



PORT OF KENNEWICK REGULAR COMMISSION MEETING

NOVEMBER 10, 2020 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 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
Bridgette Scott, Executive Assistant (via telephone)
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

No comments were made.

CONSENT AGENDA

- A. Approval of Direct Deposit and E-Payments Dated November 1, 2020***
Direct Deposit and E-Payments totaling \$120,533.53
- B. Approval of Direct Deposit and E-Payments Dated November 10, 2020***
Expense Fund Voucher Number 102482 through 102519 for a grand total of \$102,539.62
- C. Approval of Regular Commission Meeting Minutes October 27, 2020***

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MOTION: *Commissioner Novakovich moved to approve the Consent Agenda as presented; 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 HEARINGS

A. Adoption of 2021-2022 Budget

Mr. Kooiker presented the final 2021-2022 Budget (EXHIBIT A) for Commission approval.

Commissioner Barnes recessed the Regular Meeting at 2:08 p.m and declared an Open Public Hearing for discussion regarding 2021-2022 Budget.

PUBLIC COMMENTS

No comments were made

Commissioner Barnes closed the Public Hearing at 2:09 p.m. regarding the 2021-2022 Budget and reconvened the Regular Commission Meeting.

MOTION: *Commissioner Novakovich moved to approve Resolution 2020-24 adopting the Port of Kennewick's 2021 and 2022 Budget as presented; and the board further ratifies and approves all action by Port officers and employees in furtherance hereof; Commissioner Moak seconded.*

Discussion:

Commissioner Novakovich thanked Mr. Kooiker and staff for the work on the 2021-2022 Budget. The Budget represents Port of Kennewick to its constituents and shows the public what we can do with their money in a very conservative manner and how we apply our resources in the most effective way to serve the public.

Commissioner Barnes commended staff and Mr. Kooiker for their preparation of the Budget. The Port is still in full swing although we are in the midst of challenging times with the COVID-19 Pandemic. This is a conservative Budget that will serve us well for the next two years.

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

B. Levy Certification

Mr. Kooiker presented Resolution 2020-25 certifying the Port's Levy Certification, which allows the Port to collect taxes in 2021. Resolution 2020-26 allows the Port to take the 1% statutory increase which is approximately \$40,000-\$50,000.

Commissioner Novakovich asked for confirmation that the Commission can address Resolution 2020-25 and 2020-26 together.

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Ms. Luke confirmed that the Commission can address Resolutions 2020-25 and 2020-26 in one motion and that is acceptable for the record.

Commissioner Barnes recessed the Regular Meeting at 2:15 p.m. and declared an Open Public Hearing for discussion regarding the Levy Certification and the Tax Capacity.

PUBLIC COMMENTS

No comments were made

Commissioner Barnes closed the Public Hearing at 2:16 p.m. regarding the Levy Certification and the Tax Capacity and reconvened the Regular Commission Meeting.

MOTION: *Commissioner Novakovich moved to approve Resolution 2020-25, certifying the Port of Kennewick's tax levy for 2021 collections and Resolution 2020-26 increasing the Port of Kennewick's tax levy capacity in 2021; Commissioner Moak seconded.*

Discussion:

Commissioner Barnes stated in the past he has supported taking the 1% increase in the Port's tax levy capacity; however, this year, he has had a change of heart and proposed to amend the motion:

MOTION TO AMEND: *Commissioner Barnes moved to amend the motion by striking the reference to Resolution 2020-26; Motion to amend dies for lack of second.*

Commissioner Moak stated there is a substantial need for the Port to take the 1% and we have identified throughout the year the needs of the Port in terms of Vista Field and other projects. As Mr. Kooiker stated, by taking the 1%, the Port receives \$40,000-\$50,000 and Commissioner Moak still thinks it is something that we have a need for and we should continue to do that.

Commissioner Barnes stated Commissioner Moak's point is well taken. Commissioner Barnes stated his opposition to taking the 1%, but reiterated that the Motion is for Resolutions 2020-25 and 2020-26 to be approved at the same time. Commissioner Barnes is favor of the Resolution, although, as he stated earlier, he is opposed to the 1% increase and believes that money could be left in the hands of that tax payers.

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

C. Increase in Tax Capacity

The increase in tax capacity was discussed with Item B, Tax Levy.

REPORTS, COMMENTS AND DISCUSSION ITEMS

A. Vista Field

Mr. Peterson presented a tentative schedule related to Vista Field (EXHIBIT B) and discussed the Special Vista Field Meeting on December 11, 2020.

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Commission and staff discussed the tentative schedule for Vista Field and the Special Meeting on December 11, 2020.

B. Clover Island/Columbia Drive

1. Kennewick Waterfront Master Plan Update

Mr. Peterson reported that Makers is working on compiling the public input received throughout the entire outreach process into one conceptual Clover Island Master Plan. Makers will be making a short presentation regarding the conceptual layout at the December 8, 2020 Commission Meeting.

2. Boathouse Update

Mr. Arntzen outlined a history of the live-aboard question posed by boat house owners at the Clover Island Yacht Club. Mr. Arntzen discussed the letter to Commodore Dan Bunn of the Clover Island Yacht Club and memo to Marie Mosely, City Manager for the City of Kennewick, which were included in the Agenda Packet. Mr. Arntzen stated the Yacht Club leases the building and dock from the Port of Kennewick; however, the U.S. Army Corps of Engineers and the City have specific rules and ordinances in place which state no live-aboards are allowed.

Ms. Hanchette stated the Port is very strict on the no live-aboard policy for the Clover Island Marina.

Commissioner Novakovich thinks we should go forward with the correspondence and support staff and Mr. Arntzen on his efforts. Commissioner Novakovich believes this could be a liability issue and the City is probably the right agency to enforce the no live-abord rules.

Commissioner Moak inquired what the risk or liability is to the Port regarding this matter and if the risk is to the owner of the boathouse or the Port.

Ms. Luke stated the USACE could seek to enforce their agreement and the Port would be responsible for non-compliance and is at risk of having an enforcement action related to the agreement. Separate from that, if there were a catastrophe, such as a fire that occurred in the marina or boathouse area, there would be liability to the Port, property owners, City or any entity that might have involvement in ownership operations of the marina.

Commissioner Moak thinks the letters are appropriate and approves of sending the letters to the Clover Island Yacht Club and the City of Kennewick.

Commissioner Barnes is supportive of sending these letters and encouraged staff to send an annual reminder of the Port's terms and conditions of the lease agreements.

Mr. Arntzen thanked the Commission for their unwavering support regarding this matter.

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C. South Verbena

Ms. Hanchette reported that the life estate tenant at the 50 South Verbena property recently passed away and inquired what direction the Commission would like staff to take regarding the property. The Port purchased the 4 ½ acre parcel in the late 1990's and the property is zoned industrial and there are several buildings in need of significant repair located on the property. Ms. Hanchette is currently having the property appraised.

The Commission and staff discussed the various options related to the property.

It is the consensus of the Commission to surplus the property at 50 South Verbena.

D. City of Richland Interlocal Agreement

Mr. Arntzen presented Resolution 2020-29, approving an Interlocal Agreement between the Port of Kennewick and the City of Richland for the Center Parkway project. Mr. Arntzen stated the funds have been identified in the 2021-2022 Budget, which was approved earlier in the Meeting.

PUBLIC COMMENT

No comments were made.

MOTION: *Commissioner Novakovich moved to approve Resolution 2020-29 adopting the Interlocal Agreement between the Port of Kennewick and the City of Richland related to the Center Parkway Improvement project; and to take all other action necessary to close this transaction; and further ratifies and approves all action by port officers and employees in furtherance hereof; Commissioner Barnes seconded.*

Discussion:

Commissioner Novakovich believes this is a nice way to partner with a jurisdictional partner and the area is located in the Port district. Commissioner Novakovich thinks this is something we should support and stated it is a benefit to the Port and our constituents and the project is already in the Budget.

Commissioner Moak thinks this is an important economic development project and he worked on the Center Project during his time at the City of Kennewick. Commissioner Moak thinks this is a good way to partner on an economic development project that will benefit both Kennewick and Richland and will help the transportation issues on Steptoe and Columbia Center Boulevard.

Commissioner Barnes agrees with Commissioners Moak and Novakovich and stated it is a sound project with clear economic benefits. Commissioner Barnes appreciates Commissioner Moak's comments about traffic concerns and stated the project should relieve the congestion at Steptoe and Columbia Center Boulevard.

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

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RECESS

Commissioner Barnes called for a recess for at 3:56 p.m. until 4:00 p.m.

Commissioner Barnes reconvened the meeting at 4:00 p.m.

E. Formal Approval of CEO's Goal #3, Vista Field Owner's Association

Mr. Kooiker reported the Commission recently passed Resolution 2020-22 approving the Vista Field Owners Association documents, which was listed as a 2017-2018 goal for the CEO. Resolution 2020-22 formally accepts the goal as completed.

PUBLIC COMMENT

No comments were made.

MOTION: *Commissioner Novakovich moved to approve Resolution 2020-27, approving completion of goal #3 of the 2017-2018 CEO's goals and objectives; Commissioner Moak seconded.*

Discussion:

Commissioner Barnes stated Resolution 2020-27 is straight forward and the Commission approved the Vista Field Owners Association documents which was part of the CEO's 2017-2018 goals.

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

F. Chief Executive Officer 2021-2022 Goals and Objectives

Mr. Kooiker presented the 2021-2022 goals and objectives for Mr. Arntzen, Chief Executive Officer. Exhibit B combines the remaining three goals from 2019-2020 with the new goals for 2021-2022. Mr. Kooiker presented twelve potential goals for the Commission to review, modify or add an additional goal.

Commissioner Barnes stated with the rapid changes of COVID-19, he suggested combining goal number 1: back to work plan and goal number 10, prepare a COVID-19 economic-impact analysis.

Commissioner Novakovich believes the list is comprehensive and well thought out and he appreciates how the goals conform to Work Plan and Budget. Commissioner Novakovich believes the back to work plan for COVID-19 and the economic-impact analysis are separate issues.

Commissioner Moak concurs with Commissioner Novakovich's comments. Additionally, he thinks goal number three and number five should be removed. Commissioner Moak does not think the Port needs to renegotiate a new contract with TRIDEC (goal number eleven). TRIDEC does a lot of great things for the Tri-Cities, but he does not think they do a lot that benefits the Port of Kennewick directly.

Commissioner Barnes concurs with Commissioner Moak regarding goals number three, five, and eleven. Commissioner Barnes stated things will change over the next two years and suggested retaining some level of flexibility to CEO's goals if something comes up.

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Commissioner Novakovich believes TRIDEC should be a performance-based contract, because we pay a large amount and generally do not see anything in return.

Commissioner Barnes suggested revising goal number four, from present a report for the Vista Field team to implementation of the Vista Field team. Commissioner Barnes asked for more clarification regarding goal number twelve, complete Laserfiche process.

Mr. Kooiker stated Laserfiche has endless capabilities and this goal is specifically related to the contract work flow, contracts, and digital signatures, which he hopes to have implemented by spring.

It is the Consensus of the Commission to remove goals number three, five, and eleven and revise goal number four to read implementation of the Vista Field team.

Commissioner Moak shared three suggestions for goals:

1. Update the Port's Rules of Policy and Procedures and incorporate any new policies approved by Commission;
2. Develop a plan for professional Human Resources (HR) services to deal with issues between and among staff, between and among Commissioners, and between and among staff and Commissioners, and other HR needs as required;
3. Develop a plan to work through the existing communication issues between and among Commissioners, and between and among Commissioners and staff. To improve overall communication within the agency to enable the Port to move forward with a unified purpose.

Mr. Kooiker stated from an auditing perspective, number one and two are quantifiable; however, number three would need to include how the measurement was set and how it was achieved.

Commissioner Barnes thinks these three concerns could fall under one umbrella, where we could bring in a professional for a "governance audit" to review the Rules of Policy and Procedures, best practices, and overall function and efficiency of the Port and assist in facilitating healthy communication.

Commissioner Novakovich agrees and would like to see it rolled into one goal and have an assessment done of where we are at and where we should be. The outcome should be drafting a new set of Rules of Policy and Procedures document.

Commissioner Moak supports all of the concepts and asked staff to revise it so that it could be measurable and completable and help us move forward in a better way.

Mr. Arntzen appreciates the discussion and proposed moving forward with the nine proposed goals that the Commission agrees on. Mr. Arntzen would like for staff to review the Rules of Policy and Procedures with the Human Resources element, with the intent of bringing it back as a quantifiable goal and then have two additional goals in the future.

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The Commission agrees with Mr. Arntzen's suggestions.

PUBLIC COMMENT

No comments were made.

MOTION: *Commissioner Novakovich moved to approve Resolution 2020-28, approving the CEO's 2021-2022 goals and objectives; and further ratify and approve all action by port officers and employees in furtherance hereof; Commissioner Moak seconded.*

Discussion:

Commissioner Barnes thanked Mr. Arntzen and Mr. Kooiker for their work on this document and stated it has been a very productive discussion and he looks forward to seeing these whittled down as we go forward.

Commissioner Moak would like to see these goals accomplished and believes that having goals set and getting them accomplished goes a long way. He understands that Mr. Arntzen wants to work on projects that he knows the Commission is in favor of and supports; and Commissioner Moak believes we have helped do that by approving the 2021-2022 goals.

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

G. Commission Meetings

Ms. Scott inquired if the Commission would like to cancel the November 24, 2020 Regular Commission Business Meeting.

It is the Consensus of the Commission to cancel the November 24, 2020 Regular Commission Business Meeting.

H. Director Reports

Ms. Hanchette shared that Victor Palencia and Nena Cosic, owner of European Desserts by Nena are joining forces and opening a new food trailer, Culture Shock, which will be located under the Latino Mural at Columbia Gardens. The food truck plans on being open Thursday through Sunday for brunch and dinner.

Mr. Arntzen applauded the Commission on their flexibility and collaboration regarding the 2021-2022 CEO goals.

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

Commissioners reported on their respective committee meetings.

J. Non-Scheduled Items

Ms. Hanchette stated the Port will be lighting the Veterans Christmas tree in The Willows this month.

Ms. Luke reported that the Public Hearing related to Commissioner Barnes' appeal on

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recommended action on November 20, 2020 will need to be rescheduled due to Mr. Comfort's illness (Commissioner Barnes legal counsel). Ms. Luke worked with Judge Kallas and Ms. Scott to determine a new hearing date and identified Friday, December 4th at 9:30 a.m. as a potential date. Ms. Luke inquired if the Commission was available.

The Commissioners are available for the Special Meeting on December 4, 2020 at 9:30 a.m.

Commissioner Moak inquired if staff would review the location of Mr. Palencia's food truck, because it looks as though it is blocking the view of the Latino Mural.

Ms. Hanchette stated the food truck is parked by the Mural and if someone wanted to view the Mural, they are able to walk around and view the artwork. Ms. Hanchette stated we located it there because it serves two purposes: it kept the food trailer out of the courtyard area, which has limited parking and is close to the Monarcha and Bartholomew tasting rooms and the other tasting rooms. Additionally, we could add a power pedestal more readily to that location and generate more traffic to the Mural area. Ms. Hanchette stated if it is the Commission's desire to move the food trailer, then staff will find another location for Mr. Palencia.

Commissioner Moak understands Ms. Hanchette's comments and the benefits to Columbia Gardens; however, he is concerned that we are blocking a piece of artwork. Commissioner Moak would like the Commission to look at the placement and possibly have the Latino Mural Committee review as well.

Mr. Arntzen will work with Ms. Hanchette on the placement of the trailer and asked if the Commission would take a look at the location and share their thoughts via email to Ms. Scott.

No further comments were made.

PUBLIC COMMENTS

No comments were made.

COMMISSION COMMENTS

No comments were made.

ADJOURNMENT

With no further business to bring before the Board; the meeting was adjourned 5:21 p.m.

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APPROVED:


**PORT of KENNEWICK
BOARD of COMMISSIONERS**



Don Barnes, President



Skip Novakovich, Vice President



Thomas Moak, Secretary

*The November 10, 2020 Commission Meeting Minutes were Approved by the Port of Kennewick Commissioners on December 8, 2020 at the Regular Commission Business Meeting.

PORT OF KENNEWICK

RESOLUTION NO. 2020-24

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF PORT OF KENNEWICK ADOPTING THE 2021 & 2022 BUDGET

WHEREAS, the Board of Commissioners of Port of Kennewick met at a regular meeting on November 10, 2020, a quorum of the Commission being present; and

WHEREAS, Port of Kennewick has properly given notice of the public hearing held on November 10, 2020 to consider Port of Kennewick's Budget for the 2021 and 2022 calendar years, pursuant to RCW 84.55.120.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Port of Kennewick after a public hearing, and after duly considering all relevant evidence and testimony presented, has adopted the attached budget for Port of Kennewick for the years 2021 & 2022.

ADOPTED by the Board of Commissioners of Port of Kennewick at its regular meeting on November 10, 2020.

PORT OF KENNEWICK BOARD OF COMMISSIONERS


By:

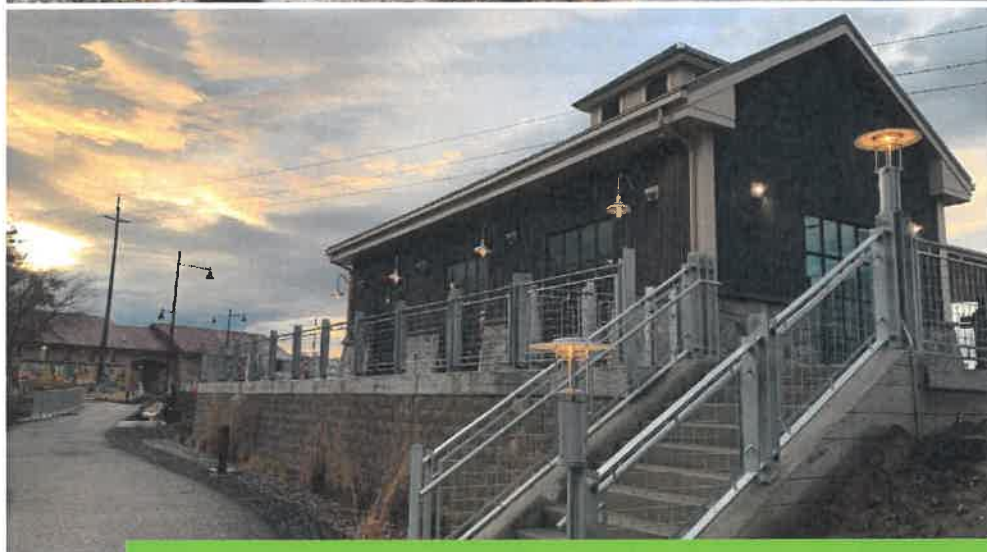

DON BARNES, President

By:


SKIP NOVAKOVICH, Vice President

By:


THOMAS MOAK, Secretary



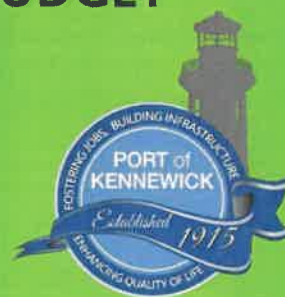
Port of Kennewick

2021 & 2022 PRELIMINARY BUDGET

Fostering Jobs

Building Infrastructure

Enhancing Quality of Life



Mission & Goals

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

Economic Development and Job Creation Goals:

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

These above goals will be accomplished through the following projects:

- Vista Field Redevelopment
- Kennewick's Historic Waterfront District
 - Columbia Drive Redevelopment
 - Clover Island 1135 Shoreline Restoration

Financial, Operational, and Budget Philosophy for 2021 & 2022:

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

2021 & 2022 PRELIMINARY BUDGET*

PRELIMINARY	
PORT OF KENNEWICK	
<u>SUMMARY</u>	
	2021 & 2022 BUDGET
Total Revenues	\$ 16,995,567
Total Expenses (less capital and promotional hosting)	\$ 10,905,834
<i>Profit (Loss)</i>	<i>\$ 6,089,734</i>
Capital Expenses	\$ 12,663,955
Promotional Hosting Expenses	\$ 24,488
Beginning Cash on Hand	\$ 10,221,466
RESERVE FUNDS	\$ 2,500,000
UNRESTRICTED FUND BALANCES	\$ 1,122,756
<i>ENDING CASH ON HAND</i>	<i>\$ 3,622,756</i>

*The 2021 & 2022 Preliminary Budget PowerPoint Presentation is integral to the Port of Kennewick's preliminary budget document.

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

Memorandum

To: Tim Arntzen, Chief Executive Officer
 From: Larry Peterson, Director of Planning and Development
 Date: November 10, 2020
 Re: Vista Field Project Tasks – 3 Month Work Plan & Sequencing

Now that the 2021-2022 Work Plan and the Vista Field Property Owner's Association documents were approved and the 2021-2022 Budget is scheduled for consideration and action on November 10th, focus can be directed to the remaining Vista Field policy matters. *{Close-out of the Total Site Services construction contract is an objective decision dependent upon procedural compliance, not a subjective policy decision.}*

The remaining tasks are in four basic, but overlapping areas: land use & design questions; property pricing structure; marketing approach/effort; Port paid commissions to licensed realtor/brokers. The larger issues are recommended to be considered in a 3-step sequence {more if required} similar to the recent Property Owner's Association process. Below is a proposed schedule for many of the remaining Vista Field policy issues:

NOVEMBER 10, 2020 Meeting

Vista Field 3-month schedule shared with Commission (LARRY)

NOVEMBER 24, 2020 Meeting (Possible cancellation, decision expected November 10th)

On or about November 23rd the DPZ Land Use & Design question responses will be sent to the Commission, providing a two week opportunity to read & digest the document.

DECEMBER 8, 2020 Meeting

Real Estate Commission Policy Update; Resolution 2020-xx (AMBER)

DECEMBER 11, 2020 Meeting - SPECIAL MEETING FOR VISTA FIELD

Discuss and review DPZ's responses to the questions and answers regarding Vista Field redevelopment. Elizabeth Plater-Zyberk's attendance has been confirmed and it is strongly recommended the Commission and staff "attend" with visual capabilities, as discussion of design and location will be greatly enhanced with visual aids. *{Step # 1 of 3}*

DECEMBER 22, 2020 Meeting cancelled

On or about December 22nd, the Market Study & Analysis will be sent to the Commission, providing 2+ week opportunity to read & digest the information.

JANUARY 12, 2021 Meeting

Land Use & Design Discussion (LARRY/AMBER/TIM) *{Step #2 of 3}*

Market Study & Analysis prepared by SE Washington Appraisal Group (AMBER) *{Step # 1 of 3}*

Marketing Discussions – Scope, Scale & Budget (AMBER/TIM) *{Step # 1 of 3}*

JANUARY 26, 2021 Meeting

Land Use & Design DECISIONS (LARRY/AMBER/TIM) *{Step #3 of 3}*

Market Study & Analysis prepared by SE Washington Appraisal Group (AMBER) *{Step #2 of 3}*

Marketing Discussions – Scope, Scale & Budget (AMBER/TIM) *{Step #2 of 3}*

PORT OF KENNEWICK
RESOLUTION NO. 2020-25

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
FOR THE PORT OF KENNEWICK CERTIFYING
THE PORT'S 2021 LEVY**

WHEREAS, the Board of Commissioners of the Port of Kennewick met and considered its budget for the calendar year 2021 and 2022 at a regular meeting on November 10, 2020, a quorum of the Commission being present; and

WHEREAS, a legal notice of public hearing on the Preliminary Budget of Port of Kennewick for the calendar year of 2021 and 2022 was published in accordance with RCW 53.35.020, RCW 53.35.045 and RCW 84.52.020; and

WHEREAS, the Port's actual levy amount from 2020 year was \$4,335,431; and

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

WHEREAS, the Board of Commissioners of Port of Kennewick after hearing and after duly considering all relevant evidence and testimony presented, determined that the Port of Kennewick requires a regular levy for the 2021 tax year in the amount of \$5,000,000, which includes an increase in property tax revenue from the previous year, amounts resulting from the addition of new construction, improvements to property, any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the district and in its best interest.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Port of Kennewick substantiate that an increase in the regular property tax levy is hereby authorized for the levy to be collected in 2021 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be approximately \$45,000, which is a one-percent increase from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

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

APPROVED and dated by the Commissioners of the Port of Kennewick at a Regular Meeting on November 10, 2020.

**PORT of KENNEWICK
BOARD of COMMISSIONERS**

By:


DON BARNES, *President*

By:


SKIP NOVAKOVICH, *Vice President*

By:


THOMAS MOAK, *Secretary*

CERTIFICATION OF TAX LEVY

STATE OF WASHINGTON County of Benton

In accordance with RCW 84.52.020, I, **Nick Kooiker**, CFO/Auditor for Port of Kennewick, do hereby certify to the Benton County legislative authority that the Commissioners of said district request that the following levy amounts be collected in 2021 as provided in the district's budget, which was adopted following a public hearing held on November 10, 2020. I hereby request the Board of County Commissioners of Benton County, Washington, to make said regular levy of the Kennewick Port District, as set forth below, and that said regular levy is for operation, maintenance, land acquisition, construction, and the levy is to be distributed as follows:

Expense (General) Fund	\$4,990,000
Administration Refund Fund	\$10,000

Total Regular Levy	\$5,000,000
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Population Certification:	Above 10,000
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If the above certification is more than the Assessor's levy calculations, the Assessor's Office is directed to reduce the Expense (General) Fund amount to the actual Assessor's levy calculation.

CERTIFIED this 10th day of November, 2020.

CERTIFIED BY:

**PORT of KENNEWICK
CFO/AUDITOR**

DocuSigned by:

Nick Kooiker

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Nick Kooiker



Ordinance / Resolution No. 2020-25
RCW 84.55.120

WHEREAS, the Commission of The Port of Kennewick has met and considered
 (Governing body of the taxing district) (Name of the taxing district)
 its budget for the calendar year 2021; and,

WHEREAS, the districts actual levy amount from the previous year was \$ 4,335,431.00; and,
 (Previous year's levy amount)

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

BE IT RESOLVED by the governing body of the taxing district that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2021 tax year.
 (Year of collection)

The dollar amount of the increase over the actual levy amount from the previous year shall be \$ 45,000
 which is a percentage increase of 1.0 % from the previous year. This increase is exclusive of
 (Percentage increase)

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

Adopted this 10 day of November, 2020.

Don Barnes
 Don Barnes, President

Skip Novakovich
 Skip Novakovich, Vice President

Thomas Moak
 Thomas Moak, Secretary

If additional signatures are necessary, please attach additional page.

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

To ask about the availability of this publication in an alternate format, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For tax assistance, call (360) 534-1400.

PORT OF KENNEWICK

RESOLUTION NO. 2020-26

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

WHEREAS, a public hearing was held by the Board of Commissioners for the Port of Kennewick regarding the 2021 and 2022 budget; and

WHEREAS, pursuant to RCW 84.55.120 and WAC 458-19-005, the rate of inflation (IPD rate) for 2021 is 0.602% and the limit factor for property taxes for 2021 is 100.602%; and

WHEREAS, the Port of Kennewick's levy amount from the previous year was \$4,335,431; and

WHEREAS, the Port has set its increase in tax levy capacity for the 2021 and 2022 budget at one percent (1%) and finds there is substantial need to set the levy limit at one hundred and one percent (101%); and

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

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Port of Kennewick Taxing District that an increase in the regular property tax levy, in addition to the increase resulting from the addition of new construction and improvements to property and any increase in levy value of state assessed property, is hereby authorized for the 2021 levy in the amount of approximately \$45,000 which is a one (1%) percentage increase from the previous year.

ADOPTED by the Board of Commissioners of the Port of Kennewick at a Regular Meeting held this 10th day of November 2020; and duly signed by its proper officers in the authentication of its passage on said date.

**PORT of KENNEWICK
BOARD of COMMISSIONERS**

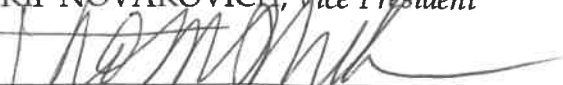
By:


DON BARNES, *President*

By:


SKIP NOVAKOVICH, *Vice President*

By:


THOMAS MOAK, *Secretary*

PORT OF KENNEWICK

Resolution No. 2020-27

**A RESOLUTION OF THE PORT OF KENNEWICK
BOARD OF COMMISSIONERS FORMALIZING COMPLETION OF GOAL #3
OF CEO'S 2017/18 GOALS AND OBJECTIVES**

WHEREAS, the Port of Kennewick Commission approved Resolution 2020-22 on October 27, 2020, adopting declarations for the Vista Field Owners Association; and

WHEREAS, the Commission rolled goal #3 of the CEO's 2017/18 goals and objectives into the CEO's 2019/2020 goals and objectives; and

WHEREAS, the Commission desires to formally accept as complete goal #3 of the 2017/18 CEO's goals and objectives related to this item.

NOW, THEREFORE, BE IT HEREBY RESOLVED the Board of Commissioners of the Port of Kennewick hereby approves goal #3 of the 2017/18 CEO's goals and objectives.

ADOPTED by the Board of Commissioners of the Port of Kennewick this 10th day of November, 2020.

**PORT of KENNEWICK
BOARD of COMMISSIONERS**


By:


DON BARNES, *President*

By:


SKIP NOVAKOVICH, *Vice President*

By:


THOMAS MOAK, *Secretary*

PORT OF KENNEWICK

RESOLUTION 2020-28

***A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
PORT OF KENNEWICK APPROVING CEO'S 2021/22 GOALS AND OBJECTIVES***

WHEREAS, the Board of Commissioners of the Port of Kennewick met this 10th day of November, 2020, a quorum of the Commissioners being present; and

WHEREAS, pursuant to the CEO's employment agreement, the Port Commission is required to approve goals and objectives on an annual basis.

WHEREAS, for informational purposes "Exhibit A" is included which illustrates the three goals that will carry forward to the 2021/22 goals list.

NOW, THEREFORE, BE IT RESOLVED the Port of Kennewick Board of Commissioners hereby approves the 2021/22 CEO's Goals and Objectives, as attached in "Exhibit B".

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

ADOPTED by the Board of Commissioners of Port of Kennewick this 10th day of November 2020.

***PORT OF KENNEWICK
BOARD OF COMMISSIONERS***

By:


DON BARNES, *President*

By:


SKIP NOVAKOVICH, *Vice President*

By:

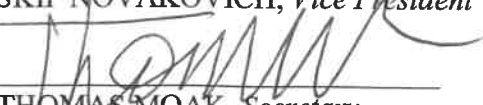

THOMAS MOAK, *Secretary*

Exhibit "B"

EXHIBIT B DATE: CEO 2021/22 Goals & Objectives (including update on 2019/20 ongoing goals) November 10, 2020					
GOAL & OBJECTIVE	TACTICAL STEPS		ACTION	STATUS (checkmark = Completed)	COMMENTS
2019/2020 Goals and Objectives Carryover					
Vista Field	2019/20 GOAL	Completion of Phase 1A construction.	Considered complete when presented to Commission for substantial completion	95% Complete	Anticipate Commission acceptance before end of 2020.
	1				
Vista Field	2019/20 GOAL	Sell one parcel or obtain one ground lease (does not include Arts Center Task Force).	Considered complete when presented to Commission.	25% complete	Unattainable until the Port has recorded lots to sell. Completion scheduled in Fall 2020. However, the Port has had substantial interest from developers.
	2				
Clover Island	2019/20 GOAL	Present for Commission consideration of the Waterfront master plan.	Considered complete when presented to Commission.	30% complete	Estimated completion in Spring 2021.
	5				
2021/2022 Goals and Objectives					
Port Administration	2021/22 GOAL	Prepare "Back to Work" plan for Port staff in relation to the COVID-19 pandemic.	Considered complete when presented to Commission.		
	1				
Vista Field	2021/22 GOAL	Develop a Vista Hanger analysis to include lease renovation options (with RCCF partnership funds) and viability/potential for selling on a ground lease.	Considered complete when presented to Commission.		By consensus Commission approved this as a goal on 9/8/2020
	2				
Vista Field	2021/22 GOAL	Implement the Vista Field "Team Approach", including cost estimates and proposed plan forward for the Port.	Considered complete when presented to Commission.		
	3				
Kennebec Waterfront	2021/22 GOAL	Finalize execution agreements as necessary to commence construction of Clover Island 1135 shoreline rehabilitation project.	Considered complete when presented to Commission.		
	4				
Kennebec Waterfront	2021/22 GOAL	Implement the identified Duffy's Pond tenant-improvements and algae mitigation plan	Considered complete when presented to Commission.		
	5				
Kennebec Waterfront	2021/22 GOAL	Prepare a report discussing the likelihood, feasibility of, and costs for Columbia Gardens Wine & Artisan Village wayfinding signage and the children's playground partnership project on the historic waterfront.	Considered complete when presented to Commission.		
	6				

Exhibit "B"

GOAL & OBJECTIVE	2021/22 GOAL	TACTICAL STEPS	ACTION	STATUS (checkmark = Completed)	COMMENTS
Districtwide	7	Prepare a report which evaluates maintenance facility needs and possible alternatives.	Considered complete when presented to Commission.		
Districtwide	8	Prepare a COVID-19 economic-impact outlook analysis, which obtains professional data, advice, and other indicators regarding potential economic and business impacts to the Port.	Considered complete when presented to Commission.		By consensus Commission approved this as a goal on 9/8/2020
Districtwide	9	Complete Laserfiche training and implementation of procedures related to documentation, filing, paperless review, digital signature, and internal document workflow processing.	Considered complete when presented to Commission.		

PORT OF KENNEWICK

Resolution No. 2020-29

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE PORT OF KENNEWICK AUTHORIZING THE PORT CHIEF EXECUTIVE
OFFICER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF
RICHLAND FOR FUNDING FOR CENTER PARKWAY – GAGE BOULEVARD TO
TAPTEAL DRIVE PROJECT***

WHEREAS, the City of Richland is the lead agency responsible for constructing Center Parkway between Gage Boulevard in Kennewick and Tapteal Drive in Richland, which will represent a substantial economic development opportunity through a public infrastructure investment; and

WHEREAS, the Port has agreed to provide funding for the Center Parkway Improvement project work including engineering design, right-of-way acquisition, construction, and construction contract administration in the total amount of \$400,000; and

WHEREAS, the Port and City have outlined the general provisions, for funding for the Center Parkway Improvement project in said street in the Interlocal Agreement (Exhibit A).

NOW, THEREFORE; BE IT HEREBY RESOLVED that the Board of Commissioners of the Port of Kennewick approves the Interlocal Agreement and instructs the Port CEO to execute the Interlocal Agreement, and take all action necessary to implement the Interlocal Agreement.

ADOPTED by the Board of Commissioners of the Port of Kennewick on the 10th day of November, 2020.

**PORT OF KENNEWICK
BOARD OF COMMISSIONERS**

By:


DON BARNES, President

By:


SKIP NOVAKOVICH, Vice President

By:


THOMAS MOAK, Secretary

WHEN RECORDED RETURN TO:

Richland City Clerk
625 Swift Blvd, MS-05
Richland, WA 99352

INTERLOCAL COOPERATIVE AGREEMENT
Between
THE CITY OF RICHLAND AND THE PORT OF KENNEWICK
Re: Center Parkway – Gage Boulevard to Tapteal Drive Project

THIS INTERLOCAL COOPERATIVE AGREEMENT is entered into on this 18th day of December, 2020 (the “Effective Date”) by and between the **City of Richland**, a Washington municipal corporation (hereafter “Richland”), and the **Port of Kennewick**, a political subdivision of the state of Washington (hereafter “the Port”). Richland and the Port are also herein referred to individually as a “Jurisdiction” and collectively as “the Jurisdictions.”

I. RECITALS

WHEREAS, RCW 39.34.010 permits local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage, and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, pursuant to RCW 39.34.080, each Jurisdiction is authorized to contract with any one or more public agencies to perform any governmental service, activity, or undertaking which each Jurisdiction entering into the contract is authorized by law to perform; and

WHEREAS, through a 2001 interlocal agreement with the City of Kennewick, Richland is the lead agency responsible for constructing Center Parkway between Gage Boulevard in Kennewick and Tapteal Drive in Richland; and

WHEREAS, Center Parkway, when completed, will be a public street within the Port’s district boundary; and

WHEREAS, the Tapteal Business Park, located in Richland, represents a substantial economic development opportunity if traffic circulation and access to the area are improved, which Center Parkway will accomplish; and

WHEREAS, Richland’s proposed Center Parkway Improvements project presents an opportunity for promotion of economic development through a public infrastructure investment; and

WHEREAS, the Jurisdictions, by their respective governing bodies, have determined this effort may be best implemented on a shared basis in a manner deemed most efficient and effective for the Jurisdictions.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the Jurisdictions agree as follows:

II. AGREEMENT

Section 1. Purpose and Scope of Work: The purpose of this Agreement is to formalize the roles and responsibilities of the Jurisdictions in relation to implementation of Richland's Center Parkway Improvements project between Gage Boulevard in Kennewick and Tapteal Drive in Richland (the "Project").

Section 2. Administration: The Richland City Manager or designee will administer this Agreement, and will be responsible for:

- a. Establishing policies for implementing this Agreement;
- b. Providing periodic progress reports to the elected officials of each Jurisdiction; and
- c. Monitoring progress of the Jurisdictions and other agencies in the fulfillment of their respective responsibilities.

Section 3. Funding: The Port will provide funding for the Center Parkway Improvement project work including engineering design, right-of-way acquisition, construction, and construction contract administration in the total amount of \$400,000. These funds will be paid to Richland on a reimbursable basis for actual work performed in two (2) installments, upon receipt of invoice, as described further below:

1. \$200,000 due January 31, 2021 to support design and right-of-way acquisition activities; and
2. \$200,000 due within thirty (30) days of Richland awarding a construction contract for construction of the improvements, but no earlier than January 31, 2022.

The Port's funding obligations are limited at \$400,000 as described herein, and individual payments will not increase beyond the values identified herein.

Section 4. Development: Richland hereby commits to the following:

- a. Richland will prepare a roadway improvement design that includes Complete Streets features including bicycle lanes, sidewalks, street lighting and landscaping.
- b. Richland will assemble a complete funding package to support project completion no later than December 31, 2022.
- c. In compliance with state and/or federal law, Richland will complete all property acquisitions necessary to complete the project.
- d. Richland shall solicit bids and award a construction contract in compliance with Richland and the Port's procurement procedures and applicable law.
- e. Richland will oversee construction of the improvements and perform all contract administration functions necessary.

- f. Richland will develop and distribute public information identifying its partnership with the Port in completing the project.

Section 5. Modification: Amendments to this Agreement must be in writing and executed by the duly authorized representative for each Jurisdiction. As to Richland, said amendments may be executed without further legislative body action.

Section 6. Term of Agreement and Termination:

- a. The term of this Agreement, commencing on the Effective Date, shall become effective on full execution hereof, and upon posting on at least one Jurisdiction's website as provided in RCW 39.34.040. Either Jurisdiction may choose to record this Agreement, but recordation is not required.

This Agreement shall expire on the date the Port's funding obligations as set forth in Section 3 above are satisfied in full.

Section 7. Inspection of Records: The records and documents with respect to all matters covered by this Agreement shall be subject to inspection by any Jurisdiction during the term of this Agreement, and shall be maintained thereafter in accordance with the retention schedule established by the State of Washington for municipal records.

Section 8. No Separate Legal Entity: By this Agreement, the Jurisdictions do not intend to form a separate legal entity to conduct the cooperative undertaking. Further, no acquiring, holding or disposing of real or personal property will occur under this Agreement.

Section 9. Severability: In the event any term or condition of this Agreement or application thereof to any person, entity or circumstance is held invalid, such invalidity shall not affect any other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end, the terms and conditions of this Agreement are declared severable.

Section 10. Venue, Applicable Law and Personal Jurisdiction: All questions related to this Agreement shall be resolved under the laws of the State of Washington. In the event that either Jurisdiction deems it necessary to institute legal action arising from this Agreement, such action shall be instituted in Benton County Superior Court.


Section 11. Authority To Execute: Each person executing this Agreement on behalf of another person, corporation, partnership, company, or other organization or entity represents and warrants that he or she is fully authorized to so execute and deliver this Agreement on behalf of the entity for which he or she is signing. The Jurisdictions hereby warrant to each other that each has full power and authority to enter into this Agreement and to undertake the actions contemplated herein, and that this Agreement is enforceable in accordance with its terms.

Section 12. Counterpart Originals: Execution of this Agreement and any amendment or other document related to this Agreement may be by electronic signature and in any number of counterpart originals, including portable document format (.pdf), each of which shall be deemed to constitute an original agreement, and all of which shall constitute one whole agreement.

[Signature Page to Follow]

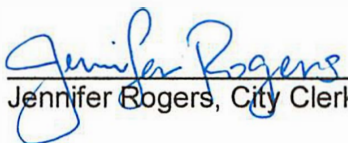
IN WITNESS WHEREOF, the Jurisdictions have entered into this Agreement as of the day and year first written above.

CITY OF RICHLAND



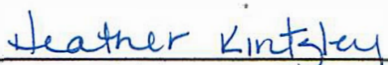
Cynthia D. Reents, City Manager

Attest:



Jennifer Rogers, City Clerk

Approved as to form:



Heather Kintzley, City Attorney

PORT OF KENNEWICK




Tim Arntzen, Chief Executive Officer

Attest:



Nick Kooiker, CFO

Approved as to form:



Attorney for Port of Kennewick
Luenda J. Luke

RESOLUTION NO. 121-20

A RESOLUTION of the City of Richland authorizing an interlocal agreement with the Port of Kennewick related to the Center Parkway project.

WHEREAS, RCW 39.34.010 permits local government units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage, thereby providing services and facilities in a manner that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, pursuant to RCW 39.34.080, each public agency is authorized to contract with any other public agency to perform any governmental service, activity or undertaking which each public agency entering into the contract is authorized by law to perform; and

WHEREAS, Richland is the lead agency through its 2001 interlocal agreement with the City of Kennewick to construct Center Parkway between Gage Boulevard in Kennewick and Tapteal Drive in Richland, and

WHEREAS, Center Parkway, when completed, will be a public street within the Port's district boundary; and

WHEREAS, the Tapteal Business Park, located within Richland, represents a substantial economic development opportunity if traffic circulation and access are improved to the Park, which Center Parkway will accomplish; and

WHEREAS, Richland's proposed Center Parkway Improvements project presents an opportunity for economic development through a public infrastructure investment; and

WHEREAS, the City of Richland and Port of Kennewick, by their respective governing bodies, have determined this effort may be best implemented on a shared basis in a manner deemed most efficient and effective for the jurisdictions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute an interlocal agreement with the Port of Kennewick related to the Center Parkway project.

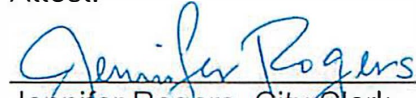
BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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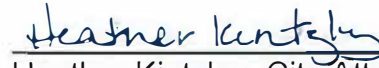
ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 17th day of November, 2020.


Ryan Lukson, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to form:


Heather Kintzley, City Attorney