Commission believes that Vista Field is not that important and that they will have the public vote to keep Vista Field open or not. He stated the Commission will spend \$225,000 to get the information out to the public so they can vote on shutting it down. Dr. Cadwell feels betrayed; because he thought the Port would keep their word. He stated another thing that has delayed getting Vista Field started is not building new hangars. Dr. Cadwell has discussed building hangars with the Port and has been put off three times. He commented the Port has attempted to obtain an FBO at the airport; however, the airport still does not have a FBO. Dr. Cadwell offered to rent the FBO building from the Port as a private person, but will not do it under the Port's terms. He would do it as a businessman. He feels there are onerous items in the FBO contract. He proposed the Port allow him to rent the building, as the current FBO, and he will move forward. Dr. Cadwell also requested the Port not spend \$225,000 on a study, because it will only cost \$30,000 yearly to keep the airport open.

No further comments were made.

CONSENT AGENDA

Mr. Novakovich commented Consent Agenda items are a number of items taken collectively in one motion to be approved or disapproved.

The consent agenda consisted of the following:

- A. Approval of Direct Deposit and Warrants Dated July 13, 2012**
Direct Deposit totaling \$21,700.42 and Expense Fund Voucher Numbers 33330 through 33333 totaling \$4,245.00; for a grand total of \$25,945.42.
- B. Approval of Warrant Registers Dated July 25, 2012**
Expense Fund Voucher Numbers 33334 through 33397 totaling \$104,955.45.
Construction Fund Voucher Numbers 3305 through 3313 totaling \$87,202.68.
- C. Approval of Direct Deposit and Warrants Dated July 31, 2012**
Direct Deposit totaling \$27,405.22 and Expense Fund Voucher Numbers 33398 through 33402 totaling \$11,729.60; for a grand total of \$39,134.82.
- D. Approval of Warrant Registers Dated August 14, 2012**
Expense Fund Voucher Numbers 33403 through 33456 totaling \$78,906.38.
Construction Fund Voucher Numbers 3314 through 3321 totaling \$51,191.30.
- E. Approval of Commission Meeting Minutes Dated June 12, 2012**
- F. Approval of Commission Meeting Minutes Dated June 26, 2012**
- G. Approval of Emergency Replacement of Oak Street DB5 HVAC; Resolution 2012-38**
- H. Authorize Application For Funding Assistance To The Community Economic Revitalization Board (CERB) for a 2012 Community Revitalization Grant Program Project to Enhance and Improve the Clover Island North Shoreline; Resolution 2012-39**



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I. Approval to Accept and Award a Contract to Absolute Power to Replace all Shop & Shop Room Lighting Fixtures at the Oak Street Ag Engineering Building, in conjunction with the (PUD) Energy Efficiency Lighting Project; Resolution 2012-40

MOTION: Commissioner Wagner moved approval of the consent agenda; Commissioner Barnes seconded. All in favor 3:0. With no further discussion motion carried unanimously.

PRESENTATIONS

A. Tri-Cities Airport Update, Jim Toomey, Port of Pasco Executive Director

Mr. Toomey introduced Port of Pasco Commission President Jim Klindworth and Director of Planning & Engineering Randy Hayden. Mr. Toomey gave a brief background of the airport and the land it occupies. As a commercial airport, it is eligible for, and receives, federal grants based on the number of passenger boardings and airplane landings.

Prior to 2008, the airport grew 2.8% annually, which is consistent with its historical average. However, each year since 2008 and despite the poor economy, the airport has had record breaking increases of passenger boardings. The passenger enplanement forecast estimates boardings will increase from 327,000 in 2011 to 590,000 in 2032.

The Port of Pasco began updating the Airport Master Plan in 2008 and finalized it recently. The previous Master Plan directed the Port to continue as planned. The new Master Plan contrasts significantly from the former plan as it recommends the Port expand the terminals, realign the taxiways, and create more space for airplanes and rental cars, to be able to accommodate a 757 aircraft.

Mr. Toomey stated land side compatibility of the airport's agronomical system is critically important. The Washington State Department of Transportation (WSDOT) and Federal Aviation Administration (FAA) determines regulations for air space and recommends the Port purchase additional property to preserve the capability of the Port to extend the runway, and to ensure the property does not become homes in the future.

Port staff developed a number of scenarios for the Commissioners review to determine how the Port can pay for the expansion. The property in question is currently dirt; however it is zoned and platted for housing. The Port would rather purchase dirt instead of homes. If everything is built at the time it is needed, 2014 and 2018 will be very expensive. The Port is trying not to be too concise with the numbers, but knows the costs are estimated. They expect actual costs to be higher rather than lower.

As a commercial airport, the Port is eligible for federal grants, such as the Airport Improvement Program (AIP) and the Passenger Facility Charge (PFC), which are directly related how many boardings occur at the airport. The focus of Pasco's AIP and PFC is expansion of the terminal, potential reimbursement for costs associated with purchasing the land, extension of the runway and expansion of the runway space to accommodate the large aircrafts.

The airport has three sources of revenue: airlines, parking lot and rental cars. The Commissioners feel the airport is a regional airport and the costs to improve the airport should be



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borne by the users. On July 1, 2012, the parking lot fees increased from \$7/day to \$9/day. The Commissioners are also considering raising the rental car fees. Another possible source of revenue is general obligation debt, secured by the revenues of the Port district, or revenue bond debt. The Commissioners do not want to spend money from other economic development initiatives to subsidize the Tri-Cities Airport.

Mr. Toomey explained that the airlines decide whether or not to service the Tri-Cities Airport; not Port staff. Although the boardings have increased greater than the national average, it is possible they may decline as well. The Port is trying to factor this risk and balance it with available funds to determine if the Port can continue to pay for the airport as the needs arise.

The PFC was set at \$4.50 per person for every commercial boarding in the mid to late 1990's and the fee has not increased since this time. Due to inflation, \$4.50 does not provide as much buying power today. The PFC is a federal program and federal action will need to take place to increase the charge beyond \$4.50. The Port of Pasco may request the Port of Kennewick's support in increasing the PFC above \$4.50, and suggested the ports could meet jointly with legislators in Washington, D.C.

Mr. Arntzen commented that he requested this presentation because the airport is a regional issue. Everyone in the region enjoys the convenience of having the airport in Pasco. Mr. Arntzen feels our community has done a better job of recognizing regional assets and not duplicating services. He reiterated there may be a time when the Port of Kennewick is called upon for assistance by the Port of Pasco.

Mr. Novakovich inquired if the Air Race Classic (ARC) requested funding and/or assistance from the Port of Pasco. Mr. Toomey shared the ARC is working with Bergstrom Aircraft, one of the airport's FBO's. The Port will only provide portable restrooms for the event. In the future, the Port may participate by advertising in the event program. He explained from a capital standpoint the Port is limited in what can be contributed.

B. Tri-City Raceway Site Analysis, Ferdouse Oneza, Oneza & Associates

Mr. Peterson stated the Port acquired 92 acres outside the city of West Richland in 2008. The property was formerly the Tri-City Raceway and has been closed for four years. A portion of the site has been agricultural/production for ten+ years and has a substantial water right. The property is adjacent to Red Mountain AVA and is part of West Richland's plans to extend westerly to the future interchange on Interstate 182. This site is identified in the Port's Comp Scheme as a property to hold for the future and was not expected to be developed immediately, as West Richland's attempt to include it within their Urban Growth Area (UGA) boundary was not successful. The Port requested Ms. Oneza review the property to discover its potential strengths, weaknesses and opportunities.

Ms. Oneza stated the property is at the west end of the Tri-Cities metro area, next to West Richland, Benton City, Red Mountain AVA and the proposed Red Mountain Interchange at Interstate 182, SR-224. The site's location is very significant, as it will be near the Red Mountain Interchange.



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The site lacks adequate infrastructure as it has limited access, is outside of the UGA and has a Bonneville Power Administration (BPA) easement running through the property.

The site has many strengths: it is flat; close to Tri-Cities metro, Red Mountain AVA and the proposed Red Mountain Interchange; it is zoned light industrial and the Tri-Cities has available laborers. The interchange has the potential to bring more jobs and could change the economy of the area. Ms. Oneza believes there are opportunities to collaborate with public and private entities to develop the site.

The site could work as a regional destination and a gateway to the Tri-Cities and West Richland. Potential uses include winery tourism and wine support types of uses such as cork and capsule providers, barrel manufacturers, and winery equipment suppliers; or it could be used as a wine incubator or wine village.

Ms. Oneza reviewed two alternatives for development: in Benton County or under the City of West Richland's UGA. Development under Benton County's jurisdiction has limited infrastructure and access; no water, sewer or irrigation services; limited utilities, limited buildable capacity and development at 15% land coverage. Development within the West Richland UGA has the potential for road connectivity; municipal water and sewer services; utilities could be extended; and development at 25% land coverage.

Ms. Oneza shared some design considerations for development within the West Richland UGA. She suggested using some of the features of the race track for trails, preserving some of the trees, and using the BPA easement for a trail system. With a central passageway, the road could offer an experience corridor and transition the public through wine research and processing, and a cluster of wineries or wine incubators. This could create a combination of tourism and businesses.

The cost-benefits, job impacts, property tax revenue, retail sales and investment returns were reviewed for each scenario. Ms. Oneza believes the development of the property under the West Richland UGA would be more beneficial and have a better impact on long-term jobs and economic impact aspects, it also provides the potential for collaboration with partners. Ms. Oneza recommends a Master Development Plan be developed for the site.

Mr. Peterson stated this site can accommodate 500,000 - 850,000 square feet of buildings and 700 - 1,000 employees. The investment proposed is suggested as private sector investment, similar to the Port of Benton's property east of Prosser. The Port of Benton made investments in the infrastructure and the private sector developed the area. Mr. Peterson stated the information was brought to the Commission for their consideration, not immediate action.

Mr. Barnes feels the property is well positioned with the development of the Red Mountain Interchange. The area will increase activity within region and he feels it has good potential.



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C. *Clover Island Inn Summer Concert, Mark Blotz*

Mr. Blotz shared this was the 8th year for Clover Island Inn to bring music to the island during the summer. The concerts were very successful this year. The main concert featured Sawyer Brown and approximately 1,500 people attended. The Inn utilized the new parking lot in the Willows and shuttled people between the parking lot and the concert. Mr. Blotz shared pictures from the Sawyer Brown concert. The summer concert series brought over 6,000 people to the island.

D. *Clover Island Artwork, Barb Carter*

Ms. Carter stated she attended the Sawyer Brown concert. It was very well organized, extremely professional, and everyone had a good time.

Ms. Carter stated "Anwash" is the name tribes used to identify Clover Island. The literal translation is "sun's place" or "land of the sun." This is one of the many things learned during the journey of working with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). The project's success is dependent upon a working partnership with the tribes. Listening to their stories of history allows us to capture the true spirit and image of the culture. Ms. Carter shared a drawing of the artwork; which has been revised five times and presented to the tribes. Rodd Ambroson and Chris Herath are working together to ensure the sculpture fits well in the village design and the interpretive space becomes an extension of the story the sculpture tells.

The drawings were presented to the tribes Cultural Heritage Committee last week. The members of the committee were very responsive and offered suggestions for the artwork. The Chairman, Armand Minthorn, expressed his desire to include a written narrative explaining the importance of the tulle. The architect will include the narrative in the interpretative display design. The committee offered their support and assistance for the project and shared their appreciation for honoring their culture. The artwork is a work in progress. The drawings will be perfected until they represent exactly what the tribes would like to see and that it truly represents the tribes. The next step is presenting the drawing to the Executive Board of Trustees. Once the drawings are finalized, Mr. Ambroson will meet the two models in Portland for 360 degree photos, and start the process of creating the statues. Ms. Carter will continue to update the Port Commission throughout the process. Ms. Bader Inglima reiterated the drawings are rough conceptual drawings as the Cultural Heritage Committee will continue to work with Ms. Carter to provide any additional changes. Ms. Bader Inglima shared her appreciation for Ms. Carter's work on the project.

Mr. Arntzen heard a comment offered at a prior Commission meeting that spending \$150,000 on this artwork is a waste of taxpayer's money. Mr. Arntzen feels this comment is like saying "Spending \$150,000 in West Richland is a waste of money." He explained the Umatilla Nation is a jurisdictional partner; this was their territory. Whether or not you agree, this issue was settled long ago. We have seen the result of not including partners; it causes problems like the issue at Columbia Point and anywhere within 200 feet of the water. The tribes are another partner, that for many years were not recognized as such. There are many other projects that can be done with the tribes, artwork is just the beginning. They have proposed joint economic development projects to the Port for consideration. Mr. Arntzen feels it is erroneous to say investment in this partnership is a waste of money. Mr. Arntzen stated when we needed the



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Umatilla's, they are there for us. They were present in Olympia last week supporting our grant application. The benefit we receive from the assistance of the Umatilla Tribes has been very beneficial to Clover Island. It would not look like it does today without their assistance and support.

Mr. Novakovich agreed and views the partnership as an investment in the future of economic development.

Recessed: 3:18 p.m. for 7 minutes

Reconvened: 3:25 p.m.

REPORTS COMMENTS AND DISCUSSION ITEMS

A. *Comp Scheme/Financial Planning Contract for Anchor QEA*

Mr. Arntzen stated the Comp Scheme was approved about 1 ½ years ago. Upon completion, we recognized a financial component would need to follow the Comp Scheme. Mr. Arntzen presented a proposal from Anchor QEA to prepare the financial component. Mr. Floyd will prepare a necessary planning document that will include a five to seven year period. The Port has financial challenges in the future and this document will help plan for them in advance and will propose strategies to reduce the operating gap.

Mr. Floyd will present three options for closing the operating gap and will assist with presenting the results to the Commission and the public. This process will be completed with public input. Mr. Arntzen recommends the Commission approve the Scope of Work. The Commission is in consensus for Mr. Arntzen to execute the contract under his Delegation of Authority.

B. *Clover Island*

1. *Hotel Lease Principles*

Ms. Fine stated the Port initially entered into a lease with Clover Island Inn in 1976. In 1997, a 4% gross revenue clause was included in the lease in addition to their normal lease rent. When Ms. Fine began her employment with the Port, the lease clause was not in effect. She knew this could cause potential audit and accountability issues. She stated when the State Auditors Office performs an audit, they check to make sure all the revenues are collected, including the 4% gross revenue. The Port has been working with hotel ownership group to eliminate the gross revenue, as it creates a substantial amount of issues with auditing, record retention, and public disclosure laws. The 4% gross revenue also puts the Port in fluctuation status with the hotel's revenue from year to year. Ms. Fine verified eliminating the 4% gross revenue clause with the State Auditor's office and the Department of Revenue, replacing it with increasing the rent 30% over next five years, followed by steady 3% rent increases. The hotel ownership will set aside funds for exterior capital improvements to the hotel and/or land each year, or other mutually agreed upon improvements or partnerships. The improvements will help make the island more attractive; increase the surrounding values; draw more visitors to the island; and supports the Master Plan and Bridge to Bridge River to Rail Plan. Ms. Fine will bring the draft lease to the Commission for consideration.

Ms. Fine stated the The Washington Department of Fish and Wildlife want the Port to take over ownership of the dock and push it away from shoreline 40 feet, which would be more



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helpful to the fish. Ms. Bader Inglima is working on a grant to assist with the expense of moving the dock.

Although the lease revisions are handled by staff, Mr. Arntzen wanted the Commission to hear the main points to ensure the Commission is in agreement with the proposed lease. The Commission supports the ideas proposed in the lease.

C. *Vista Field*

1. *Selection/Appointment of Committee Members for Future of Vista Field Airport RFQ*

Mr. Novakovich received and reviewed 13 applications in response to the advertisement for a citizen and pilot representative on the Selection Committee. The Commission is very appreciative of the support and interest by the public. Of the 13 applications received, one did not live in the district, five are pilots and seven are non-pilots. Mr. Novakovich stated it was difficult to select the representatives as some of the applicants have extensive experience and interest in Vista Field. His decision was partially based on the fact that the people selected typically attend every port meeting, and have been very interested and involved throughout the process. Mr. Novakovich recommended Ed Frost for the At-large Citizen Member and Ed Keenan for the Pilot Representative. Mr. Wagner and Mr. Barnes concur with the recommendations.

The following representatives were appointed from each jurisdiction:

Benton County, Leo Bowman
City of Benton City, Lynn Johnson
City of Kennewick, John Hubbard
City of Richland, Brad Anderson
City of West Richland, Brent Gerry

Mr. Arntzen reported five proposals were received in response to the Vista Field Analysis: DPZ, ELM, Makers Architecture, MIG and Ricondo & Associates.

The Scope of Work calls for Port staff to screen the submittals to determine whether they are responsive to the RFQ. Following the screening, they will select the three firms that appear most qualified. The Selection Committee will interview the final three consultants. Ben Floyd, with Anchor QEA, has been hired to independently assist the committee with the interview process and is available to answer any questions including economic and environmental background for Vista Field. Mr. Floyd also reviewed the qualifications of the proposals received with Mr. Peterson and Mr. Arntzen.

Mr. Arntzen is hopeful the interviews will be accomplished in one day. The committee will meet in the morning to discuss background information, review the proposals and selection criteria; conduct the interviews after lunch, and make a recommendation prior to adjourning. Mr. Arntzen feels it would be best for the Port to take a hands-off approach to reduce the potential of claims of interference by the Port. The Commission agreed and approves of the public involvement throughout the process.



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D. *Cancellation of Regular Commission Meeting September 11, 2012*

Mr. Arntzen proposed cancelling the regular meeting and holding a special evening meeting to encourage citizen involvement. Mr. Barnes suggested reviewing meeting dates/times to ensure the special meeting does not conflict with other jurisdictions.

E. *Schedule Special Commission Meeting September 12, 2012*

The Port occasionally schedules meetings at alternative locations, days and times throughout the district to encourage citizen involvement. The meeting will begin at 6:30 p.m.

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

Mr. Barnes met with Mr. Arntzen and City of Kennewick Manager Marie Mosley and discussed items of mutual interests; met briefly with Jerome Delvin, attended the Washington Public Ports (WPPA) Commissioner Conference and the Red Mountain Pump Station ribbon cutting ceremony, also attended by Governor Gregoire.

Mr. Wagner attended regular meetings and a retirement reception for Phyllis Kenney, who served as Committee Chair for the Community Development and Housing Committee, Washington House of Representatives.

Mr. Novakovich attended normally assigned meetings, met with the Tri-City Herald Editorial Board with Ms. Fine and Ms. Luke; had lunch with the Tri-City Herald Publisher, Greg McConnell; attended the City of Kennewick Historic Preservation Commission Meeting, had lunch with the CTUIR Board Chairman, attended the WPPA Commission Seminar, attended a Badger Board meeting, met with Mark Kushner and Leo Bowman to prepare a presentation on transportation for the community roundtable, met with Leo Bowman and community members regarding the County joining a national organization that will provide resource information to the public regarding various issues such as veterans affairs and mental health; had lunch with Jerome Delvin, met with Marjy Leggett and Don Clayhold, and attended several meetings with the Columbia Basin Veterans Coalition.

G. *Non-Scheduled Items*

1. Ms. Scott invited the public to attend the Benton Franklin Fair & Rodeo parade on Saturday, August 18, 2012; the Port Commissioners will be participating in the parade.
2. Mr. Arntzen met with Commissioner Barnes and Ms. Fine regarding quarterly budget summaries and the 1% issue, which limits local jurisdictions to increasing tax revenues by 1% each year. Mr. Arntzen and Mr. Barnes will meet with Ms. Fine to review the detailed implications.
3. Mr. Arntzen traveled to New Jersey in July to judge the international waterfront projects submitted to the Waterfront Center. He participated with four additional judges, reviewing 50-60 projects and selecting 10 winners. Some of the projects were in Seattle, Tri-Cities, Singapore, and San Juan Puerto Rico. Mr. Arntzen stated the Port is a member of this coalition, along with the Tri-Cities Visitor and Convention Center. He reiterated that all of the local jurisdictions: cities, counties and ports, pooled their resources to bring the Waterfront Center to our area on two separate occasions for riverfront planning.



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PUBLIC COMMENTS

Cal Coie, 705 S. Oklahoma Street, Kennewick. Mr. Coie agrees with Dr. Cadwell's comments made at the beginning of the meeting. Mr. Coie shared that he visited Rodd Ambrosion's foundry in Joseph, Oregon and found it fascinating. Mr. Coie is not familiar with all of the companies that submitted a proposal; however, he strongly recommends the Port not use Makers for the Vista Field project. He was involved with them previously and does not think they would be a good fit. He commented the group from Chicago sounds like they have airport experience. Mr. Coie does not agree with the money being spent on the study.

No further public comments were made.

Mr. Novakovich anticipates the Executive Session to last approximately 30 minutes for a Potential Litigation, per RCW 42.30.110(1)(i), with action anticipated. Mr. Novakovich asked the public to notify Port staff if they will return after the executive session. Mr. Novakovich recessed the meeting at 4:14 p.m. for approximately 5 minutes. Mr. Novakovich reconvened the meeting into Executive Session at 4:20 p.m.

EXECUTIVE SESSION

A. Potential Litigation, per RCW 42.30.110(1)(i)

Mr. Novakovich called for an Executive Session at 4:20 p.m. to last approximately 30 minutes, with action expected. Ms. Hancock exited the room to extend the Executive Session 10 minutes. Executive Session adjourned at 4:53 p.m. The following action was taken:

MOTION: *Commissioner Wagner moved approval of the Second Addendum / Amendment to the Option to Buy Real Estate relating to the Mejia property; Commissioner Barnes seconded. All in favor 3:0. With no further discussion motion carried unanimously.*

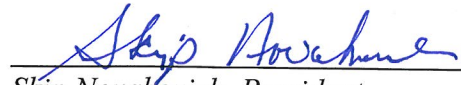
The regular meeting reconvened at 4:54 p.m.

ADJOURNMENT

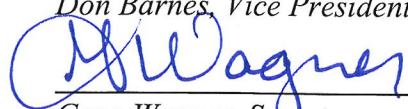
With no further business to bring before the Board; the meeting was adjourned at 4:54 p.m.

APPROVED:

**PORT of KENNEWICK
BOARD of COMMISSIONERS**


Skip Novakovich, President


Don Barnes, Vice President


Gene Wagner, Secretary

PORT OF KENNEWICK

RESOLUTION No. 2012-38

***A RESOLUTION OF THE PORT OF KENNEWICK BOARD OF
COMMISSIONERS DESIGNATING OAK STREET INDUSTRIAL PARK DB5
EMERGENCY HVAC REPLACEMENT AS EXEMPT FROM PUBLIC WORKS
COMPETITIVE BIDDING REQUIREMENTS***

WHEREAS, in accordance with RCW 39.04.280, the Port of Kennewick (Port) is authorized to designate certain public works contracts as emergencies and, therefore, exempt from competitive bidding requirements; and

WHEREAS, the Port of Kennewick's DB5 HVAC unit stopped working, threatening the tenants ability to perform work in nearly 100 degree weather which could of resulted in loss of income to the tenant; and

WHEREAS, under his delegation of authority, the Executive Director authorized emergency replacement with A-1 Refrigeration and so notified each commissioner individually;


NOW, THEREFORE, BE IT RESOLVED that the Port of Kennewick Board of Commissioners designates the HVAC replacement as an emergency public works project within the guidelines of RCW 39.04.280, and therefore exempt from competitive bidding requirements.

ADOPTED by the Board of Commissioners of the Port of Kennewick on the 14th day of August, 2012.

**PORT OF KENNEWICK
BOARD OF COMMISSIONERS**


SKIP NOVAKOVICH, *President*


DON BARNES, *Vice President*


GENE WAGNER, *Secretary*

PORT OF KENNEWICK

RESOLUTION No. 2012-39

***A RESOLUTION OF THE PORT OF KENNEWICK BOARD OF COMMISSIONERS
AUTHORIZING AN APPLICATION FOR FUNDING ASSISTANCE TO THE COMMUNITY
ECONOMIC REVITALIZATION BOARD (CERB) FOR A 2012 COMMUNITY
REVITALIZATION GRANT PROGRAM PROJECT TO ENHANCE AND
IMPROVE THE CLOVER ISLAND NORTH SHORELINE***

WHEREAS, the Port approved a comprehensive plan that includes this project area; and

WHEREAS, under the provisions of CERB, funding assistance is requested to: revitalize a downtown business district; increase activity for existing businesses, promote infill and redevelopment of a downtown area; improve the safety and enjoyment of bicyclists and pedestrians; enhance in-city recreational opportunities; and enable historic preservation and/or aesthetic amenities tied to the community's identity or niche; and

WHEREAS, our organization considers it in the best public interest to complete the facility development project described in the application;

NOW, THEREFORE, BE IT RESOLVED that:

- *The Executive Director of the Port of Kennewick be authorized to make formal application to the Community Economic Revitalization Board (CERB) for funding assistance;*
- *Any fund assistance received be used for implementation of the project referenced above;*
- *Our organization hereby certifies that its share of project funding will be derived from the Port of Kennewick construction funds and/or any other grant funding Port staff are able to leverage;*
- *We are aware that the grant, if approved, will be paid on a reimbursement basis. This means we may only request payment after eligible and allowable costs have already been paid and remitted to our vendors.*
- *This resolution becomes part of a formal application to CERB.*

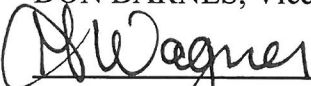
The resolution shall be effective immediately upon passage and signature by the Port of Kennewick Commissioners.

ADOPTED by the Board of Commissioners of Port of Kennewick this 14th day of August, 2012 located at Clover Island in Kennewick.

PORT OF KENNEWICK
BOARD OF COMMISSIONERS

By: 
SKIP NOVAKOVICH, President

By: 
DON BARNES, Vice President

By: 
GENE WAGNER, Secretary

**PORT OF KENNEWICK
RESOLUTION 2012-40**

**A RESOLUTION OF THE PORT OF KENNEWICK BOARD OF COMMISSIONERS
ACCEPTING AND AWARDING A CONTRACT WITH ABSOLUTE POWER IN ASSOCIATION WITH THE
ENERGY EFFICIENCY LIGHTING PROJECT FOR THE AG ENGINEERING OAK STREET BUILDING**

WHEREAS, following 28+ years of continued occupancy, the Port is in the process of updating the Ag Engineering Building to serve the needs of the current tenant and future tenants, and

WHEREAS, the Port utilized the small works roster to solicit bids for performing electrical maintenance to Port buildings and properties through calendar year 2012; with Absolute Power, Inc. submitting the lowest bid to perform maintenance tasks on an as-needed basis, and

WHEREAS, the existing lighting system in the shop and shop area at the Oak Street Ag Engineering Building is inefficient, yet the lighting system is one of the key elements necessary to attract and retain tenants, and

WHEREAS, the Benton County Public Utility District (PUD) operates a Lighting Energy Efficiency Program (LEEP) to offset some of the costs for improving energy efficiency in older buildings such as Oak Street DB1 & DB2, Ag Engineering and Vista Field Development Building #1, and

WHEREAS, Absolute Power, Inc., in coordination with Benton PUD submitted a proposal to upgrade all shop and shop room lighting fixtures at the Oak Street Ag Engineering Building for a cost of \$22,513.65, including sales tax and a rebate in the amount of \$5,990.00, yielding a net cost including sales tax of \$16,523.65, and

WHEREAS, Port staff has reviewed the wage rates included in the lighting enhancement bids submitted by Absolute Power Inc. during the process to determine the lowest bidder for electrical maintenance tasks and determined the proposed rates are consistent with those submitted during the bidding process.

NOW THEREFORE, BE IT RESOLVED that the Port of Kennewick Commission does hereby accept the bid of Absolute Power, Inc. to replace all shop and shop room lighting fixtures at the Oak Street Ag Engineering Building in the amount of \$22,513.65, including applicable tax and hereby awards the construction contract to Absolute Power, Inc.

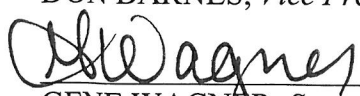
BE IT HEREBY FURTHER RESOLVED that the Executive Director is authorized to enter into a contract between the Port of Kennewick and Absolute Power, Inc to replace all shop and shop room lighting fixtures at the Oak Street Ag Engineering Building, and that the Executive Director is further authorized to proceed with all necessary procedures required to complete construction of the project.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 14th day of August 2012.

**PORT OF KENNEWICK
BOARD OF COMMISSIONERS**

By: 
SKIP NOVAKOVICH, *President*

By: 
DON BARNES, *Vice President*

By: 
GENE WAGNER, *Secretary*