



# PORT OF KENNEWICK REGULAR COMMISSION MEETING

JUNE 8, 2021 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 Commissioner Don Barnes called the Regular Commission Meeting to order at 2:00 p.m. via GoToMeeting Teleconference.

## ANNOUNCEMENTS AND ROLL CALL

### The following were present:

**Board Members:** Commissioner Don Barnes, President (via telephone)  
Skip Novakovich, Vice-President (via telephone)  
Thomas Moak, Secretary (via telephone)

**Staff Members:** Tim Arntzen, Chief Executive Officer (via telephone)  
Tana Bader Inglima, Deputy Chief Executive Officer (via telephone)  
Amber Hanchette, Director of Real Estate and Operations (via telephone)  
Nick Kooiker, Chief Finance Officer (via telephone)  
Larry Peterson, Director of Planning and Development (via telephone)  
Lisa Schumacher, Special Projects Coordinator  
Lucinda Luke, Port Counsel (via telephone)

## PLEDGE OF ALLEGIANCE

Commissioner Barnes led the Pledge of Allegiance.

## APPROVAL OF THE AGENDA

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

## PUBLIC COMMENT

Mark Williams, 3 Blue Star Court, Pasco. Mr. Williams does not wish to forfeit his right to comment later but would like to bring an item to your attention. Mr. Williams believes Commissioner Barnes, as the Chairman, needs to request that Commissioner Moak defer his comments and/or participation regarding The Willows because he is Director at the Kennewick Housing Authority (KHA). Mr. Williams believes this is a conflict of interest and asked Commissioner Barnes to consider that as the Commission moves forward today.

No further comments were made.

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## CONSENT AGENDA

- A. *Approval of Direct Deposit and E-Payments Dated June 2, 2021*  
Direct Deposit and E-Payments totaling \$88,409.28
- B. *Approval of Warrant Register Dated June 8, 2021*  
Expense Fund Voucher Number 102956 through 102979 for a grand total of \$77,360.42
- C. *Approval of Regular Commission Meeting Minutes May 25, 2021*

***MOTION:*** *Commissioner Novakovich moved to approve the Consent Agenda; Commissioner Moak seconded. With no further discussion, motion carried unanimously. All in favor 3:0.*

## EMERGENCY DELEGATION UPDATE

Mr. Arntzen and Ms. Hanchette stated there is nothing to report for emergency delegation.

## PUBLIC HEARING

- A. *Kennewick Historic Waterfront District Master Plan*

*Commissioner Barnes recessed the Regular Meeting at 2:09 p.m. and declared an Open Public Hearing for discussion regarding the Kennewick Historic Waterfront District Master Plan at 2:10 p.m.*

Mr. Peterson presented the Draft Kennewick Historic Waterfront District (KHWD) Master Plan and outlined the history and the most recent revisions to the Draft. Markers Architecture has been developing a vision for Clover Island and Columbia Drive over the past year and received public input through stakeholder phone calls and three public workshops. Mr. Peterson stated recently The Willows has generated interest from the community related to the Biden Build Back Better Plan; however, the Master Plan is a guide for the Port for land uses and general density over the next ten to fifteen years, it does not suggest who would occupy the space.

Commissioner Novakovich confirmed the Commission received comments from Ron Swanby and Gretl Crawford via email and stated he received a request to read a comment into the record.

Commissioner Barnes stated he received public comments and asked Commissioner Novakovich to read the comment when he opens the Meeting up for Public Comment. Commissioner Barnes appreciates Mr. Peterson pointing out that the residential elements of the Master Plan are general in nature and do not include specific demographics of potential tenants. The Master Plan is a guide for the Port to use for the next 15-20 years to develop the KHWD. Commissioner Barnes stated it is important to keep that in mind as we move forward.

## PUBLIC COMMENTS

Commissioner Novakovich read Dr. Joe and Patricia Loera's comments into the record:

*"We are writing to you to express our concerns regarding The Willows project and proposed Resolution. We feel very strongly that this Resolution does not align with the Draft of the Historic Waterfront District and is going in a different direction than the Makers group has outlined. This is not in the best interest of our community, nor is a good fit for this prime retail and residential property. We fear it will slow down the recent momentum and revitalization of the area. There are other, more suitable*

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*areas in which to construct low-income housing options for those in need in our community. We are asking you to vote against the Resolution and do not accept federal monies with conditions attached. Thank you for considering the wishes of this community and the future of our beautiful and unique waterfront. Respectfully, Dr. Joe and Patricia Lorea. Please present this at the next Meeting on June 8, 2021. (EXHIBIT A)*

Commissioner Barnes reiterated that the Draft Master Plan does not include details regarding residents who may reside in the area.

Augustan Kittson, 113 East Columbia Drive, Kennewick. Mr. Kittson represents the family of Kittson LLC, which is a large landowner in the Columbia Gardens area. Mr. Kittson stated the map on page 17 shows the Port encroaching upon his property on the northwest side and the northeast side of 129 East Columbia Drive property. Mr. Kittson stated that is not property owned by the Port and asked the Port to correct the map.

Carrie Lundgren, 3405 South Johnson Street, Kennewick. Ms. Lundgren, owner of Cedars Restaurant, is concerned about The Willows plan. Ms. Lundgren, a real estate investor and real estate agent for 31 years in the area, stated regardless of what type of housing is constructed, she does not think housing is the best use of that space. Ms. Lundgren does not think it serves the public very well, as it is a prime recreational area that could be commercially developed for all of the community to enjoy regardless of their income or status, and we should keep it that way. Ms. Lundgren stated there are many other places to build residential housing and, in her opinion, that area needs to be a commercial retail area, for the benefit of the entire community.

Mark Blotz, 435 Clover Island Drive, Kennewick. Mr. Blotz, General Manager/Partner of the Clover Island Inn, read from Resolution 2021-06, "appropriations funding received would be used for implementation of the project referenced above in support of a collaboration with the Kennewick Housing Authority's (KHA) efforts to expand opportunities for affordable housing to serve individuals and families in transition from poverty following COVID, seniors, and homeless and at-risk veterans." Mr. Blotz stated as a business owner and manager on Clover Island, he is strongly opposed to any low-income housing at the entrance of the island. Clover Island Inn employs 50-60 employees, with an annual payroll of over \$1,000,000. Additionally, we bring in thousands of tourists and families per year, while bringing tens of thousands of dollars in hotel taxes and tourism money. Mr. Blotz understands the need for low-income housing in Kennewick, but he strongly feels it should not be at the entrance of Clover Island. Mr. Blotz has worked for Clover Island Inn for 17 years and saw what it was like 17 years ago and he would hate for the Port to go backwards.

Gretl Crawford, 4808 W 21<sup>st</sup> Avenue, Kennewick. Ms. Crawford submitted a public comment via email, which was not included in the Agenda Packet. Ms. Crawford is calling to voice her concern and objection for the recent introduction of a change of course to the Port controlled Willows development area. Ms. Crawford is a local custom home builder, designer, and commercial developer. Ms. Crawford approached Mr. Arntzen and Ms. Hanchette earlier this spring with an associate, looking at this area for a development opportunity. We were interested in development opportunities in this area to bring vitality to this area of Kennewick and allow the general public a place to live, work, and play along our amazing public shores. Ms. Crawford would venture to guess that most everyone is in agreement that

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Kennewick's vast shoreline areas are sorely under-used and most everyone that she has ever talked to about it wants to see them utilized. Ms. Crawford believes in what the Port is trying to do to revitalize the area, along with our Historic downtown district, and it is worthy of commendation. Ms. Crawford's concerns would be that in our conversations about potential development in this area, there is still a dark cloud of uncertainty as to what the next steps are. There were questions about who would take the lead, private development, or the Port; and questions about how to price the parcels and when they would be available. Ms. Crawford feels like there is a lack of leadership and direction and when this came up that now The Willows was going to be looked at for homeless, veteran's housing, and that just confirmed it. The Vintners Square development has exciting possibilities, but there is a lack of information there as well. Ms. Crawford stated if this began in 2005, 16 years ago, and when Mr. Peterson was speaking, he talked about a development plan for the next 15-20 years. Ms. Crawford has lived in the area for over 30 years, and she knows our community wants something done sooner than that and private industry can come in and develop something sooner than that. Ms. Crawford believes there is a need for affordable housing for all, and for some of these groups especially, to keep our community safe, thriving and take care of our veterans, but it is not this location. Ms. Crawford does not believe this is the location for any single-family residences or townhome type private property. Ms. Crawford believes this could be a thriving public area with a mixed-use mixture of ground floor retail, food venues, with possibly housing located above those. Done correctly, the Port could still maintain the opportunity for the public to enjoy this waterfront area via the fabulous walking/biking trails and keep the Veterans Christmas tree and create a community experience that will draw people to our river shores, our downtown area and open up opportunities for retail, creative studios, and other expressions along our shores. Ms. Crawford recently spoke with Stephanie Button about the Downtown Association's vision for this area. The direct connection with The Willows, Clover Island, walking and biking trails and Vintner's Square was exciting and this change of direction in The Willows would destroy that area. Ms. Crawford is voicing her concern for the change of direction for The Willows development and offering her help in any way to make this an exciting area in Kennewick. Ms. Crawford is running for Kennewick City Council and is offering any help or direction in creating a whole community.

Mark Williams, 3 Blue Star Court, Pasco. Mr. Williams is a frequent user of Clover Island and earlier someone read specific language that was in a document from the KHA, which Commissioner Moak is a director of. The idea that there is not any record of how that property would be used in The Willows is absurd in his opinion. Mr. Williams reiterated that Commissioner Moak should abstain from any involvement in this discussion at all because of that conflict of interest. Mr. Williams believes that the planned use for low-income, no-income homeless, or otherwise, is a bad choice for that specific location. Mr. Williams stated not that there isn't a need for it, but he also recognized that Ms. Mosley from the City of Kennewick addressed that with the Port, just as recently as the last meeting. The City of Kennewick was working with the KHA and federal entities for a better location off 10<sup>th</sup>, where there are services such as grocery, retail, and medical services in close proximity. As you look at the waterfront in the Tri-Cities area and follow the waterfront through a public use, family friendly area through Columbia Park through Richland, and see Richland's waterline and how fantastic that looks with the hotels and private housing. The vision the Port is creating with The Willows is totally in conflict with anything else that you see along the waterline. Mr. Williams thinks it is a self-serving idea that the Port would do that, rather than for the public interest. Mr. Williams stated there are many voices that seem to be in agreement, that the plan that the Port has for the area, is directly in the wrong direction for public use and for public interest and stated it more self-serving than anything.

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Jared Fielding, 3284 West Payette, Kennewick. Mr. Fielding has been a resident of the area since he was two years old and has spent a lot of time on Clover Island. Mr. Fielding has been a real estate investor for 23 years and real estate broker more than 10 years. Mr. Fielding stated Mr. Williams comments were correct and the idea of using that area for transitional use, low-income use, homeless use, is probably one of the worst uses for that area. Mr. Fielding stated that area is probably the most valuable land in the Tri-Cities and if you look at what Pasco and Richland have done, Kennewick looks to be sorely lacking in this area. Mr. Fielding stated the revitalization of the area has added an infusion of life to the downtown; however, by taking the project in this direction, it runs the risk of running a knife through the heart of a whole lot of progress. Mr. Fielding strongly encouraged the Port to not go this direction and would much rather see the City of Kennewick lead this project or private money take over this project. Mr. Fielding sent in an email as well and heard another caller say that their email was also not received. Mr. Fielding's email was not included in the Agenda Packet and was asked that it would be read in and he copied that before he sent it. He is not sure how many other people who sent comments in, who also did not take the time to be on this call, had their comments excluded.

Jon Lindeman, 3205 West 46<sup>th</sup> Avenue, Kennewick. Mr. Lindeman has lived in Kennewick for over 30 years, but came from Winters, California which struggled until they figured out that wineries, restaurants, and unique places to go were the way to go. The Port is funded by taxpayers money, so projects like The Willows should be based on how many people use their public space and developments for economic development. The Willows, for retirement or low-income residential is a great idea but not a great place to put it. Mr. Lindeman agrees with many of the other speakers and all of their comments. For the Port to spend a lot of money on wineries at one end of this historic area and then in the middle of it, put something as low-income housing is not appropriate. The full use of the area, it is a good idea but it is not a good place to put it, there are other places. Someone mentioned services earlier, you should be able to walk to the grocery store, you should be able to have doctors close by and that's not provided in the Master Plan, he presumes, he has not read it. But listening to comments, he does not think it is a good idea and that we should continue the momentum of wineries, restaurants, and mobile restaurants. Mr. Lindeman appreciates the fact, projects like the mural, how many of you have seen the mural? That is what brings people in, not looking at retirement centers or low-income housing. Mr. Lindeman stated if that is the case, then he is opposed to The Willows project.

Kirk Williamson, 527 North Reed, Kennewick. Mr. Williamson of Benton Franklin Health Alliance offered a few thoughts and stated we need housing of all types in this community. The research that the Alliance and its member organizations have done over time tells us that there is a need, particularly for low-income housing. Mr. Williamson stated his only real point is that we need housing throughout this community at every economic level. It is our understanding that the proposal for The Willows is not for separate facilities for low-income housing specifically, but more likely mixed-use with families of various income levels using the same facilities which, according to research that the Alliance has been able to do, indicates that it is a successful model across many parts of the country and the Alliance supports that.

Kate Lampson, 607 East Columbia Drive, Kennewick. Ms. Lampson represents Lampson International which has been in business for 75 years in the same location. We have seen very good changes on Clover Island over the years and we are very happy to see what the Master Plan holds in terms of clean up, development of infrastructure, and growth for private investment with the intent to create a

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vibrant waterfront area for our community to enjoy. While we continue to partner with local organizations to help solve homeless issues in our community, as our family and as our company has done for many years, we do not feel this is the right location for The Willows project.

Boyce Burdick, 414 Snyder Street, Richland. Mr. Burdick stated apparently it is acceptable for developers to profit from the infrastructure provided by the Port of Kennewick through its Build Back Better Application for funding, but it is not appropriate for some 5% of the future residential users to be subsidized to some extent. Is the thinking here that the proposed housing and surroundings are too nice for these families or individuals, so let us sequester them on 10<sup>th</sup> Avenue, where we will not have to deal with them. If the idea of such a low percentage of subsidized housing is so odious, then he thinks the Port of Kennewick should decline to accept the funding from the federal government.

Kathleen Sisson, 6306 West 16<sup>th</sup> Avenue, Kennewick. Ms. Sisson supports the inclusion of the residential portion in the Master Plan and also supports that 5% of the units would be used for affordable housing, that blends in with the rest of the project.

No further comments were made

Commissioner Barnes inquired if it is appropriate for the Commission to discuss the KHWD Draft Master plan during public hearing or in regular session.

Ms. Luke stated it is appropriate for Commissioner Barnes to close the Public Hearing and for the Commission to discuss it in the Regular Commission Meeting.

***Commissioner Barnes closed the Public Hearing at 2:45 p.m. regarding the Kennewick Historic Waterfront District Master Plan and reconvened the Regular Commission Meeting at 2:46 p.m.***

Commissioner Novakovich stated someone pointed out earlier that Commissioner Moak has a conflict of interest and requested a legal opinion on that concern. Additionally, Commissioner Novakovich stated we heard a lot of comments regarding the Master Plan; however, he thinks there were more comments regarding Resolution 2021-06 regarding the partnership with the KHA and federal funding, both pro and con comment.

***MOTION: Commissioner Novakovich moved to rescind Resolution 2021-06 because the Port does not have enough information that is qualifiable to what the Port would do, if those funds were accepted.***

Commissioner Barnes stated with all due respect, Commissioner Novakovich is out of order. Commissioner Barnes stated the Agenda topic is to discuss the KHWD Master Plan and the item Commissioner Novakovich is bringing up may very well be a worthy Agenda Item; however, it needs to be placed on the Agenda properly, according to the Rules of Policy and Procedure.

Commissioner Novakovich requested it be placed on the next Agenda.

Commissioner Barnes respects Commissioner Novakovich's request, but his request is still out of order and asked Commissioner Novakovich to make that request under Non-Scheduled.

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Commissioner Moak inquired if Makers can weigh in on any of the suggestions to see if they have merit or has Makers completed their portion of the work and it is up to the Commission and staff to review the comments.

Mr. Peterson stated the consultants will fix any errors, such as the map, as requested by Mr. Kittson and any other typographical errors. Mr. Peterson stated many of the comments would be considered Commission policy questions, such as residential within The Willows. Mr. Peterson stated the Draft Master Plan is the result of a year-long process and many people commented that there should be a mix of uses, including housing, so that the development does not go dark at 5:00 p.m.

Commissioner Moak stated he was inquiring about the comments such as adding more areas for swimming and fishing and adding more docks around the walking path or converting the Clover Island Yacht Club to an events center. Commissioner Moak asked if Makers would have any thoughts related to those types of suggestions.

Mr. Peterson stated Makers could respond to the 32 comments that were related to the various items; however, it would be specific to the Draft Master Plan, not policy items.

Commissioner Barnes stated in the early process of the Master Plan residential elements were addressed, but no specific details were given. On page 38 of the Draft Master Plan, Commissioner Barnes stated near term projects include residential elements on Clover Island, The Willows and Cable Greens. Commissioner Barnes stated when the BBB opportunity came about, the Port was encouraged to partner with an agency like the KHA and the Port listened to that encouragement and reached out to the KHA for a letter of support, which incorporates a very small element of affordable or low-income housing. Commissioner Barnes believes this is what caused the public to take notice of the residential element. Commissioner Barnes believes the issue the Commission should focus on is whether the Port includes any residential elements in the Master Plan. Commissioner Barnes asked Mr. Peterson to see if Makers could expand upon some of their thinking with respect to residential and Master Plan.

Mr. Peterson stated Makers can review the comments and provide the rationale behind some of the elements included in the Master Plan and the Commission can review those comments at the June 22<sup>nd</sup> Commission Meeting. This will give the Commission the opportunity to discuss the comments and direct staff on a path forward, including final acceptance.

Commissioner Novakovich suggested the Port should discuss what kind of mix should be included at The Willows with local developers.

Commissioner Barnes stated we heard from some experts during the Public Hearing, and it has been a two-year process where we have engaged with various experts. Commissioner Barnes is pleased with the process and stated it has been open, methodical, and transparent.

Commissioner Moak suggested staff have the Resolution prepared to accept the Master Plan at the June 22, 2021. The Commission does not have to approve the Resolution at that time, but if there aren't any major revisions to the Master Plan, then the Commission still has the option to move forward.

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*It is the Consensus of Commission to consider Makers' response to the comments and have staff prepare a Resolution of acceptance of the HKWD Master Plan in the event that the Commission is ready to move forward after receiving Makers' response.*

## REPORTS, COMMENTS AND DISCUSSION ITEMS

### A. *Governance Audit Update*

Mr. Arntzen reported that Jim Darling with Leeward Strategies continues to work on the scope of work and has scheduled separate Commissioner interviews.

### B. *Kennewick Historic Waterfront District Miscellaneous Issues*

#### 1. *Commission Direction to Mr. Arntzen and Ms. Mosley*

Mr. Arntzen stated at the May 25<sup>th</sup>, 2021 Commission Meeting, City of Kennewick City Manager Marie Mosley requested a meeting related to the City of Kennewick's proposal for low-to-moderate income housing in collaboration with the KHA. Mr. Arntzen inquired if the Commission would like him to meet with Ms. Mosley regarding a potential collaboration with the City.

*It is the Consensus of the Commission for Mr. Arntzen to meet with Ms. Mosley regarding partnership opportunities and collaboration, and Resolution 2021-06.*

#### 2. *Private Sector Interest*

Ms. Hanchette reported during the Master Plan process, the Port received two unsolicited proposals and one letter of interest for The Willows property. Ms. Hanchette relayed to the contractors/developers that until we have an approved Master Plan staff would need to hold off on discussions. Ms. Hanchette inquired if the Commission would like staff to continue waiting until the Master Plan is approved or move forward with discussions.

Commission Barnes is in favor of waiting until the Master Plan is approved before moving forward.

Commissioner Novakovich would like to allow staff to discuss potential proposals with contractors/developers now.

Commission Moak stated the Master Plan may be approved in two or four weeks and it is his preference to wait until the Master Plan is approved.

#### 3. *Wayne Bell, Kiwanis Playground*

Mr. Arntzen gave a brief history of the Kiwanis Club of Kennewick playground proposal at Columbia Gardens. Mr. Arntzen stated the initial discussion included the Port offering a small parcel of land at Columbia Gardens and the Kiwanis Club would address the funding and maintenance of the project through partnerships. Mr. Arntzen introduced Wayne Bell, committee chair for the Kiwanis playground project.



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Mr. Bell introduced members of the Kiwanis playground committee and discussed the project partnership with the Port. Members of the Kiwanis Club playground committee presented elements of the proposal which included the history, the equipment, budget, and fundraising processes.

Commissioner Barnes stated Mr. Bell omitted a name during the introduction of the committee members and stated Commissioner Moak is on this committee as well. Commissioner Barnes thanked the Kiwanis members for their presentation and stated the project has great potential.

Commissioner Moak confirmed that he is a member of the Kiwanis Club of Kennewick and stated the Port has a good track record working with local service groups. One of the things that distinguishes the Port is our commitment to the community, through our public outreach for major projects, and working with various service groups.

Mr. Arntzen offered a few comments regarding the playground project:

- Commission directed staff to hold off on any discussions with developers and contractors regarding proposals for Columbia Gardens and The Willows until the Master Plan was adopted;
- Kiwanis indicated that if the City of Kennewick is not a partner in this project, they would ask the Port to contribute an additional \$50,000;
- The Port needs to review the procurement and installation process for the equipment. The Port could be subject to prevailing wage laws and public works bid laws;
- The Port has a small maintenance staff and cannot maintain the equipment in perpetuity.

Mr. Arntzen will discuss the project with Ms. Mosley at their next meeting and inquired if he should halt discussions with the Kiwanis until the Master Plan is adopted

*It is the Consensus of the Commission for staff to hold off on discussions with the Kiwanis Club until the HKWD Master Plan is adopted. Furthermore, the Commission directed Mr. Arntzen to discuss the project with Ms. Mosley.*

### ***C. Finley Twin Tracks (Pronghorn/JMAC) Property Update***

Ms. Hanchette presented Resolution 2021-11, authorizing the extension of the obligation to construct for Pronghorn LLC (JMAC) and extension of the Port's option to repurchase for Commission consideration.

## **PUBLIC COMMENT**

No comments were made.

***MOTION:*** *Commissioner Novakovich moved to approve Resolution 2021-11 authorizing an extension of the obligation to construct for Pronghorn LLC until July 31, 2021\*, an extension of the Port's option to repurchase until September 19, 2023, and expansion of the allowed uses on the*

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*property to include warehousing, office, laydown yard and bullpen space. And further move 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 and to execute necessary documents; Commissioner Moak seconded.*

***Discussion:***

*Commissioner Moak stated our country has been dealing with COVID for over a year and continues to do so. Commissioner Moak understands the reason why the project did not move forward in a timely manner. Furthermore, buy back clauses are important and sometimes the Port needs to exercise those; however, this time is not the time to do so.*

*Commissioner Barnes support this Resolution.*

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

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

Commissioners reported on their respective committee meetings.

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

Ms. Hanchette reported that the marina is 100% occupied.

Commissioner Moak noticed construction at the entrance of the island and inquired about that activity.

Mr. Peterson stated Spectrum and Ziplly Fiber are enhancing internet services on the island by installing fiber.

Commissioner Novakovich requested a legal opinion on whether Commissioner Moak does have a conflict of interest related to possibly 3.14 of the Commission's Rules of Policy and Procedure, "Commissioner disclosure of economic association." Someone mentioned earlier that there may be a conflict of interest and Commissioner Novakovich would like to confirm. Furthermore, Commissioner Barnes asked that Commissioner Novakovich bring back rescinding of Resolution 2021-06; however, per Robert's Rules of Order, it does not need notice. If he is overruled, Commissioner Novakovich asked that it be placed on the June 22, 2021 Agenda.

**MOTION: Commissioner Novakovich moved to rescind Resolution 2021-06.**

***Motion dies for lack of second.***

Commissioner Barnes stated because the Motion died, it does not need to be placed on the June 22, 2021 Agenda.

## **PUBLIC COMMENTS**

No comments were made.

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## COMMISSION COMMENTS

No comments were made.

## ADJOURNMENT

With no further business to bring before the Board; the meeting was adjourned 4:26 p.m.

### **APPROVED:**

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

DocuSigned by:  
*DN Barnes*  
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*Don Barnes, President*

DocuSigned by:  
*Skip Novakovich*  
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*Skip Novakovich, Vice President*

DocuSigned by:  
**Thomas Moak**  
A35176A2D2CD413...

*Thomas Moak, Secretary*

\*Clerk's Note: The date reflected in the motion should read July 31, 2022, per Resolution 2021-11, not July 31, 2021 per Commissioner Novakovich's stated motion.

**From:** [Skip Novakovich](#)  
**To:** [Lisa Schumacher](#)  
**Subject:** FW: NO to Willows  
**Date:** Wednesday, June 9, 2021 12:56:14 PM

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Here ya go.

**LTC Skip Novakovich, USA, Ret., RP**

Commissioner, Port of Kennewick  
350 Clover Island Drive, Suite 200  
Kennewick, WA 99336  
[WWW.PortofKennewick.org](http://WWW.PortofKennewick.org)  
Office: (509) 586-1186  
Cell: (509) 212-1304  
[skip@portofkennewick.org](mailto:skip@portofkennewick.org)

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**From:** Pat Loera <[loerajp@gmail.com](mailto:loerajp@gmail.com)>  
**Sent:** Wednesday, June 2, 2021 2:34 PM  
**To:** Skip Novakovich <[skip@portofkennewick.org](mailto:skip@portofkennewick.org)>  
**Subject:** NO to Willows

Good afternoon Mr. Novakovich,

We are writing to you to express our concerns regarding the Willows project and proposed resolution. We feel very strongly that this resolution does not align with the draft of the historic waterfront district and is going in a different direction than the Makers group has outlined. This is not in the best interest of our community nor is it a good fit for this prime retail and residential property. We fear it will slow down the recent momentum and revitalization of the area. There are other more suitable areas in which to construct low income housing options for those in need in our community. We are asking you to vote against the resolution and do not accept federal monies with conditions attached.

Thank you for considering the wishes of this community and the future of our beautiful and unique waterfront.

Respectfully,  
Dr Joe & Patricia Loera

Please present this at the next Port meeting, June 8th.

***PORT OF KENNEWICK***

**RESOLUTION No. 2021-11**

***A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE PORT OF KENNEWICK AUTHORIZING  
AN EXTENSION OF OBLIGATION TO CONSTRUCT CLAUSE  
FOR A 2017 LAND SALE TO PRONGHORN LLC***

***WHEREAS***, Pronghorn LLC (Purchaser), purchased 34.66 acres of vacant land from the Port of Kennewick on June 13, 2017 in Kennewick, Washington and graphically depicted on “*Exhibit A*”(the “Property”); and

***WHEREAS***, a restriction to the Statutory Warranty Deed recorded September 13, 2017 allows the Port of Kennewick the option to repurchase the Property should the Purchaser not develop the Property within eighteen months of closing; and

***WHEREAS***, on April 23, 2019 through Resolution 2019-08 the Port Commission approved a 24-month extension (expiration April 23, 2021) of the Purchaser’s Obligation to Construct as specified under Section 10.1 of the Purchase and Sale Agreement; and

***WHEREAS***, on May 25, 2021 the Port Commission agreed to further extend the Purchaser’s Obligation to Construct as specified under Section 10.1 of the Purchase and Sale Agreement to July 31, 2022; and

***WHEREAS***, the Port Commission also agrees to expand the uses for the Property specified in the Purchaser’s Obligations to Construct as described in Section 10.2 of the Purchase and Sale Agreement to include asphalt recycling, warehousing and ancillary uses (office, laydown yard, bullpen space).

***FURTHER***, the Port Commission extends the Port of Kennewick’s Option to Repurchase the Property to September 19, 2023.

***NOW, THEREFORE; BE IT HEREBY RESOLVED*** that the Board of Commissioners of the Port of Kennewick hereby authorizes the Port’s Chief Executive Officer to execute all documents and agreements on behalf of the Port to expand the uses for the Property to those specified above, and to extend the deadlines for the Purchaser’s Obligation to Construct and the Port’s Option to Repurchase as specified above.

***ADOPTED*** by the Board of Commissioners of the Port of Kennewick on the 8th day of June 2021.

**RESOLUTION No. 2021-11**  
**PAGE 2**

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

By: DocuSigned by:  
DN Barnes  
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DON BARNES, President

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

By: DocuSigned by:  
Thomas Moak  
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TOM MOAK, Secretary

	2017	2018	2019	2020	2021	2022	2023
<i>60 month Repurchase Period</i>	<b>September 13, 2017 – September 13, 2022</b>						
<i>18-month obligation to construct deadline.</i>	<b>Expiration April 13, 2019</b>						
<i>24-month extension on obligation to construct. (Approved 4/23/2019)</i>			<b>April 23, 2019 – April 23, 2021</b>				
<i>Extension approved on obligation to construct Approved 5/25/2021. (371 days)</i>					<b>May 25, 2021 – July 31, 2022</b>		
<i>Repurchase period extension by commission approval 5/25/2021. (371 days)</i>						<b>September 13, 2022 – September 19, 2023</b>	

**Resolution 2021-11**  
**Exhibit A**

