

AGENDA

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

Tuesday, January 26, 2016
2:00 p.m.

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. PUBLIC COMMENT** *(Please state your name and address for the public record)*
- IV. CONSENT AGENDA**
 - A. Approval of Direct Deposit and ePayments Dated January 19, 2016
 - B. Approval of Warrant Registers Dated January 26, 2016
 - C. Approval of Regular Commission Business Meeting January 12, 2016
- V. NEW BUSINESS**
 - A. Bid Award: Vista Field Development Building A (Bruker Remodel); Resolution 2016-03
(**AMBER**)
- VI. REPORTS, COMMENTS AND DISCUSSION ITEMS**
 - A. Vista Field Update (**LARRY**)
 - B. Arts Policy (**TIM**)
 - C. TRIDEC Dues (**TIM**)
 - D. Clover Island Boat Launch Update (**LARRY**)
 - E. Columbia Drive Update (**LARRY**)
 - F. Strategic Retreat (**TIM**)
 - G. Commissioner Meetings (formal and informal meetings with groups or individuals)
 - H. Non-Scheduled Items
- VII. PUBLIC COMMENT** *(Please state your name and address for the public record)*
- VIII. ADJOURNMENT**

Action may be taken on any item on the Agenda.

PLEASE SILENCE CELL PHONES



REGULAR COMMISSION MEETING

PORT OF KENNEWICK

DRAFT

JANUARY 12, MINUTES

CALL TO ORDER

Commission President Don Barnes called the Regular Commission meeting to order at 2:01 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: Don Barnes, President
Skip Novakovich, Vice-President
Thomas Moak, Secretary

Staff Members: Tim Arntzen, Chief Executive Officer
Tana Bader Inglima, Deputy CEO
Amber Hanchette, Director of Real Estate and Operations
Nick Kooiker, CFO/Auditor
Larry Peterson, Director of Planning and Development
Lisa Schumacher, Special Projects Coordinator
Bridgette Scott, Executive Assistant
Lucinda Luke, Port Counsel

PLEDGE OF ALLEGIANCE

Mr. Chuck Eaton led the Pledge of Allegiance.

OATH OF OFFICE

Ms. Scott administered the oath of office to Commissioner Don Barnes.

OLD BUSINESS

A. *Port Commission Rules of Policy and Procedure; Resolution 2016-01*

Ms. Luke stated, as previously discussed at the December 8, 2015 meeting, the Commission wished to implement rules and processes for the election of Commission Officers. Before the Board is Resolution 2016-01 which revises section 6.1 “Officers” in the Port Commission Rules of Policy and Procedures. The following additions have been made:

- 6.1.1: Terms. The terms of the office for each officer shall be two years or until his/her successor is elected:
- 6.1.2: Election. The officers shall be elected at the first regularly scheduled Port Commission meeting in January in the even years. Newly elected officers shall take office effective the next regularly scheduled meeting following the election, unless otherwise agree by the Commission:
- 6.1.3: Special Elections: By affirmative vote of 2/3 of the officers, a special election of officers may be held at any regularly scheduled Port Commission meeting.

Mr. Arntzen believes the revisions accurately depict the Commission’s requests.



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PUBLIC COMMENT

Ed Frost, 609 West Albany Street, Kennewick. Mr. Frost is concerned about section 6.13, Public Comment, which states public comments shall be received at the beginning and end of each meeting. Mr. Frost greatly appreciates Commissioner Barnes allowing the public to comment on action items and believes this is a step in right the direction for open government. However, item 6.13 does not give the public the leeway for input on general comments or the opportunity to comment on action items. Furthermore, Mr. Frost believes the Commission meetings run long, considering size of the organization. Mr. Frost hopes that once the Port Commission Rules and Procedures are adopted, the Commission and staff pay attention to section 6.12.3, which states a presentation should not last longer than 15 minutes. Mr. Frost believes public participation in the governance of the Port is important, however, the public is not paid to attend the meetings. Mr. Frost would appreciate it if the Commission keep presentations to 15 minutes.

Clerks Note:

** Resolution 2014-04, approved on March 11, 2014: Approval to amend the Port Commission Rules of Policy and Procedure to permit additional public comment for any item where a motion will be made; and to decrease the time limit from three minutes per speaker to two minutes per speaker, per item.*

No further comments were made.

MOTION: *Commissioner Novakovich moved for the approval of Resolution 2016-01 with the caveat that the Commission will examine other items within the Port Commission Rules of Policy and Procedures; Commissioner Moak seconded.*

Discussion:

Mr. Novakovich stated he found a few inconsistencies within the Policy and Procedures, but for today, the Commission is only looking at the process for the election of Commission Officers.

Mr. Moak stated items have been changed which are not reflected in the Policy and Procedures and asked staff to research previous minutes that reflect formal policy changes. Mr. Moak supports the additional language for the election of Commission Officers.

Mr. Barnes stated the Commission can make changes to the Policy at any meeting and he appreciates Mr. Frost's comments. Mr. Barnes believes the changes to public comments (Resolution 2014-04) reflects the desire of the entire Commission and stated there are items the Commission can address at a later meeting. At this time, the most relevant change is the election of Commission Officers; and he supports Resolution 2016-01.

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

Mr. Arntzen stated Mr. Novakovich pointed out some inconsistencies within the policy and asked staff to review the policy and fix items that need to be corrected. Mr. Arntzen stated if the Commission or public finds additional errors, please email Ms. Scott.



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2016 ELECTION OF OFFICERS

Mr. Barnes clarified with Ms. Luke that in *Roberts Rules of Order*, officer nominations do not require a second.

Ms. Luke confirmed that nominations do not require a second.

Mr. Barnes inquired if the preference of the Commission is to elect one officer at a time or slate of officers.

The consensus of the Board is to elect a slate of officers.

Mr. Novakovich nominated the following officers, effective January 26, 2016 (Slate #1):

- President: Mr. Novakovich;
- Vice President: Mr. Moak;
- Secretary: Mr. Barnes.

Mr. Moak nominated the following officers, effective January 26, 2016 (Slate #2):

- President: Mr. Barnes;
- Vice President: Mr. Novakovich;
- Secretary: Mr. Moak.

With no other nominations, Mr. Barnes the closed nominations and asked for public comment.

PUBLIC COMMENT

No comments were made.

Mr. Barnes reiterated the nominations and inquired if the Commission is comfortable with a voice vote.

The consensus of the Board is to hold a voice vote.

Mr. Barnes called for a vote on Slate #1.

All in favor Slate #1: 3:0. Vote for Slate #1 is unanimous.

Mr. Barnes called for a vote on Slate #2.

All in favor Slate #2: 0:3

Mr. Barnes stated it is a unanimous election and the following officers will serve for the next two years:

- President: Mr. Novakovich;
- Vice President: Mr. Moak;
- Secretary: Mr. Barnes.

Mr. Arntzen stated Mr. Barnes has done a tremendous job as Port President and has led us through some challenging times and appreciates his ability to be a very good moderator, which is, the sentiment of staff.



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Mr. Novakovich echoed Mr. Arntzen's comments on behalf of the Board.

Mr. Barnes thanked Mr. Moak and Mr. Novakovich and appreciates their integrity and honesty and shared that he is honored to work for the Port of Kennewick.

PUBLIC COMMENT

No comments were made.

CONSENT AGENDA

Consent agenda consisted of the following:

- A. *Approval of Direct Deposit and E-Payments Dated December 17, 2015***
Direct Deposit and E-Payments totaling \$52,897.82
- B. *Approval of Warrant Registers Dated December 22, 2015***
Expense Fund Voucher Numbers 37455 through 37517 for a grand total of \$369,341.56
- C. *Approval of Direct Deposit and E-Payments Dated December 31, 2015***
Direct Deposit and E-Payments totaling \$57,118.160
- D. *Approval of Warrant Registers Dated December 31, 2015***
Expense Fund Voucher Numbers 37518 through 37549 for a grand total of \$272,772.62
- E. *Approval of Warrant Registers Dated January 12, 2016***
Expense Fund Voucher Numbers 37518 through 37549 for a grand total of \$72,907.30
- F. *Approval of Commission Meeting Minutes Dated December 8, 2015***
- G. *Approval of Emergency Bid: Repair of "C" Dock Sprinkler System; Resolution 2016-02***

MOTION: *Commissioner Novakovich moved for approval of the Consent Agenda, as presented; Commissioner Moak seconded. With no further discussion, motion carried unanimously. All in favor 3:0.*

REPORTS, COMMENTS AND DISCUSSION ITEMS

- A. *Tri-Cities Legislative Council Trip, January 28-29, 2016***
Mr. Arntzen stated, as previously discussed at the December 8, 2015 meeting, the Tri-Cities Legislative Council Trip is scheduled for January 28-29, 2016.
It is the consensus of the Commission that the Port will not attend the Tri-Cities Legislative Council Trip.
- B. *Columbia Drive Update***
Mr. Peterson reported the Wine Village Phase I, went out for bid on December 14, 2015. On January 5, 2016, the Port held a pre-bid meeting and approximately 26 contractors were in attendance. Mr. Peterson stated the Wine Village is unique due to the new construction method that is being used and the project has generated a lot interest in the construction community. Mr. Peterson stated bids for the Wine Village are due on February 4, 2016 at 10:00 a.m. The results will be presented to the Commission on February 9, 2016, for possible consideration and approval.



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Mr. Moak stated he has had many inquiries about when the project at Columbia Drive will begin. This is great progress for Columbia Drive and the Port signage is first rate. The Wine Village will benefit downtown Kennewick, the waterfront development and our community.

Mr. Novakovich stated he has had heard comments from Walla Walla community members as well.

Mr. Peterson stated the Wine Village Phase I bid includes three winery buildings, the undergrounding of 850 feet of utilities, key infrastructure and preparation of the remaining five acres for development.

C. Vista Field

Mr. Peterson reported the Vista Field Transportation Impact Evaluation Analysis (TSIE) has been submitted to the City of Kennewick for review. The City initially scheduled a review of the TSIE for January 12, 2016, however, the meeting has been rescheduled to allow all members of City Council to be present. Mr. Peterson stated the meeting has been rescheduled for February 9, 2016, and he, city staff, and Mr. Robison of Strategic Management will speak on behalf of the Port. The extension allows the City the opportunity to further review the study in prior to sharing it with Council. The mixed-use zoning regulations for Vista Field are moving forward and will be utilized for the Bridge to Bridge area as well.

1. Arts Center Task Force

Mr. Arntzen updated the Commission on the status of the Arts Center Task Force and at this time, the Port is looking to identify a parcel of land, which is mutually acceptable for the stage I facility. Mr. Arntzen met with Mr. Wiley, chairman of the Arts Center Task Force in December and provided Mr. Wiley with drafts of the following for legal review: letter of intent, formal expression of interest, and a draft Purchase and Sale Agreement (PSA), which outlines the terms of the land transfer. The transaction is difficult to define, therefore the Port Commission has included conditions to safeguard both entities. The next step is for the Arts Center Task Force, a Port representative, and legal counsel to meet to discuss the mechanics and path forward.

Mr. Moak inquired if Mr. Arntzen has spoken with Mr. Wiley and asked how long it might be before the Port moves forward.

Mr. Arntzen believes the process is moving forward but it will take time to implement. At this time, neither entity has a deadline, however, the Arts Center Task Force does need to have a piece of property identified to begin fundraising. This is a complex transaction and while the Port does not have a parcel identified in Phase I, staff has been working with Duany Plater-Zyberk (DPZ) to identify a location. Mr. Arntzen does not anticipate any issues with the land transfer and believes the Port has a solid foundation to work with.

Mr. Moak inquired if the parcel needs to be identified and the Phase I infrastructure determined prior to executing the document.



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Mr. Peterson stated yes, both parties will need to know specific details of the parcel which will include the infrastructure and utilities.

Mr. Barnes confirmed that post-closing there will be conditions placed on the transaction, such as construction time frame.

Mr. Arntzen confirmed there will be public safeguards in the contract and stated if there is a transaction where the Port is going to transfer land to the Arts Center Task Force, certain stipulations will be made to safeguard the Port and taxpayers. This is a project of first impression and the Arts Center Task Force will need to raise at least \$18,000,000 and it is Mr. Arntzen's understanding that the Commission would like to allow for some flexibility. The project is a very ambitious undertaking for both entities and the community would like to see the project come to fruition. Mr. Arntzen believes there will be many meetings between now and the construction process, and if the project is done correctly, the taxpayers will see the added value to surrounding properties. Mr. Arntzen stated in substantial developments, there is one anchor that stimulates the entire project.

2. *Expression of Interest*

Mr. Arntzen stated during the December 8, 2015 meeting, the Commission viewed an early draft of the Expression of Interest. The Expression of Interest is a document that is intended to act as an advertisement that Port property at Vista Field is ready for development. Furthermore, the Expression of Interest outlines the method of communication between the developer and Port beginning with a letter of intent. Once the Port receives a letter of intent from a developer, it will be evaluated and sent to the town architects, Mr. Mehaffy and Mr. Qamar for review. Mr. Mehaffy and Mr. Qamar will then work with the developer on a proposal which includes concepts and details for Vista Field for Commission review. Mr. Arntzen stated the document is a work in progress and he has been revising the document with Ms. Luke and Mr. Mehaffy to make it less complex while including Port provisions. Mr. Arntzen would like to continue revising the document and bring back at a later date for Commission discussion. Mr. Arntzen stated this is a document that the Port needs to have in place once Phase I infrastructure is completed.

Mr. Arntzen stated it has been mentioned throughout the planning process that there will be an opportunity for a private individual to purchase a residential lot in Vista Field. Mr. Arntzen stated the Rosemary Beach development in Florida was able to sell lots with certain design standards, covenants, conditions and restrictions (CCR) in place, which was beneficial to the entire development. Mr. Arntzen conveyed there are some legal prohibitions about ports entering into the residential market, however, the Port has the ability to sell larger residential components as part of the Master Plan. Furthermore, the Port staff is small and Mr. Arntzen does not believe that staff should act as the realtor office to sell lots to an individual buyer. Mr. Arntzen asked for Commission direction regarding the sale of private residential lots or perhaps selling a 5-10 acre parcel to a real estate developer, with the stipulation to subdivide the lot and market to private individuals.



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Mr. Moak stated it would be helpful to get a better understanding of the Port's legal options going forward.

Mr. Arntzen stated Ms. Luke will help staff research the legalities, unless the Commission sees an issue with the Port selling individual lots.

Mr. Novakovich stated the Port has many big projects in the works, and strongly believes there is a better use of staff time than selling individual lots.

Mr. Peterson stated residential lots have been discussed since the Charrette, however, after discussion with legal counsel, maybe the Port should look at other options to ensure residential sales at Vista Field. Mr. Peterson stated allowing the individual buyer to build at Vista Field is beneficial, however, CCR's and design stipulations in accordance to the Port's master plan will need to be in place.

Mr. Barnes would like staff to explore a residential development agreement for the residential customer. Mr. Barnes stated we need to be mindful of the use and commitment of Port personnel resources and does not believe the Port should be in the business of handling individual residential real estate transactions. If the Port is able to find a residential developer who will be able to sell to the private individual, Vista Field will be a richer, diversified development, however, it is important that CCR's are in place.

Mr. Arntzen will have Ms. Luke research the legalities, acting on the premise that Port staff will not act as the selling agent.

Mr. Novakovich clarified that he is not opposed to selling individual residential lots, however he does not want to see Port staff acting as the selling agent.

The consensus of the Board is for Ms. Luke to research port laws regarding residential lots, with the premise that the Port will not act as the selling agent to private individuals.

3. 2016 Path Forward (Master Plan/Developer's Agreement; Financing Plan; Phase I Infrastructure Plan)

Mr. Arntzen stated 2015 was the year the Port captured ideas to create a draft Master Plan for Vista Field and as Mr. Peterson reported, the TSIE will be presented to City Council on February 9, 2016. Once the City has reviewed the TSIE, staff and DPZ will be able to make necessary corrections and/or changes to the Master Plan and submit them to the City for review in March. Mr. Arntzen stated it is important to be diligent and he would like to meet with the City regarding a Developer's Agreement, which locks in developer's fees, allocates a time period, generally 10-20 years for the master plan, and safeguards the continuation of the development. Mr. Arntzen stated if the Master Plan and Developer's Agreement are in place by spring that it will be a very substantial development for Vista Field and our Community.



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Mr. Arntzen stated the following will need to be completed in 2016:

- Master Plan and Developer's Agreement approved by the City;
- Phase I Infrastructure Plan;
- Performing Arts Center site established;
- Refine financing plan.

Mr. Arntzen stated although the Commission previously discussed a \$5,000,000 financing plan for Phase I, he would like to refine the scope to a \$3,000,000 financing plan which might include: general arterials and narrow streets, parcels for development and an open space in preparation for Phase II green space. Mr. Arntzen stated a \$3,000,000 plan is feasible for completing Phase I infrastructure without incurring debt.

Mr. Kooiker stated as Vista Field moves forward, the discussion of where the funds will come from and what resources can be used will be narrowed down. The Port carries no debt and would like to fund Phase I with cash on hand, however, if that is not plausible, we will look at other options such as a bridge loan.

Mr. Arntzen believes real estate sales will fund approximately 50% of Phase I.

Mr. Moak inquired if Mr. Arntzen anticipates work to be completed in by the end of second quarter in 2016.

Mr. Arntzen hopes to have Phase I infrastructure plan in place before June.

Mr. Peterson believes June of 2016 is a feasible timeframe and hopes that by this time next year, the Port will be able to break ground on the first phase of infrastructure and road development.

Mr. Novakovich inquired how much land will be used in Phase I.

Mr. Peterson stated Phase I will be approximately 27-30 acres (1/3 of site).

Mr. Barnes inquired if the draft Charrette report was still available on the Port website. Furthermore, Mr. Barnes asked if roundabouts will be included in the Phase I infrastructure plan.

Mr. Peterson stated a roundabout may be included at the curve on West Deschutes next to the hangars. Mr. Peterson reported all documents are readily available at www.portofkennewick.org and the email vistafield@portofkennewick.org is still open for comments.

Mr. Arntzen stated it is important to remember that the Port will have an unfunded Phase I infrastructure plan and the policy question for the Commission to consider is what sources and funds should be utilized to fund Phase I. It has been discussed that the Commission would like to follow a lean development plan however, the dilemma may be the public



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asking when construction will begin. Mr. Arntzen stated the City has suggested applying for a Local Revitalization Fund (LRF) however, is not statutorily permitted at this time and may not materialize.

Mr. Moak inquired we are actively marketing Port properties for sale with the purpose of accumulating funds for major projects.

Mr. Arntzen stated we are not actively marketing the Southridge property, but we are marketing the Verizon property near Deschutes. The Verizon property is currently being appraised and Ms. Bader Inglima is working on signage which will advertise the Vista Field vision. It was discussed that the Port hold the Southridge property with the expectation that the property value will increase, however, the Commission can instruct staff to market Southridge.

Mr. Moak confirmed that the sale of the Southridge property was included in the initial financing plan for \$5,000,000.

Mr. Arntzen stated Mr. Moak is correct. Mr. Arntzen anticipates bringing a formal financing plan with Phase I infrastructure reflecting the changes discussed today. Mr. Arntzen believes a \$3,000,000 financing plan is more realistic and gives the Port a greater opportunity to start developing the property.

Mr. Moak asked if the Verizon property was outside the Vista Field Master Plan are and if so, what is the specific zoning for the property.

Mr. Peterson stated the Verizon property is made up of two parcels, which are outside the Master Plan. The front parcel, which faces Deschutes, is approximately 6 ½ acres and is zoned for business park, which must comply with City's commercial design standards. The remaining parcel in the back is zoned for industrial.

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

Commissioners reported on their respective committee meetings.

E. Non Scheduled Items

1. Mr. Peterson stated construction has begun on the Northwest Orthopedics medical building in Spaulding Business Park.
2. Ms. Bader Inglima has been asked to prepare a letter of support for Richland Council Member, Phil Lemley, for his application for position on the Washington Building Code Council. The application is being made through the Association of Washington Cities. Ms. Bader Inglima drafted a letter of support on behalf of the Port for Mr. Lemley.
3. Mr. Peterson stated Resolution 2015-30, which was approved on December 8, 2015, for construction of the inwater boat ramp work was awarded to Big D's Construction. Removal of the existing boat ramp launch panels and demolition has been completed. Furthermore,



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material has been placed and Big D's is ready to install the prefabricated frames and concrete panels. Mr. Peterson stated staff worked with the U.S. Army Corps of Engineers to lower the water level Tuesday through Thursday to aid construction.

4. Ms. Hanchette reported the 415 North Quay (Bruker) building rehabilitation project, went out for bid on December 14, 2015. The project is running parallel with the Wine Village and there has been a lot of interest in the project. The mandatory walk-thru was held on the same day as the Wine Village pre-bid conference and approximately 12 contractors showed up. The bid opening is scheduled for Wednesday, January 21, 2016 at 2:00 p.m. and will be brought to the Commission for consideration on January 26, 2016.

PUBLIC COMMENTS

No comments were made.

COMMISSIONER COMMENTS

No comments were made.

Mr. Barnes anticipates the Executive Session will last approximately 40 minutes, for Real Estate (Site Selection), per RCW 42.30.110(1)(b) and Real Estate (Minimum Price) per RCW 42.30.110(1)(c) with no action anticipated. Mr. Barnes asked the public to notify Port staff if they will return after the executive session.

Mr. Barnes recessed the Regular Commission Meeting at 3:30 p.m. for approximately eight minutes.

EXECUTIVE SESSION

- A. *Real Estate (Site Selection), per RCW 42.30.110(1)(b)*
- B. *Real Estate (Minimum Price), per RCW 42.30.110(1)(c)*

Mr. Barnes convened the meeting into Executive Session at 3:40 p.m. for approximately 40 minutes.

Ms. Scott exited the meeting at 4:20 to extend the Executive Session for 10 minutes.

Mr. Barnes adjourned the Executive Session at 4:28 p.m.

Mr. Barnes reconvened Regular Commission Meeting at 4:29 p.m.

ADJOURNMENT

With no further business to bring before the Board; the meeting was adjourned at 4:29 p.m.



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APPROVED:

**PORT of KENNEWICK
BOARD of COMMISSIONERS**

Don Barnes, President

Skip Novakovich, Vice President

Thomas Moak, Secretary



AGENDA REPORT

TO: Port Commission

FROM: Amber Hanchette, Director of Real Estate & Operations

MEETING DATE: January 26, 2016

AGENDA ITEM: Resolution 2016-03; Construction Contract with Banlin Construction, LLC

I. REFERENCE(S): Resolution 2016-03; Bid Tabulation

II. FISCAL IMPACT: \$522,079.00, plus applicable tax

III. DISCUSSION: The Port constructed the Vista Field Development Facility #A (29,500 sq. ft.) in 1990 to provide opportunities for business to start and grow within the Port district. Following over 25 years of continued occupancy, plans were prepared to rehabilitate approximately 23,500 square feet of the building. Invitations to bid were published in the Tri-City Herald and specifications were made available at the Tri-City Construction Council plan centers and other regional plan centers, on the Port's website and to all contractors who requested such plans and specifications. The bid submittal deadline was 2:00 p.m. January 20, 2016.

- Banlin Construction LLC's base bid of \$470,087.00 was the lowest of nine [9] bids received for this project and has been deemed as a responsive bid.
- Banlin Construction LLC's Alternative #1 bid of \$13,033.00 was the lowest of nine [9] bids received for this project and has been deemed as a responsive bid.
- Banlin Construction LLC's Alternative #2 bid of \$38,959.00 was the sixth lowest of the nine [9] bids received for this project and has been deemed as a responsive bid.
- Bid documents specified the Port would award to the contractor which best serves the Port's purposes and when combined the bids from Banlin Construction LLC for the Base Bid and Alternative Bids #1 and #2 are a cumulative total of \$522,079.00 which is the lowest of nine [9] bids received for this project.

Review and acceptance of this bid by the Commission is required prior to proceeding with this project. The motion included in this report and the attached resolution would effectively authorize this project.

V. ACTION REQUESTED OF COMMISSION:

Motion: I move approval of Resolution 2016-03, authorizing the Port's Executive Director to execute the contract with Banlin Construction LLC for the rehabilitation of Vista Field Development Facility #A project including Alternatives #1 & #2, for the sum of \$522,079.00, plus applicable tax.

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Resolution No. 2016-03

A RESOLUTION OF THE PORT OF KENNEWICK BOARD OF COMMISSIONERS ACCEPTING AND AWARDING A BUILDING CONSTRUCTION CONTRACT FOR THE VISTA FIELD DEVELOPMENT FACILITY #A REHABILITATION

WHEREAS, a request for bids for the rehabilitation of Vista Field Development Facility #A was properly advertised with the approved plans and specifications being made available to prospective bidders, and

WHEREAS, construction bids have been received and staff and the project architect have certified that the bids received are in compliance with the plans and specifications; and

WHEREAS, the staff and the project architect have certified that the low bidder for the project is Banlin Construction, LLC in the amount of \$470,087.00, plus applicable tax for the base bid work which includes rehabilitation of approximately 23,500 square feet of Vista Field Development Facility #A and that such bid is in compliance with the plans and specifications; and

WHEREAS, the staff and the project architect have certified that the low bidder also provided a bid in the amount of \$13,033.00, plus applicable tax for Bid Alternative #1 work which includes replacement of existing flush exterior hollow metal doors with new full glass doors, and that such bid is in compliance with the plans and specifications; and

WHEREAS, the staff and the project architect have certified that the low bidder also provided a bid in the amount of \$38,959.00, plus applicable tax for Bid Alternative #2 work which includes installation of a building fire alarm system, and that such bid is in compliance with the plans and specifications; and

NOW THEREFORE, BE IT RESOLVED that the Port of Kennewick Commission does hereby accept the base bid of Banlin Construction, LLC for the rehabilitation of approximately 23,500 square feet of space at Vista Field Development Facility #A as the low bidder in the amount of \$470,087.00, plus applicable tax and hereby awards the construction contract to said low bidder.

BE IT HEREBY FURTHER RESOLVED that the Port of Kennewick Commission does hereby accept the Bid Alternative #1 of Banlin Construction, LLC for the rehabilitation of Vista Field Development Facility #A in the amount of \$13,033.00 plus applicable tax, and Bid Alternative #2 of Banlin Construction, LLC in the amount of \$38,959.00 plus applicable tax and hereby increases the construction with said low bidder to include this work.

BE IT HEREBY FURTHER RESOLVED that the Executive Director is authorized to enter into a contract between the Port of Kennewick and Banlin Construction, LLC for \$522,079.00 plus applicable tax for the rehabilitation of approximately 23,500 square feet at Vista Field Development Facility #A 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 26th day of January 2016.

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

By: _____
SKIP NOVAKOVICH, President

By: _____
THOMAS MOAK, Vice President

By: _____
DON BARNES, Secretary

INDUSTRIAL RECRUITMENT DUES

AGREEMENT is made and entered into this 1 day of January, 2015, by and between the **PORT OF KENNEWICK**, a Washington municipal corporation, hereinafter referred to as "the Port," and **TRI-CITY INDUSTRIAL DEVELOPMENT COUNCIL**, the State's designated Associate Development Organization for Benton and Franklin Counties, hereinafter referred to as "TRIDEC."

It is the intention of the parties hereto to cooperate in the planning and implementation of activities to recruit new basic industry to those portions of Benton County, Washington served by the Port (hereinafter referred to as "Benton County"). The purpose of this agreement is to outline the commitments of TRIDEC to the Port in consideration of the Port's payment to TRIDEC as hereinafter defined. The agreement shall also define the manner in which the parties will cooperate with one another to implement the program to expand existing industrial employment and recruit new industries.

IT IS AGREED AS FOLLOWS:

REPRESENTATION

The TRIDEC President/Chief Executive Officer is responsible for administering this agreement. The Port designates the Executive Director as the primary representative for TRIDEC's industrial recruitment program.

PROGRAM STRUCTURE

The representatives will endeavor to maintain effective coordination among themselves and others. They will meet at least quarterly to consult and track progress. The Case Management Group, consisting of the TRIDEC Vice-President for Commerce & Industry and designated staff from the Port, together with representatives of the Agencies, will work together on an on-going basis to market, recruit, qualify, and service prospects.

TRIDEC, in cooperation with the Port, will accomplish the following objectives:

Industrial Recruiting Staff: Retain a qualified business recruiting staff to work with the Port in bringing new industry to the Port District. The industrial recruiting staff will also annually attend at least two (2) meetings with Port staff.

Marketing Plan: Maintain and follow a formal, written plan to market to, identify, recruit, qualify, and service industrial prospects. Focus on target opportunities, including, but not limited to, agribusinesses, technology, research, energy and environmental industries, metal industries, software and computation back-office/telecommunications businesses and general aviation airport related users/businesses. This plan shall be

specific to Port properties. TRIDEC will assist the Port district by commenting on and advising in the formulation of recruitment materials including, but not limited to, brochures and plans. TRIDEC will also assist the Port in designing and updating the Port's website by making recommendations on "best practices". At the Port's request TRIDEC will review and comment on all Port grant applications and make suggestions on how the product might be improved.

Clients Tracking System: Administer a client tracking system to manage and record prospect contacts.

Site/Facility Inventory: Develop and administer a data base including the following information on industrial sites and facilities available in the Port district for recruited industries: site and structure plans, location, site dimensions and acreage, soil conditions and slope, transportation access, availability of utilities, zoning, neighboring land uses, ownership, and contact person.

Training: Provide effective industrial marketing training to Port agency staff, which comes into contact with industrial prospects.

Measurement: Regularly monitor and report industrial recruiting progress using a mutually agreed upon measurement system that gauges program effectiveness.

Communications: Through its Internet WEB site, e-mail, printed reports, newsletters, media releases, and briefing sessions, keep the Port and the general public adequately informed of industrial recruitment activities.

Annual Report: The year's industrial recruitment accomplishments and plans for the coming year will be reported at TRIDEC's annual meeting.

Quarterly Meeting with Port Commission: A TRIDEC representative will meet quarterly with the Port Commission to discuss the contract objectives.

HANDLING OF PROSPECT

Business and recruitment activities can begin with contacts originated through the Department of Community, Trade, and Economic Development, hereafter called CTED and referred to TRIDEC, directly by TRIDEC, or by a local entity.

Contacts through TRIDEC: The following describes the handling of prospect cases when contact originates at TRIDEC or is referred to TRIDEC by CTED:

TRIDEC will provide general information on the bi-county area and other data requested by the prospect. In response to the prospect's expressed interests, TRIDEC will also supply names of property owners and Port contacts in Benton County.

If the prospect indicates an interest in specific business locations within Benton County, TRIDEC will notify the Port and property owners, share information gathered, make appropriate introductions, and assist in follow-up marketing as requested.

When a prospect establishes formal discussions with the Port and commits to a site in its jurisdiction, responsibility for managing the contact will be transferred from TRIDEC to that entity. TRIDEC will continue serving as the prospects community advocate and provide assistance as requested.

Contacts at the Local Entity Level: This describes the handling of prospects when the contact originates with the Port, or the Port has assumed responsibility for the case.

The Port relies on TRIDEC to supply a variety of valuable industrial recruitment information and services. When the Port receives a contact inquiry or is managing an industrial prospect and desires support from TRIDEC, it need only request such assistance.

It is not necessary for the entity to divulge the identity of a prospect to TRIDEC unless it elects to do so. If requested assistance requires disclosure of the prospect's identity, TRIDEC will render such assistance while maintaining confidentiality. If the Port determines that dealing with a prospect exceeds its abilities, the prospect will be referred to TRIDEC for further handling.

If the Port and another Agency request assistance with the same prospect, TRIDEC will so advise affected entities. Under this circumstance, the Port and the affected Agencies must mutually agree upon subsequent requests for assistance before it is rendered by TRIDEC.

CLOSING DEALS

The parties hereto recognize shared responsibility in the complicated process of closing deals with industrial prospects. Care will be taken in each instance to properly define the division of authority and responsibilities. Offers on land costs, infrastructure extensions, utility charges, and only the Port will make other items to prospects.

FINANCIAL COMMITMENT

The Port will pay TRIDEC **Thirty Thousand dollars (\$30,000)** annually payable in twelve (12) equal monthly installments of **Twenty Five Hundred dollars (\$2500.00)**. However, at the Port's option, the Port's may pay the entire year of dues at any time.

TERM OF AGREEMENT

This Agreement will be effective January 1, 2015, and remain in effect through December 31, 2015. It may be amended at any time by mutual agreement of the parties. Either party may terminate the Agreement at any time without cause. A ninety (90) day written notice to the other party is required to effectuate a termination. In the event of termination during a calendar year, the consideration paid by the Port shall be prorated based on the portion of the year the Agreement was in effect.

SUBSTANTIATION REQUIREMENTS

No later than the 15th of the month of April after the expired term of this agreement and any extensions thereto, TRIDEC shall furnish the Port with a statement, compiled from information from the previous calendar year, setting forth its activities in support of the Port. The Port shall be afforded the opportunity on reasonable notice to audit the information provided by TRIDEC in such a manner as to not unreasonably interfere with TRIDEC's activities and operations.

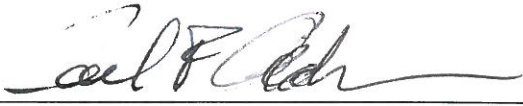
PORT OF KENNEWICK



Tim Arnitzen, Executive Director

2/23/15 TF
Date

TRI-CITY INDUSTRIAL DEVELOPMENT COUNCIL



Carl Adrian, President

2-20-15
Date