



PORT OF KENNEWICK REGULAR COMMISSION MEETING

SEPTEMBER 28, 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
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

Tim Nies, 345 South Hills Street, Richland. Mr. Nies stated at the September 14, 2021 Meeting, the Commission discussed the need for a project manager for the governance audit. Mr. Nies inquired about the role and all that it entails and requested if someone could provide information on the description and what is the competitive process will be. Mr. Nies stated Energy Northwest has an Interlocal Agreement (ILA) with the Port and indicated this could be something we could attach to the ILA.

No further comments were made.

CONSENT AGENDA

- A. ***Approval of Direct Deposit and E-Payments Dated September 17, 2021***
Direct Deposit and E-Payments totaling \$69,165.91
- B. ***Approval of Warrant Register Dated September 28, 2021***

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Expense Fund Voucher Number 103195 through 103222 for a grand total of \$68,142.20

C. Approval of Regular Commission Meeting Minutes September 14, 2021

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.

PRESENTATION

A. Governance Audit, Jim Darling

Mr. Arntzen introduced Jim Darling and inquired if he would be able to address and answer Mr. Nies' questions after the presentation with assistance from Mr. Darling.

Mr. Darling recently sent the Commission the first Draft Request for Proposal (RFP), and the second Draft was included in the agenda packet (*Exhibit A*). The edits include the addition of discrimination language and minor edits. Mr. Darling shared that Frank Chmelik, attorney for the Washington Public Ports Association (WPPA), agreed to review the document for consistency and compliance with State requirements as part of the Port's WPPA membership fees. Mr. Darling received Mr. Chmelik's comments which included revising the title to Governance and Management Audit; and Mr. Chmelik also provided additional background information about the Port and a little more on the precipitating event. Mr. Darling will forward Mr. Chmelik's comments to the Commission for review. Mr. Darling outlined the project timeline:

- Issue the RFP on October 15, 2021;
- Review RFP Applications and/or Interview Consultants, November-December, 2021;
- Award RFP on December 14, 2021.

Mr. Darling stated the project manager is still unknown and he believes we can meet the schedule if a project manager is hired soon. Mr. Darling indicated that staff would need to assist the project manager on the mechanics of sending out the RFP. Mr. Darling has a few names of local interested parties in the project manager role. Mr. Darling also has approximately 25 companies that may be interested in performing the audit. He is also in touch with the Association of Washington Cities and WPPA that have names of other firms in the state.

Commissioner Barnes feels that the RFP has an abbreviated background description of the event that occurred that lead to the request of a governance audit, and he would like to see more information provided about the event. Without going overboard or embellishing, Commissioner Barnes believes it would be good to know that the anonymous citizen complaint was authored by one Commissioner against the other two. Furthermore, the anonymous citizen complaint was received by our CEO, was processed, and went forward. He stated the CEO was aware of who the author was at the point of receipt. He thinks there needs to be more information included. Commissioner Barnes stated his concern is that the project manager process needs to be fair, transparent, and unbiased; and the individual does not need to be local. Commissioner Barnes is

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looking to Mr. Darling personally to help as much as possible to make sure we get the appropriate project manager. He wants the best possible candidate given what has taken place.

Commissioner Moak stated the scope is very broad and believes there are items that are not as important as others and the documents should be prioritized. Commissioner Moak inquired if the Port can negotiate the scope or contract price of the consultant.

Mr. Darling referred the question of scope to Ms. Luke and stated the RFP includes the cost factor. However, the Port may want to consider a graduated scale for reviewing documents.

Ms. Luke stated one mechanism the Port can use is to include alternatives with the RFP; however, the Port can reject the submitted proposals if the scope is going to be changed significantly and then rebid the project.

Commissioner Moak expressed his concern with the price of the project and would like to see the scope prioritized.

Mr. Darling stated task one is the process review and task three is a document review. Mr. Darling believes he could narrow down the list of primary documents versus secondary documents for review and the secondary documents could be listed as alternative work.

Commissioner Moak stated regarding expanding the information that precipitated the governance audit request, he assumes the documents related to the anonymous citizen complaint are still available on the Port's website. Commissioner Moak believes it is very difficult to write or talk about the events in a non-partisan way and he would rather see the RFP identify where the documents are posted for additional information. Commissioner Moak does not want to dwell on the past and stated it is not the only reason for the governance audit. It pointed out weaknesses in some of our operations, but Commissioner Moak does not think that the Port should go into great detail regarding the events. Commissioner Moak understands Commissioner Barnes point, but he does not want to see it overly embellished and would like to see it as a positive experience.

Commissioner Novakovich believes this is moving too fast and that the Commissioner Elect should be more involved; however, if this moves forward, the Commissioner Elect should be allowed to help choose the firm that he is going to work with. The Port has evolved over 106 years and to move this project forward this fast, which is not in the work plan, and does not meet our mission, which states, "provide support sound economic growth opportunities" and he does not see where this applies. Commissioner Novakovich believes people are laughing at us for not developing Vista Field and Columbia Gardens. Additionally, he thinks it is a waste of time and money, and our resources could be applied elsewhere. Furthermore, he questioned if it was an appropriate thing to do at this time.

Commissioner Barnes is astonished that the anonymous citizen complaint was processed, investigated, and mediated; and resulted in a \$450,000 expenditure and the entire process had zero economic benefit. All of this at the behest of Commissioner Novakovich's anonymous

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citizen complaint. Commissioner Barnes reiterated his previous comments and believes the process should take place independently without being guided, inhibited or influenced by the Commission or staff, or counsel to staff. Commissioner Barnes would like a robust, thorough, outside, objective evaluation.

Commissioner Barnes is happy to have Commissioner Elect Hohenberg work on this and have input on this, but at the same time, the request for the governance audit was made during his term. He would like to request, on behalf of the citizens and taxpayers, a thorough audit and evaluation of the Port of Kennewick and believes the background is an important part of that process.

Mr. Darling will work on some alternative language that provides two layers for an in-depth review in terms of cost consideration. Mr. Darling requested direction from the Commission on how much information to include regarding the background.

Commissioner Barnes welcomes a two-tiered approach on the document review and would like to see another draft identifying more important policies versus lesser important policies.

Commissioner Moak stated it has been a horrible two years and believes it is important to learn from the past and it is important to deal with it. He would like to see a revised draft that narrows the scope. He would like to see the Port focus on economic development, but we do need to revise some policies.

Commissioner Barnes stated Mr. Darling interviewed each Commissioner individually and have participated in a couple of Commission meetings. Commissioner Barnes feels it is clear that we do not have unanimous agreement from the Commission on a few issues. Commissioner Barnes is looking to Mr. Darling to take a more assertive role and guide us through this process, rather than coming back and asking the Commission what we want, as he feels you will get different answers or not get a consensus. From his perspective, he is asking Mr. Darling to take a more assertive role and recommend a strong course of action for the Commission, to get to the desired endpoint, based on his observations and interviews with the Commission.

Mr. Darling will provide the Commission with a revised draft that will include recommendations on how to proceed and coordinate with staff on the next available meeting.

Mr. Arntzen stated during his preliminary inquiries regarding the governance audit, several firms indicated that they would like to be involved with the process. Mr. Arntzen inquired if the Commission approves of forwarding his list of firms to Mr. Darling.

Commissioner Barnes has no objection to Mr. Arntzen providing the contact information to Mr. Darling.

Commissioner Moak has no objection and inquired about the process for the selection of the project manager, including Mr. Nies' information.

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Mr. Arntzen indicated that his list of firms is for the governance audit, whereas Mr. Nies is interested in the project manager position. Mr. Arntzen is not aware of Mr. Darling's selection process for the project manager but assumes he would be following the Port's policies and procedures.

Mr. Nies stated Mr. Arntzen did a good job of characterizing his question regarding the scope of project manager role in the audit and what the process would be.

B. COVID Procedures and Update, Ann Allen

Mr. Arntzen introduced Ann Allen, who has been assisting the Port with the COVID return to work processes and procedures. Mr. Arntzen stated one of the 2021-2022 CEO goals was to formulate a reopening plan, while this is not the plan, it does have some of the building blocks. Mr. Arntzen believes we are too early in the process to formulate a meaningful reopening plan but there has been a tremendous amount of work that has gone into the draft.

Ms. Allen has been working with the Port since 2020 and stated guidance continues to change. Ms. Allen updated the Commission on the current changes and presented a memo of Compliance with the Washington Ready Proclamation (*Exhibit B*).

Commission discussion ensued regarding the memo and COVID procedures.

C. 2021 Year in Review

Ms. Bader Inglima presented the 2020-2021 year in review (*Exhibit C*).

Commissioner Moak thanked Ms. Bader Inglima for reminding us of all of the projects that we have completed over the past year. Despite everything, the Port has accomplished a great deal and it positions us well for the upcoming year.

Commissioner Novakovich congratulated staff for everything they have done this year and Commissioner Moak is correct, a lot has been accomplished that has not been recognized. Commissioner Novakovich commended staff for working under these adverse conditions and on all of the completed projects. Commissioner Novakovich inquired if there was a schedule for the 1135 project.

Ms. Bader Inglima expects to receive a more detailed schedule next month and stated the contractor can begin the in-water work November 15, 2021, through February 28, 2022, with the intent that the project will be completed Summer of 2022.

Commissioner Barnes thanked Ms. Bader Inglima for the presentation and stated the Port has had some extremely challenging circumstances for the past year and a half and to see what has been accomplished at the Port is very encouraging. Commissioner Barnes thanked staff for their efforts during these challenging times.

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RECESS

Commissioner Barnes called for a recess at 3:48 p.m. for 3 minutes.

Commissioner Barnes reconvened the Regular Commission meeting at 3:52 p.m.

REPORTS, COMMENTS AND DISCUSSION ITEMS

A. *Vista Field and Columbia Gardens*

1. *Marketing Strategies*

Ms. Hanchette briefed the Commission on the marketing strategies for Columbia Gardens and Vista Field, where staff will evaluate the product, place, and prospective buyer for each unique redevelopment project within the Port's portfolio.

Commission and staff discussed the marketing strategies for Columbia Gardens and Vista Field.

2. *Art Policy*

Ms. Hanchette presented Resolution 2021-18, which simplifies the fee structure from the 2016 Art Policy as outlined in Resolution 2016-29.

PUBLIC COMMENT

No comments were made.

Commissioner Moak recalls the Commission consensus was that the 3% would be included on all property sales unless the Commission chose otherwise. He does not feel the revision reflects that change.

Ms. Hanchette will work with Ms. Luke on revising Article 3A and bring back at the October 12th, 2021 Commission Meeting.

Commissioner Novakovich inquired if the Art Policy creates confusion for the buyer and is hard to administer and inquired if it is worth having.

Ms. Hanchette stated it is a Commission Policy for the Commission to decide.

Mr. Kooiker reiterated that it is a policy decision, and the fund balance is administered on a spreadsheet, not as a separate fund.

Commissioner Barnes prefers to have a consistent policy that applies to all Port properties but believes the price should be built from the bottom up to include the 3%, not on top of the sales price. Then, that percentage is set aside and tracked internally for art.

B. *Vista Field*

1. *Design Standards*

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Mr. Peterson updated the Commission on the Vista Field design standards, which are being reviewed by Doris Goldstein and DPZ for consistency of language. Mr. Peterson will present the design standards to the Commission for formal consideration.

2. *Property Owners Association*

Mr. Peterson reported that the Property Owners Association is now in legal review, to ensure its compliance with Washington state law.

3. *Vista Field Pricing*

Ms. Hanchette presented the Vista Field pricing to local realtors for review and shared their comments with the Commission:

- Pricing is a good start on residential and commercial side;
- Pricing will help the Port gain momentum in the market;
- It will take a few sales to get comparables and buy-in in the property;
- Southeastern Appraisal Group is very thorough and provided in-depth information, which will assist not only the Port but others;
- Live-work lots may be considered a non-traditional loan.

C. *Columbia Gardens*

1. *Neighborhood Maintenance Fees*

Mr. Peterson outlined the revisions per Commission discussion to Resolution 2021-16, the Property Owners Association (POA) assessment mechanism for Columbia Gardens. The five-year period will begin for all parcels when the covenants are recorded in 2022 and will cease in 2027.

Commissioner Novakovich inquired if the Commission is approving fees for the parcels.

Mr. Peterson stated the Resolution approves the mechanism with a five-year grace period that will be associated with covenants. The fees will be determined once the covenants are completed and recorded.

PUBLIC COMMENT

No comments were made.

MOTION: *Commissioner Moak moved to approve Resolution 2021-16, approving and adopting the Columbia Gardens Property Owner's Assessment Mechanism; and ratify and approve all action by Port officers and employees in furtherance hereof; and authorize the Port's CEO to take all action necessary in furtherance hereof; Commissioner Barnes seconded.*

Discussion:

Commissioner Novakovich inquired if staff has discussed the mechanism with potential buyers and what their thoughts are.

Commissioner Barnes asked Commissioner Novakovich if he would like staff to answer the

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question.

Commissioner Novakovich stated yes, he would like to hear from any staff who has spoken to potential buyers.

Ms. Hanchette has spoken to potential buyers and informed them that the Port will have an owners association and there would be a mechanism to determine the assessment. Ms. Hanchette stated potential buyers were interested in the rate, which would be established by the mechanism Mr. Peterson presented. Ms. Hanchette informs everyone that tenants will be sharing in the maintenance costs for the common areas, and no one has said they do not want to participate on any level.

Commissioner Novakovich supports the mechanism but expressed his concerns about the rates. Commissioner Moak stated we are one step closer to selling property at Columbia Gardens and it is important to move forward. Commissioner Moak stated a lot of staff work went into this to make it work and he thinks most businesses pay a maintenance fee and now it is clearly defined.

Commissioner Barnes supports this Resolution and stated there is an element of presentation to business owners and tenants of the Port regarding the mechanism. There are two types of leases, gross versus net, and the terms are outlined in the lease itself. In general terms, Commissioner Barnes would like to see the properties support themselves, for Columbia Gardens and the tenants to enjoy success, and for tenants to assist the Port by paying fees associated with the common areas.

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

2. Design Standards

Mr. Peterson presented for Commission consideration, Resolution 2021-17, approving and adopting the design standards for Columbia Gardens.

Commissioner Moak stated on page 25, there are examples of windows which say acceptable and unacceptable and inquired if the picture on the far right is unacceptable.

Mr. Peterson will confirm with Makers regarding the picture and will make the correction.

Commissioner Novakovich stated there are people interested in purchasing property at Columbia Gardens and believes we need to move this forward.

PUBLIC COMMENT

No comments were made.

MOTION: *Commissioner Novakovich moved to approve Resolution 2021-17, approving and adopting the Columbia Gardens Urban Wine and Artisan Village Design Standards; and ratify and approve all actions by Port officers and employees in furtherance hereof; and authorize the Port's CEO to take all action necessary in furtherance hereof; Commissioner Moak seconded.*

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Discussion:

Commissioner Barnes thanked staff and Makers for their work on this document and he looks forward to the build out at Columbia Gardens.

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

3. Columbia Gardens Pricing

Ms. Hanchette presented for Commission consideration, Resolution 2021-19, approving pricing at Columbia Gardens. Ms. Hanchette stated staff utilized the Historic Waterfront District Market Study and analysis and appraised price to determine the pricing.

Commission Novakovich inquired if Ms. Hanchette shared the pricing with potential buyers.

Ms. Hanchette shared the pricing proposal from the September 14, 2021 Commission Meeting with Swampy's, and did not receive any negative feedback.

PUBLIC COMMENT

No comments were made.

MOTION: Commissioner Novakovich moved to approve Resolution 2021-19, authorizing and approving Columbia Gardens parcel pricing, inclusive of the Port's 3% Art Policy; and ratify and approve all actions by Port officers and employees in furtherance hereof; and authorize the Port's CEO to take all action necessary in furtherance hereof; Commissioner Moak seconded.

Discussion:

Commissioner Barnes appreciates the work Ms. Hanchette and staff have put into this and supports Resolution 2021-19.

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

4. Kiwanis Playground Update

Mr. Arntzen provided an update on the Kiwanis playground project and stated project manager, Renata Presby of Energy Northwest, met with staff last week to discuss project status and timeline. Mr. Arntzen inquired if the Commission would like Ms. Presby to present an update at the October 26, 2021 Commission Meeting.

The Commission is consensus of adding Ms. Presby to the October 26, 2021 Agenda.

D. Vista Field Development Facilities, 415 N. Roosevelt Building A (Bruker Lease)

Ms. Hanchette outlined the Bruker buy-out proposal regarding early termination of their lease for 415 North Roosevelt Building A. Ms. Hanchette stated the original lease expires May 31, 2023, and they are requesting early termination in June 2022 with Bruker paying a lump sum for the

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remaining term of 2022, rent relief from January- May 2023, and the Port refunding the security deposit.

Commissioners Moak and Novakovich find this proposal acceptable.

Commission Barnes would support this if the lump sum were equal to the payment of seven months' rent (June-December 2022) and asked Ms. Hanchette to clarify the lump sum amount.

Ms. Hanchette will work with Bruker to confirm the lump sum and Ms. Luke on the formal termination language.

E. Potential Budget Amendment

Mr. Arntzen stated at the last Commission Meeting Commissioner Barnes directed staff to come back with suggestions related to funding the governance audit for approximately \$150,000.

Mr. Kooiker stated Mr. Darling mentioned the governance audit may cost approximately \$150,000; however, Mr. Kooiker suggested reserving \$200,000 in case the project exceeds the \$150,000. Mr. Kooiker stated the funds can come out of the following: the opportunity fund, the capital budget, Vista Field line item for A and B exterior improvements, or the Columbia Drive budget. Mr. Kooiker stated the remaining funds are allocated for Clover Island 1135 and partnership funding. Mr. Kooiker would not recommend utilizing the asset replacement budget.

Commissioner Moak inquired how much is in the opportunity fund.

Mr. Kooiker stated \$285,000.

Mr. Arntzen has another item related to the budget amendment but separate from the governance audit request. Commissioner Barnes has indicated that the Port is understaffed and it may be beneficial to hire additional staff. Mr. Arntzen stated he provided comments earlier; however, he wanted to ensure he provided a satisfactory response or if the Commission would like him to pursue this matter further. Port policy states the CEO hires the employees, but the position would need to be provided for in the budget, which would need to be amended if the Commission would like additional staffing. Mr. Arntzen estimated a director position would cost approximately \$175,000 with salary and benefits; however, support staff would have less of an impact.

Commissioner Barnes stated this is a separate topic from the governance audit and he has voiced his thoughts and opinions regarding the level of staffing. Commissioner Barnes stated if the Commission would like to wait till January, he understands that; however, he reiterated that the Port is understaffed for the upcoming workload at Vista Field and Columbia Gardens.

Commissioner Moak believes we should look at staffing next year with the Commissioner Elect. The questions that need to be addressed are what staff we need, for what purpose, and how will we fund the position.

The consensus of the Commission is to discuss staffing needs in 2022.

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

Commissioners reported on their respective committee meetings.

G. Non-Scheduled Items

Ms. Luke will send the Commission the CEO evaluation packet this week and requested that it be completed and returned on or before October 15, 2021 for compilation. The final review is scheduled for October 26, 2021.

Commissioner Novakovich heard that Mr. Peterson had a good experience with the Benton Franklin Council of Governments (BFCOG).

Mr. Peterson recently requested mapping assistance from BFCOG for 2020 Census to determine the district lines for ports of Benton and Kennewick.

PUBLIC COMMENTS

No comments were made.

ADJOURNMENT

With no further business to bring before the Board; the meeting was adjourned 5:49 p.m.

APPROVED:

PORT of KENNEWICK

BOARD of COMMISSIONERS

DocuSigned by:

Don Barnes

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Don Barnes, President

DocuSigned by:

Skip Novakovich

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Skip Novakovich, Vice President

DocuSigned by:

Thomas Moak

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Thomas Moak, Secretary

PORT OF KENNEWICK

RESOLUTION No. 2021-16

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE PORT OF KENNEWICK ADOPTING THE COLUMBIA GARDENS PROPERTY
OWNERS' ASSOCIATION ASSESSMENT MECHANISM***

WHEREAS, the Port, City of Kennewick, Benton County and Benton Public Utility District #1 have all contributed to the redevelopment of the Columbia Gardens area resulting in numerous public improvements; and

WHEREAS, the Port intends to establish a property owners' association to share responsibility for some of the operational costs associated with the perpetual maintenance of common area improvements in the Columbia Gardens Wine & Artisan Village; and

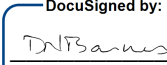
WHEREAS, the Board of Commissioners has expressed interest that any such assessments be fair and equitable to both the existing and future property owners and business located within the Columbia Gardens Wine & Artisan Village.

NOW, THEREFORE, BE IT RESOLVED that the Port of Kennewick Board of Commissioners hereby approves and adopts the Columbia Gardens Wine & Artisan Village property owners' association assessment mechanism and policies as identified in Exhibit A attached hereto.

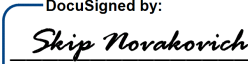
BE IT FURTHER RESOLVED that the Port of Kennewick Board of Commissioners hereby ratify and approve all action by port officers and employees in furtherance hereof; and authorize the port Chief Executive Officer to take all action necessary in furtherance hereof.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 28th day of September, 2021.

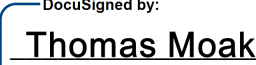
***PORT of KENNEWICK
BOARD of COMMISSIONERS***

By: 
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DON BARNES, President

By: 
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SKIP NOVAKOVICH, Vice President

By: 
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THOMAS MOAK, Secretary

RESOLUTION No. 2021-16

Exhibit A

The Columbia Gardens Wine & Artisan Village, referred to below as the Neighborhood shall be responsible for 65% of the annual operational costs associated of the Foundational items which include: internal roadways located north of Columbia Drive (Columbia Gardens Way, Date Street & Cedar Street); the existing 30-space Date Street and 24-space Cedar Street parking lots as well as joint use parking lots that may be developed in the future; sidewalks, illumination and landscaping associated with these internal streets and parking lots; Columbia Drive streetscape improvements and insurance & security expenses. The Port will not attempt to recapture the initial capital outlay to construct these improvements.

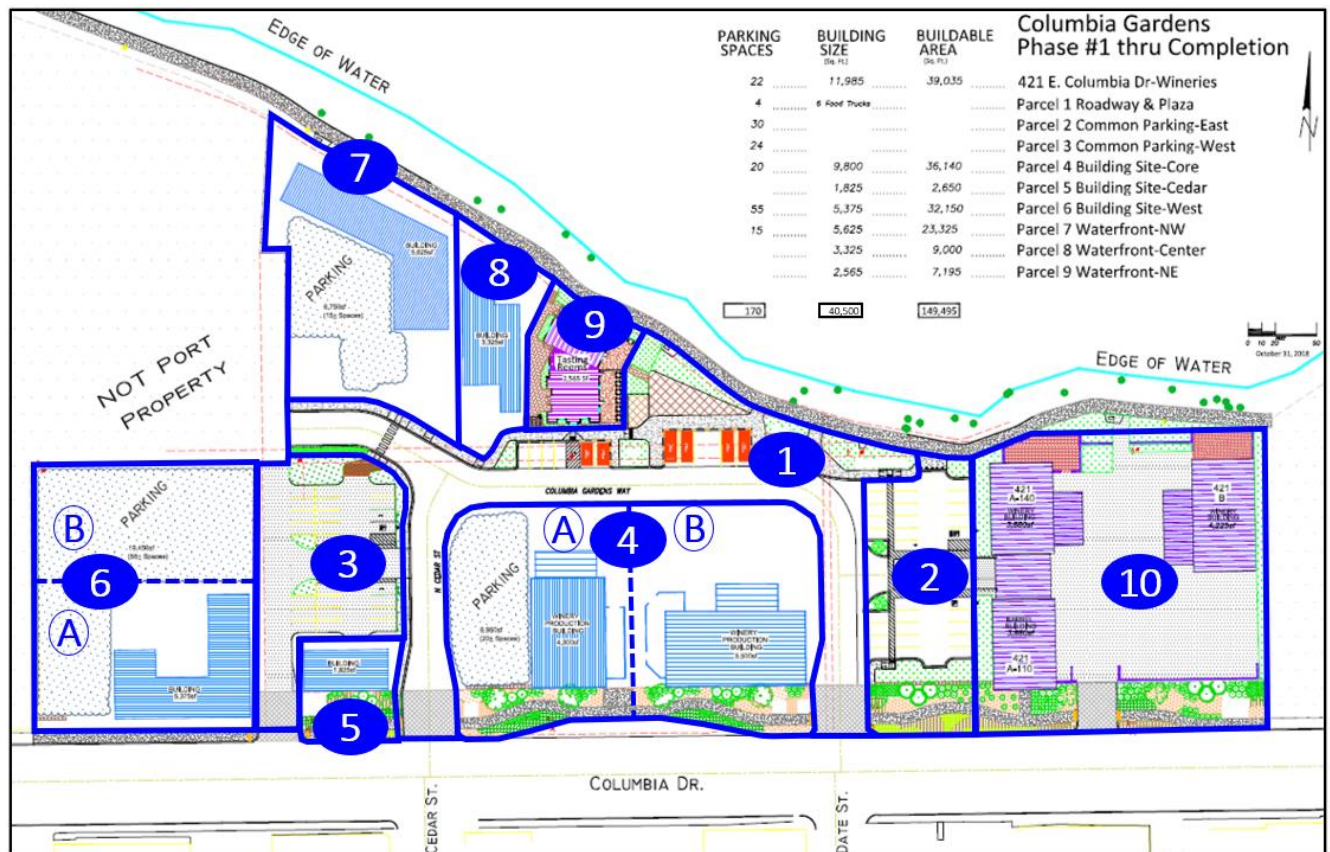
Assessments will be based upon each property share of the overall neighborhood expense and shall be assessed against the property owners of record.

Shares will be based upon the gross building size.

Patio and outdoor seating areas be will calculated at 50% of the applicable rate.

Shares for warehouse and production space will be calculated at a 50% reduction.

The Port would directly pay for all shares for all properties for a period of five (5) years from the date of recording of the covenants.



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RESOLUTION No. 2021-17

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE PORT OF KENNEWICK ADOPTING THE
COLUMBIA GARDENS URBAN WINE & ARTISAN VILLAGE DESIGN STANDARDS***

WHEREAS, MAKERS Architecture and Urban Design was contracted to assist the Port with preparation of the Design Standards for the Columbia Gardens Urban Wine & Artisan Village; and

WHEREAS, MAKERS Architecture and Urban Design prepared the draft Design Standards to complement the City's underlying Urban Mixed Uses (UMU) zoning and the Port's recently adopted Historic Waterfront District Master Plan; and

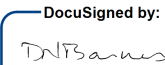
WHEREAS, the Board of Commissioners has reviewed the Columbia Gardens Urban Wine & Artisan Village Design Standards.

NOW, THEREFORE, BE IT RESOLVED that the Port of Kennewick Board of Commissioners hereby approves and adopts the Columbia Gardens Urban Wine & Artisan Village Design Standards as prepared and revised by MAKERS Architecture and Urban Design (Exhibit A).


BE IT FURTHER RESOLVED that the Port of Kennewick Board of Commissioners hereby ratify and approve all action by port officers and employees in furtherance hereof; and authorize the port Chief Executive Officer to take all action necessary in furtherance hereof.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 28th day of September, 2021.


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

By: 
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DON BARNES, President

By: 
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SKIP NOVAKOVICH, Vice President

By: 
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THOMAS MOAK, Secretary

Port of Kennewick

**Columbia Gardens Urban Wine &
Artisan Village Design Standards**



September 30, 2021

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PART 1 – INTRODUCTION

1.1 – Background

These design standards were completed in support of the 2021 Port of Kennewick Historic Waterfront Master Plan and to supplement the City of Kennewick's zone-based Urban Mixed-Use Design Standards. Columbia Gardens is an approximately 5.4-acre site between Columbia Drive and Duffy's Pond, and halfway between the Cable Bridge and Clover Island Drive. The property is primed for continued development as an urban wine and artisan village. Consistent with community goals, these standards will ensure new development on the site is high-quality and creates enjoyable places for employees to work and for customers to visit.

1.2 – Applicability

- A. These standards apply to all new commercial and production buildings in the Columbia Gardens area defined in Figure 1.2 below.
- B. Individual design criteria may also have more specific applicability statements.
- C. Relationship to the 2021 Historic Waterfront Master Plan: This document implements key design policies from the master plan.
- D. Relationship to Kennewick Municipal Code. These standards were drafted to supplement the existing Urban Mixed-Use Design Standards in Chapter 18.80 of the Kennewick Municipal Code. They provide a greater level of detail and cover design issues not addressed in the code.

Figure 1.2
Columbia Gardens area and Historic Waterfront District context.



1.3 – Intent of the Standards

Thoughtful urban design is a critical strategy for realizing the vision and goals of Columbia Gardens. To that end, these standards are intended to:

- A. Provide a high standard for site planning and building of commercial and light industrial development consistent with the goals and policies of the 2021 Historic Waterfront Master Plan.
- B. Provide clear objectives for the planning and design of individual developments.

1.4 – Interpretation

The word “must” is intended to be a mandate. Where the word “should” or “encouraged” is used, it is intended to be a recommendation.

1.5 – Departures

All available departure opportunities for standards are noted within each standard by the capitalized term DEPARTURES. Such departures are voluntary and must only be approved if they meet the intent of individual standard.

1.6 – Definitions

Introduction. All words used in these design standards carry their customary meanings, except for those defined below.

“Articulation” means the giving of emphasis to architectural elements (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces. See section 3.1 for articulation provisions.

“Articulation interval” means the measure of articulation, the distance before architectural elements repeat. See section 3.1 for articulation provisions.

“Blank wall” means a ground floor wall or portion of a ground floor wall as described in section 3.5 that does not include a transparent window or door.

“Building frontage” refers to the “façade” or street-facing elevation of a building. For buildings not adjacent to a street, it refers to the building elevation(s) that features the primary entrance to the uses within the building. Depending on the context the term is used in, it may also refer to the uses within the building. For example, a “storefront” is a type of building frontage.

“Façade” means the entire street wall of a building extending from the grade of the building to the top of the parapet or eaves and the entire width of the building elevation. For buildings not adjacent to a street, the façade refers to the building elevation containing the main entrance or entrances to the building.

“Internal pathway” refers to any pedestrian path or walkway internal to a development. This includes sidewalks along private streets.

“KMC” means Kennewick Municipal Code.

Columbia Gardens Urban Wine & Artisan Village Design Standards

“Modulation” means stepping forward or backwards a portion of the façade as a means to articulate or add visual interest to the façade.

“Roofline” means the highest edge of the roof or the top of a parapet, whichever establishes the top line of the structure when viewed in a horizontal plane.

“Streetscape” means the space between the buildings on either side of a street that defines its character. The elements of a streetscape include building façades, landscaping (trees, yards, bushes, plantings, etc.), sidewalks, street paving, street furniture (benches, kiosks, trash receptacles, fountains, etc.), signs, awnings, and street lighting.

“Vertical building modulation” means a stepping back or projecting forward vertical walls of a building face, within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure’s continuous exterior walls. Vertical building modulation may be used to meet façade articulation provisions in Standards 3.1.A.

“Weather protection” means a permanent horizontal structure above pedestrian areas such as sidewalks and building entries that protects pedestrians from inclement weather.

PART 2 – SITE PLANNING STANDARDS

2.1 – Frontage Standards

Intent


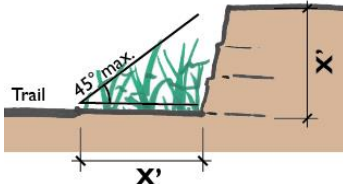
- To enhance the pedestrian environment and recreational opportunities.
- To promote good visibility between buildings and trails for security for pedestrians and to create a more welcoming and interesting trail and commercial environment.

Relation to Zoning Standards

These provisions go beyond the street frontage design standards in KMC 18.80.040(1).

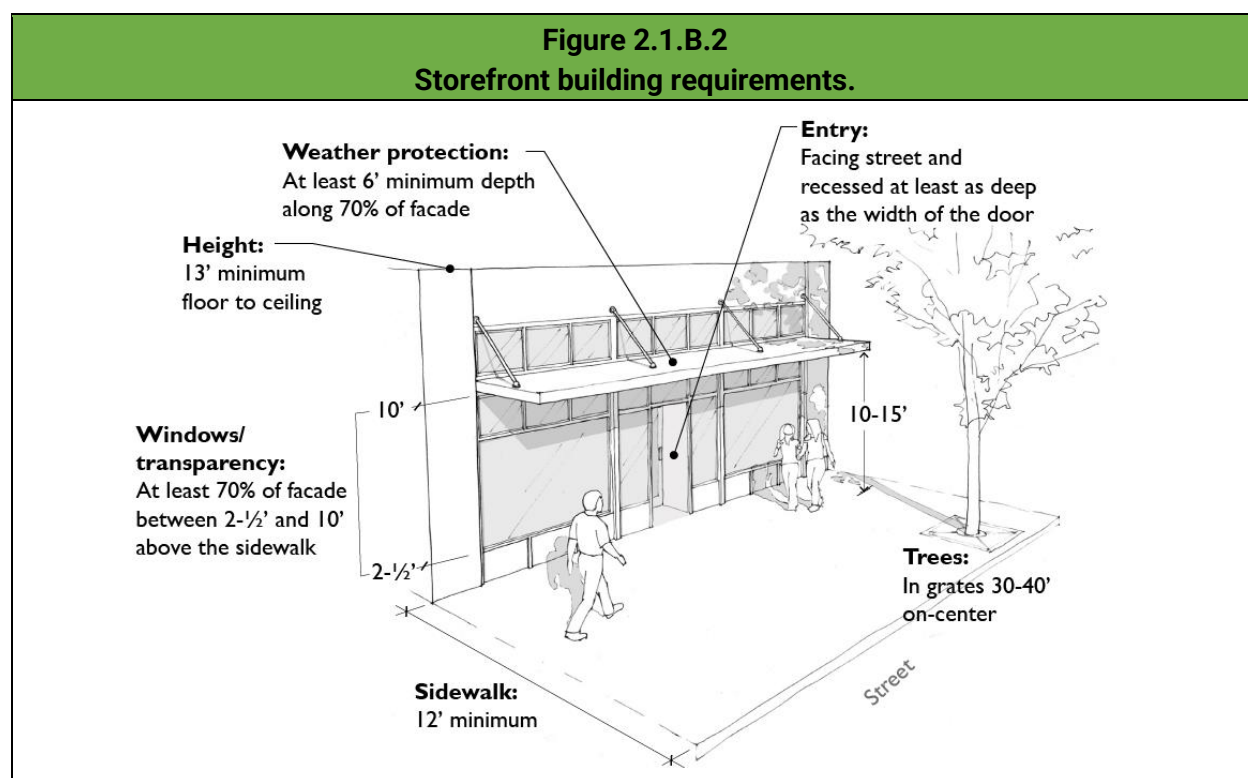
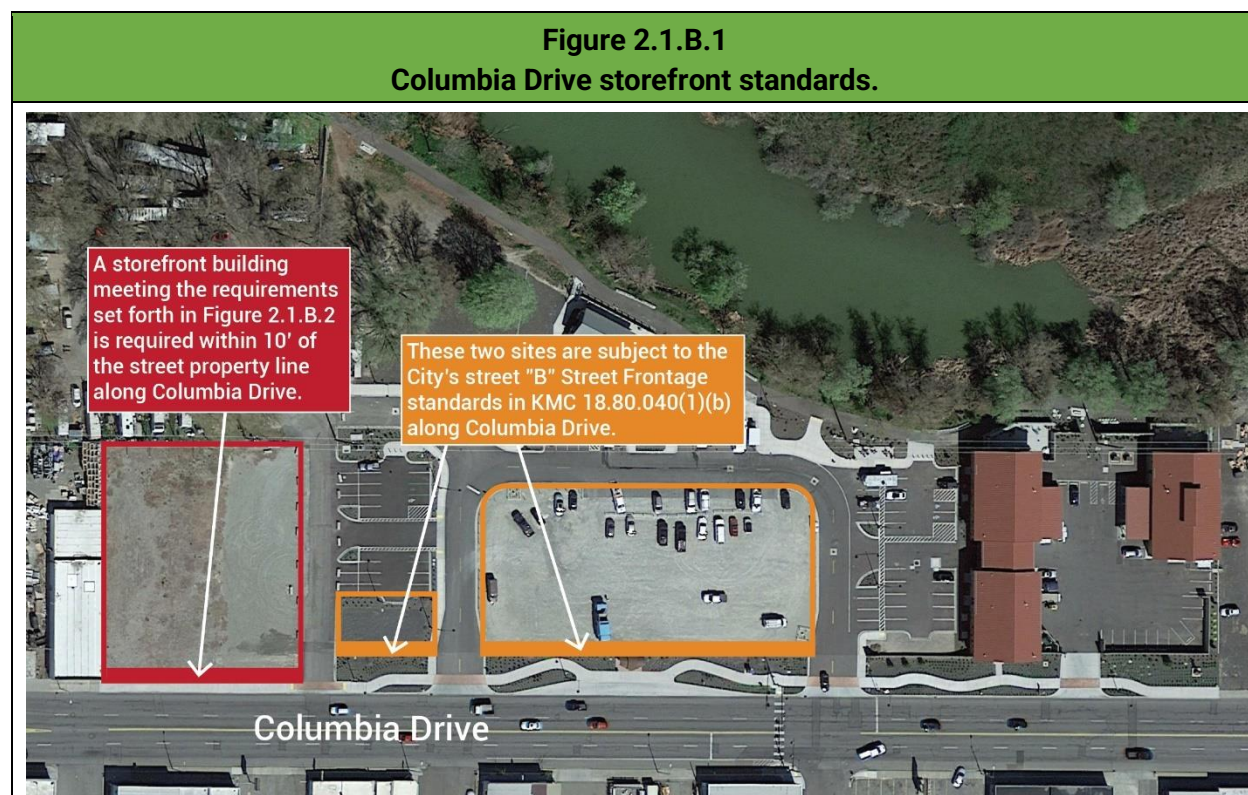
Design Criteria

A. Duffy's Pond Trail frontage standards. All development on sites adjacent to the trail must comply with the standards in Table 2.1.A below:

Figure 2.1.A Duffy's Pond Trail frontage standards.		
Element	Standards	Examples and Notes
Building placement	Buildings must be setback 10-30' from the trail edge, except greater setbacks are allowed when the setback area complies with the plaza provisions in Standard 2.4.	
Setback use	Landscaping, decks, plazas and patios, dining areas, playgrounds, and other similar uses are encouraged within the trail setback area. New vehicular parking, service, and trash storage areas are prohibited in the setback area.	
Fences & retaining walls	Height limits for opaque fences & retaining walls use a 1:1 ratio for their setback from the edge of the trail (for every 1' of setback distance, the maximum height is increased 1'). Deck railings must be at least 60% transparent.	
Building use	The ground floor of buildings adjacent to trails must have a customer-oriented use, such as but not limited to restaurant, tasting room cafe, retail, art gallery, childcare, artisan manufacturing, entertainment use, or service use.	Office, and industrial uses are prohibited. Residential uses are allowed fronting the trail in the Willows and Cable Greens, but not within Columbia Gardens.
Building entrances	At least one customer building entry visible and accessible from the trail is required for non-residential uses.	
Façade transparency	At least 25% of the building façade facing a trail must be transparent.	

Columbia Gardens Urban Wine & Artisan Village Design Standards

B. Columbia Drive block frontage standards. Figures 2.1.B.1-2 set forth block frontage requirements and options.



2.2 – Pedestrian Circulation

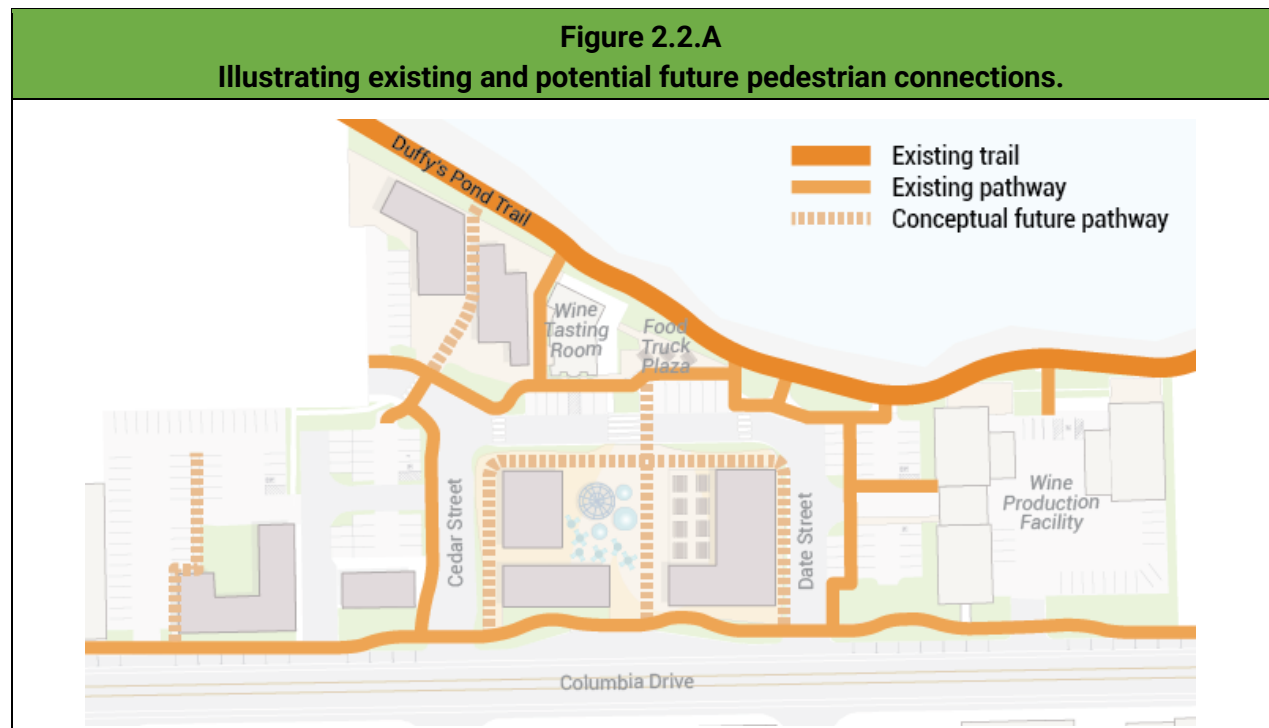
Intent

To improve the pedestrian and bicycling environment by making it easier, safer, and more comfortable to walk or ride among residences, to businesses, to the trail and street sidewalk, to transit stops, through parking lots, to adjacent properties, and connections throughout the city.

Design Criteria

A. General pedestrian connectivity. Developments must provide an integrated and connected pedestrian circulation network that encourages walking. Required connections include:

1. Shared and individual entrances to streets, trails and recreational areas, parking areas, and other pedestrian amenities.
2. Between on-site buildings.
3. To internal pedestrian circulation networks on adjacent sites, when desirable and feasible.
4. Safe and attractive connections to and from street corners.



B. Pedestrian facility design. The following are minimum dimensions. Larger dimensions may be appropriate for high-volume facilities and for facilities located adjacent to high-activity land uses.

1. Primary pathways (direct connections to public streets): Eight feet wide paving.
2. Secondary pathways (no direct connection to public streets and internal site connections between buildings): Five feet wide paving.

2.3 - Landscaping

Intent

- To assist in creating a distinctive design character for the area.
- To promote well conceived and attractive landscaping that reinforces the architectural and site planning concepts in response to site conditions and context.
- To promote plant materials that are native or compatible to the local shrub-steppe landscape.

Relation to Zoning Standards

These provisions go beyond the landscaping standards in KMC Chapter 18.21.

Design Criteria

A. General landscaping standards.

1. Landscaped areas must consist of grade level or elevated planting beds featuring a mix of trees, shrubs, ornamental grasses, groundcover, and other vegetation. Landscaped area may not consist only of rocks or gravel.
2. Landscaping materials must include species native to the region or hardy, waterwise, and noninvasive species appropriate in the climatic conditions of the Tri-Cities region (decorative annuals and/or perennials in strategic locations are an exception). Generally acceptable plant materials must be those identified as hardy in Zone 7a as described in the United States Department of Agriculture's Plant Hardiness Zone Map.
3. Installation standards.
 - a. The combination of trees, shrubs, and ornamental grasses must be designed to cover at least 70-percent of the landscaped areas within three years of planting. Exceptions may be made for landscaping around production buildings to comply with applicable health regulations.
 - b. Shrubs, except for ornamental grasses, must be a minimum of one-gallon size at the time of planting. Shrubs and hedges adjacent to walkways and trails must be limited to 42-inches in height at maturity to maintain visibility (exceptions may be made for landscaping adjacent to blank walls).
 - c. Groundcovers must be planted and spaced to result in total coverage of the required landscape area within three years, specifically either four-inch pots at 18 inches on center or one-gallon or greater sized containers at 24 inches on center.
 - d. Mature tree and shrub height and size must be accounted for in the siting and design of landscaped areas.
4. Water conservation design. Water conservation may be achieved by a combination of any of the following techniques:
 - a. Group plants into areas of similar water need.
 - b. Locate plants based on solar orientation, exposure and drainage patterns.
 - c. Amend soil based on existing conditions.

B. Irrigation standards. It is required to irrigate landscaping using a spray irrigation system.

Columbia Gardens Urban Wine & Artisan Village Design Standards

- C. Trail corridor and plaza landscaping and design.** Landscaping edging the trail and plaza spaces should be designed to help frame the trail and plaza spaces, soften building and retaining walls, and create a memorable and distinctive design character while maintaining good visibility for safety purposes. This includes a combination of trees, shrubs, ornamental grasses, perennials, and ground covers that comply with the provisions in Standards 2.3.A-B above.

Figure 2.3
Appropriate landscaping examples.



2.4 – Plazas

Intent

- To provide plaza spaces that attract visitors to commercial areas.
- To enhance the development character and attractiveness of development.

Design Criteria

Where provided, plaza spaces must meet the following criteria in Standards 2.4.A-B.

A. Required plaza features.

1. The space must abut a public sidewalk or other major internal pedestrian route and be designed to function as a focal point and gathering spot.
2. The space must be ADA compliant and generally level with the adjacent sidewalk or internal pedestrian route. Steps, ramps, and grade changes may be acceptable, provided the outdoor space is designed to be visually and physically accessible from the adjacent sidewalk or internal pedestrian route and the space meets all other standards herein.
3. The space must feature no dimension less than 15 feet in order to provide functional leisure or recreational activity.
4. The space must be framed on at least one side by buildings that are oriented towards the space (via entries and generous façade transparency).
5. Paved walking surfaces of either concrete or approved unit paving are required. Form-in-place pervious concrete paving is allowed. Gravel surface areas may be allowed for special seating areas.
6. Pedestrian amenities must be integrated into the space. Examples include, but are not limited to, site furniture, artwork, drinking fountains, shade structures kiosks, or other similar features that complement the space and encourage use of the space by a variety of users.
7. At least one individual seat per 60-square feet of plaza area or open space is required. At least 50-percent of the required seating must be built-in seating elements, while moveable seating may be used for the remaining percentage. Two feet of seating area on a bench or ledge at least 16-inches deep at an appropriate seating height qualifies as an individual seat. Reductions of up to 50-percent will be allowed for the integration of specialized open spaces that meet the intent of these standards.
8. Landscaping components that add visual interest and do not act as a visual barrier must be integrated. Such components can include, but are not limited to, trees, planting beds, raised planters, and/or potted plants.

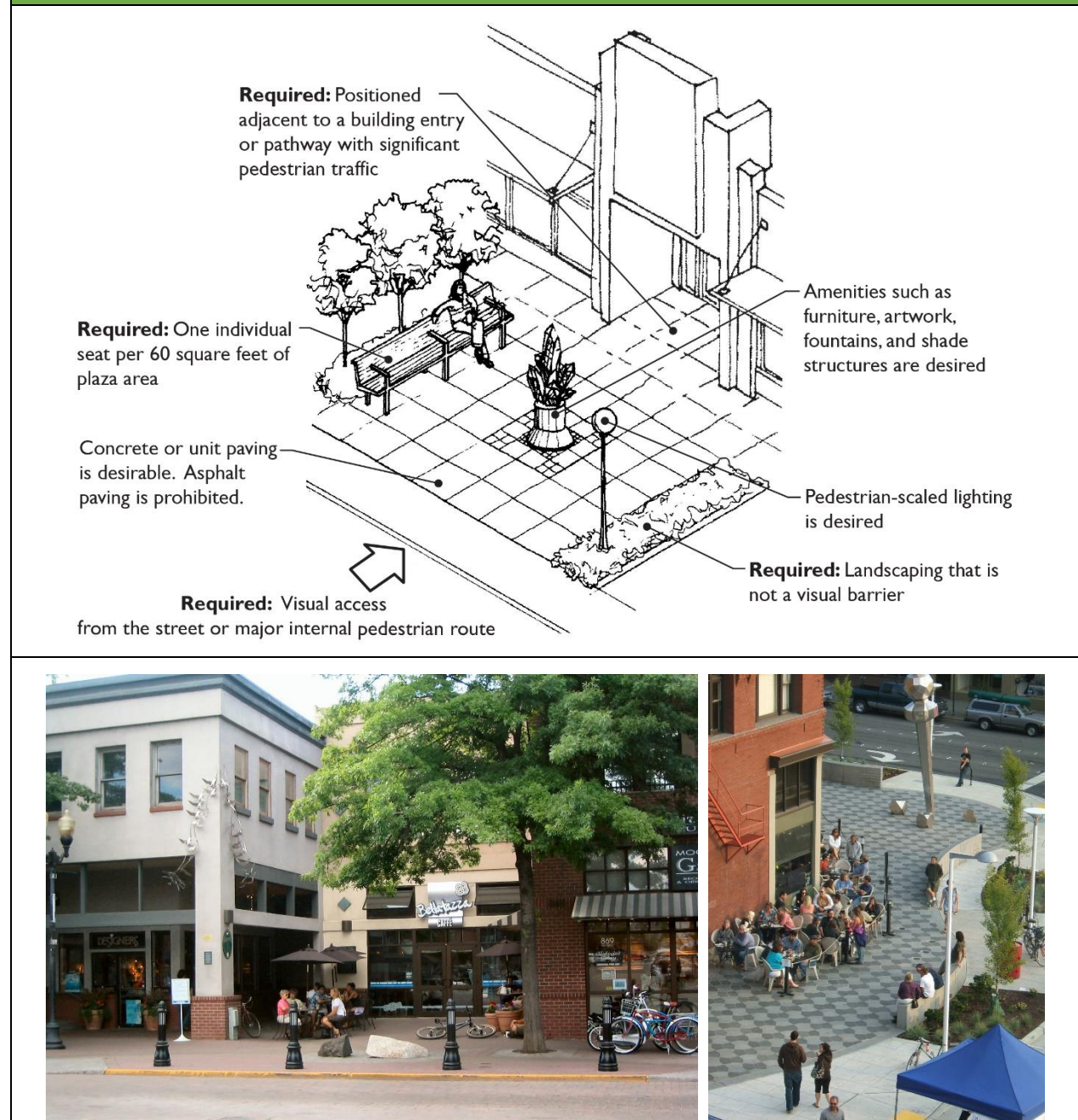
B. Prohibited plaza features.

1. Large expanses of uninterrupted paving or paving without pattern.
2. Asphalt paving.
3. Unscreened service and utility areas or venting of mechanical systems.
4. Adjacent chain-link fences.
5. Adjacent “blank walls” without “blank wall treatment” (see Standard 3.5).

Columbia Gardens Urban Wine & Artisan Village Design Standards

6. Outdoor storage.

Figure 2.4.A
Plaza requirements and examples.



2.5 – Service Areas & Utilities

Intent

- To promote thoughtful design of service elements that's integrated into the project's design and mitigates the impacts of those elements on on-site uses and activities and uses abutting the site.
- To provide adequate, durable, well-maintained, and accessible service and equipment areas.

Relation to Zoning Standards

These provisions go beyond the standards in KMC 18.80.040(3)(d) and (4)(k-l).

Design Criteria

A. Location of ground-level service areas and mechanical equipment. Ground-level building service areas and mechanical equipment includes loading docks, trash collection and compactors, dumpster areas, storage tanks, electrical panels, HVAC equipment, and other utility equipment should be located inside buildings. If any such elements are outside the building at ground level, the following location standards apply:

1. Service areas must be located for convenient service access while avoiding negative visual, auditory, olfactory, or physical impacts on the streetscape environment and adjacent properties.
2. Service areas for multiple users or tenants must be co-located or consolidated to the extent practical.
3. Exterior loading areas for commercial and production uses must not be located within 20 feet of residential uses.

B. Screening of ground-level service areas and mechanical equipment. Where screening of ground level service areas is required, the following applies:

1. Structural enclosures must be constructed of masonry, heavy-gauge metal, heavy timber, or other decay-resistant material that is also used with the architecture of the main building. Alternative materials other than those used for the main building are permitted if the finishes are similar in color and texture, or if the proposed enclosure materials are more durable than those for the main structure. The walls must be sufficient to provide full screening from the affected roadway, pedestrian areas, or adjacent use, but must be no greater than seven feet tall. The enclosure may use overlapping walls as a screening method.
2. Gates must be made of heavy-gauge, sight-obscuring material.
3. The service area must be paved.
4. The sides and rear of service enclosures must be screened with landscaping at least five feet wide in locations visible from the street, parking lots, and pathways to soften views of the screening element and add visual interest. Plants must be arranged with a minimum of 50 percent coverage at time of installation and be able to grow to fully screen or shield the equipment within three years.

DEPARTURES to the above provisions will be considered provided the enclosure and landscaping treatment meet the intent of the standards and add visual interest to site users.

Columbia Gardens Urban Wine & Artisan Village Design Standards

Figure 2.5.A
Acceptable trash screening enclosures.



Both examples use durable and attractive enclosures with trees and shrubs to soften views of the enclosures from the side.

- C. Utility meters, electrical conduit, and other service utility apparatus.** These elements must be located and/or designed to minimize their visibility to the public. Project designers are strongly encouraged to coordinate with applicable service providers early in the design process to determine the best approach in meeting these standards. If such elements are mounted in a location visible from the street, pedestrian pathway, plaza, or trail, they must be screened with vegetation and/or integrated into the building's architecture.

Figure 2.5.B
Acceptable and unacceptable utility meter location and screening examples.



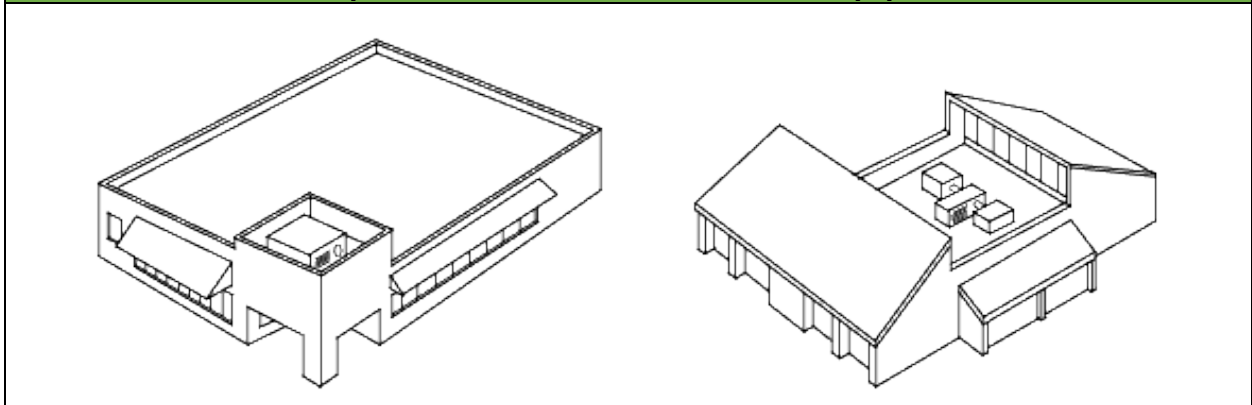
Place utility meters in less visible locations. The left examples is successfully tucked away in a less visible location and screened by vegetation. The right image is poorly executed and would not be permitted in such a visible location; such meters must be coordinated and better integrated with the architecture of the building.

D. Roof-mounted equipment.

1. All rooftop equipment, including air conditioners, heaters, vents, and similar equipment must be fully screened from public view at the ground level. Screening must be located so as not to interfere with operation of the equipment.

Exception: Roof-mounted wind turbines, solar energy and photovoltaic systems, and rainwater reuse systems do not require screening.

2. Solar photovoltaic panels must be integrated into the surface of the roof and not expose an independent structure. Panels must be inclined at the same pitch as the roof plane.
3. For other rooftop equipment, all screening devices must be well integrated into the architectural design through such elements as parapet walls, false roofs, roof wells, clerestories, or equipment rooms. Screening walls or unit-mounted screening is allowed but less desirable. The screening materials must be as high as the equipment being screened.
4. The screening materials must be of material requiring minimal maintenance. Wood must not be used for screens or enclosures. Louvered designs are acceptable if consistent with building design style. Perforated metal is not permitted.
5. Noise producing mechanical equipment such as fans, heat pumps, etc. must be located and/or shielded to minimize sounds and reduce impacts to adjacent residential uses.

Figure 2.5.C**Examples of how to screen roof-mounted equipment.**

PART 3 – BUILDING DESIGN STANDARDS

3.1 – Building Massing & Articulation

Intent

- To employ façade articulation techniques that reduce the perceived scale of large buildings and add visual interest from all observable scales.

Relation to Zoning Standards

This Standard provides further guidance on meeting the building massing and building entry standards in KMC 18.80.040(4)(d) and (h).

Design Criteria

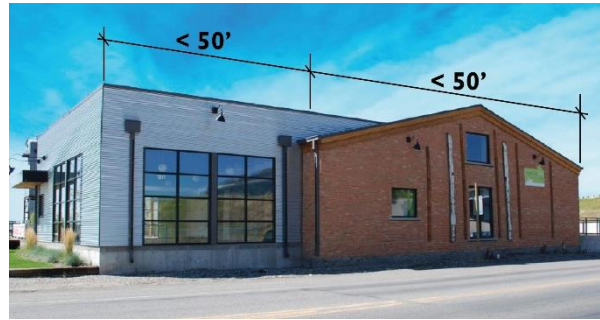
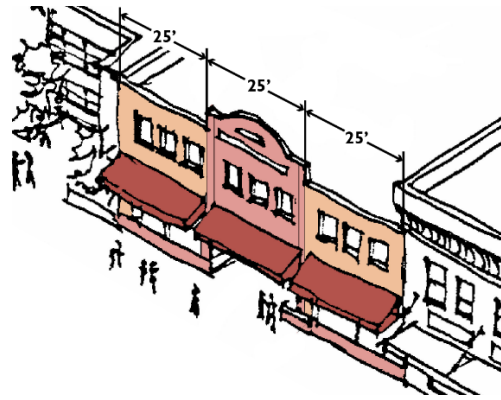
- A. Façade articulation.** Buildings must include articulation features to create a human-scaled pattern. For building façades facing trails, plazas, and containing primary building entrances, at least three articulation features must be employed at intervals no greater than 25 feet. For all production buildings and any other building façades facing parking areas and public streets, at least three articulation features must be employed at intervals no greater than 50 feet.

Articulation features include:

1. Window patterns and/or entries.
2. Use of weather protection features.
3. Use of vertical piers/columns.
4. Change in roofline with a difference in height, slope or pitch, direction, or shape (such as towers and dormers).
5. Change in building material or siding style.
6. Vertical elements such as a trellis with plants, green wall, or art element.
7. Providing vertical building modulation of at least 12-inches in depth if tied to a change in roofline [see Standard (4) above] or a change in building material, siding style, or color.
8. Other design techniques that effectively break up the massing of structures, add visual interest, and effectively reinforce a pattern of small storefronts compatible with the building's surrounding context.

Columbia Gardens Urban Wine & Artisan Village Design Standards

Figure 3.1.A
Articulation examples.



The left image, a commercial building, uses window patterns, weather protection elements, and roofline modulation. The right image, a production building, uses changes in materials, window patterns, and roofline changes to articulate the façade. The lower image illustrates how a multitenant retail building can successfully be articulated (windows, materials, weather protection, vertical building modulation, and roofline changes).



3.2 – Building Details

Intent

- To encourage the incorporation of design details and small scale elements into building façades that are attractive at a pedestrian scale.

Relation to Zoning Standards

These provisions go beyond the building details standards in KMC 18.80.040(4)(h).

Design Criteria

A. Façade details. The ground floor of all commercial and production buildings must be enhanced with appropriate details. This standard applies to building façades facing public streets and building elevations facing parks, trails, and containing primary building entrances.

1. Commercial buildings must employ at least one detail element from each the three categories in Standard 3.2.B for each façade articulation interval (see Standard 3.1.A).
2. Production buildings must employ at least one detail element from two of the three categories in Standard 3.2.B for each façade articulation interval (see Standard 3.1.A).

For example, a commercial building with 90-feet of trail frontage with a façade articulated at 25-feet intervals will need to employ a façade detail from each of the three categories below for all four façade segments.

For example, a production building with 150-feet of street frontage with a façade articulated at 50-feet intervals will need to employ a façade detail from two of the three categories below for all three façade segments.

B. Façade detail categories.

1. Window and/or entry treatment:

- a. Display windows divided into a grid of multiple panes.
- b. Transom windows.
- c. Roll-up windows/doors.
- d. Other distinctive window treatment that meets the intent of the standards.
- e. Recessed entry.
- f. Decorative door.
- g. Other decorative or specially designed entry treatment that meets the intent of the standards.

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Figure 3.2.A
Examples of decorative or specially designed windows and entries.



A = operable storefront window. B = transom windows. C = operable window with decorative details. D = decorative window shades. E = decorative door. F = recessed entry.

Columbia Gardens Urban Wine & Artisan Village Design Standards

2. Building element, façade attachment, or façade detail:

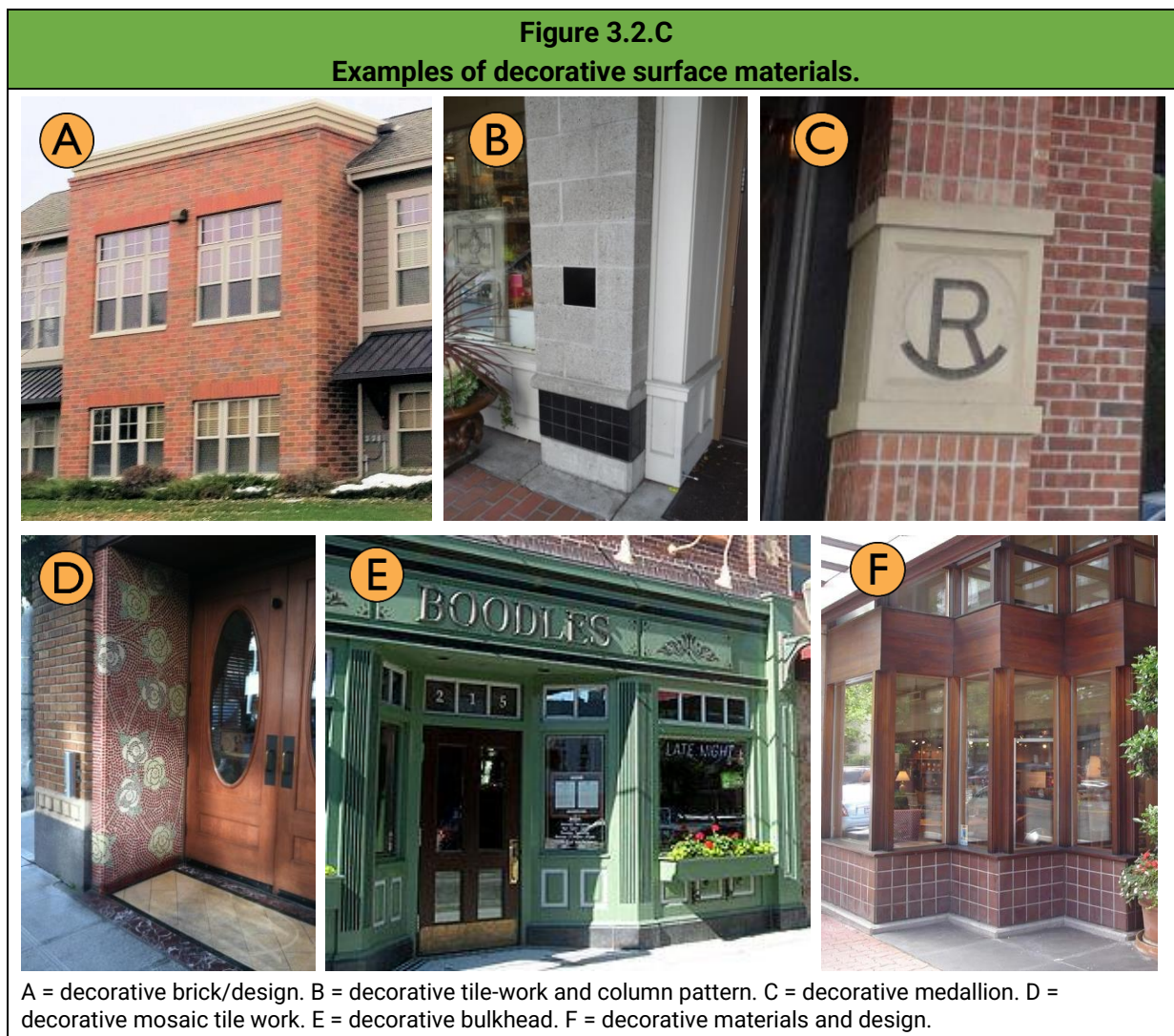
- Custom-designed weather protection element such as a steel canopy, cloth awning, or retractable awning.
- Decorative building-mounted light fixtures.
- Bay windows, trellises, towers, and similar elements.
- Decorative, custom hanging sign(s).
- Other details or elements that meet the intent of these standards.



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3. Decorative material and artistic elements:

- a. Decorative building materials/use of building materials. Examples include decorative use of brick, tile, or stonework.
- b. Artwork on building, such as a mural or bas-relief sculpture.
- c. Decorative kick-plate, pilaster, base panel, or another similar feature.
- d. Hand-crafted material, such as special wrought iron or carved wood.
- e. Other details that meet the intent of the standards.



3.3 – Window Design

Intent

- To integrate window design that adds depth, richness, and visual interest to the façade.

Relation to Zoning Standards

These provisions go beyond the window design standards in KMC 18.80.040(4)(g).

Design Criteria

- A. All windows must employ designs that add depth and richness to the building façade. At least one of the following features must be included to meet this requirement:
 1. Recess windows at least two-inches from the façade.
 2. Incorporate window trim (at least three-inches wide) around windows.
 3. Incorporate other design treatments that add depth, richness, and visual interest to the façade.
- B. Highly reflective glass must not be used on more than 10-percent of a building façade or other building elevations facing trails and containing primary building entrances.

Figure 3.3
Acceptable and unacceptable window design examples.



The windows in Images A-C are recessed by at least two-inches from the façade. Images D and E feature a reveal/recess of less than two-inches, but the contrasting frames and mullions effectively add a sense of depth and richness to the façade. The treatment in Image F does not effectively meet the design criteria.

3.4 – Materials and Color

Intent

- To encourage the use of durable, high quality, and urban building materials that minimize maintenance cost and provide visual interest from all observable vantage points.
- To promote the use of a distinctive mix of materials that helps to articulate façades and lends a sense of depth and richness to the buildings.
- To place the highest priority in the quality and detailing of materials on the first floor at the pedestrian scale.

Relation to Zoning Standards

These provisions go beyond the building material standards in KMC 18.80.040(4)(b).

Design Criteria

If a development includes concrete block, metal siding, exterior insulation and finish system (EIFS), or cementitious wall board paneling/siding on a building exterior, the conditions set forth in Standards 3.4.A-D below apply. These materials are not required and the use of other exterior materials is encouraged. Standard 3.4.E provides guidance on exterior building colors.

A. Concrete block (also known as concrete masonry unit or CMU).

Concrete block must not be used as the primary exterior material and must be integrated with other acceptable materials. It may be used as a contrasting accent material or the primary material when it employs a mixture of colors and/or textures or employs a combination of design details to articulate the building and add visual interest.

Figure 3.4.A
Acceptable concrete block use/design.



Left: Effective use colored concrete block with trim elements that complements other materials. Right: Colored concrete block with a mix of smooth and textured finish that is well- integrated with other materials.

Columbia Gardens Urban Wine & Artisan Village Design Standards

B. Metal siding.

Metal siding may be used on all building elevations provided it complies with the following standards:

1. It must feature visible corner molding and trim.
2. Metal siding must be factory finished, with a matte, non-reflective surface.
3. Walls with more than 50 percent metal siding must feature a roof overhang above the wall.

DEPARTURES will be considered provided the material's integration and overall façade composition meets the intent of the standards.

Figure 3.4.B
Acceptable metal siding examples.



Left: A metal wall with roof overhang is acceptable; the lighting and wall opening framing also help improve the façade composition. Right: A good departure example without a roof overhang, but the short length of the walls, amount of window openings, and color/pattern changes create an acceptable design that meets the intent of the standards.

Columbia Gardens Urban Wine & Artisan Village Design Standards

C. Exterior Insulation and Finish System (EIFS).

EIFS may be used when it complies with the following:

1. EIFS must not be used on the ground floor of building elevations. Concrete, masonry, or other highly durable material(s) must be used for the subject ground level building elevations to provide a durable surface where damage is most likely.
2. EIFS must not be the primary cladding material on upper floors and must be integrated with other acceptable materials.
3. EIFS must feature a smooth or sand finish only.
4. EIFS must be trimmed in wood, masonry, or other material and must be sheltered from weather by roof overhangs or other methods.

DEPARTURES will be considered provided the material's integration and overall façade composition meets the intent of the standards.

Figure 3.4.C
Acceptable EIFS examples.



Columbia Gardens Urban Wine & Artisan Village Design Standards

D. Cementitious wall board paneling/siding.

Cementitious wall board paneling/siding may be used provided it meets the following provisions:

1. Cement board paneling/siding may be the dominant exterior material but must be integrated with other acceptable materials (specifically, up to 70-percent of non-window exterior materials may be cement board paneling/siding). Where cement board paneling/siding is the dominant siding material, the design must integrate a mix of colors and/or textures that are articulated consistent with windows, balconies, and modulated building surfaces and are balanced with façade details that add visual interest from the ground level and adjacent buildings.

DEPARTURES will be considered provided the material's integration and overall façade composition meets the intent of the standards.

Figure 3.4.D

Acceptable cementitious wall board paneling/siding examples.



E. Building color.

1. A variety of colors are encouraged for building facades, trim elements, and roofs.
2. Fluorescent and neon colors may be used sparingly except for accents.
3. Heavy use of grays and whites should be avoided.

Figure 3.4.E

Acceptable examples of vibrant building colors.



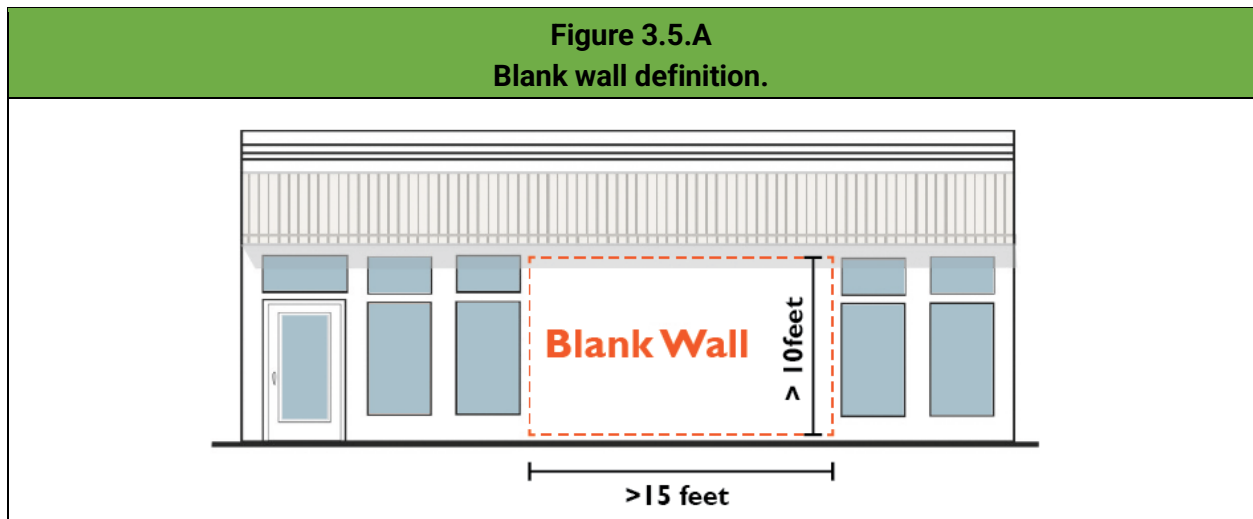
3.5 – Blank Wall Treatment

Intent

- To avoid untreated blank walls.
- To retain and enhance the pedestrian-oriented character of streetscapes.

Design Criteria

- A. Blank wall definition.** A wall (including building façades and retaining walls) is considered a blank wall if it does not include a transparent window or door and has the following dimensions: Over 10 feet in height and a horizontal length greater than 15 feet.



- B. Blank wall treatment standards.** Untreated blank walls adjacent to a public street, plazas, trail, pedestrian pathway, or customer parking lot are prohibited. Methods to treat blank walls on multi-family buildings can include:
1. Landscape planting bed at least five-feet wide, or a raised planter bed at least two-feet high and three-feet wide, in front of the wall. Planting materials must be sufficient to obscure or screen at least 60-percent of the wall's surface within three years.
 2. Installing a vertical trellis in front of the wall with climbing vines or plant materials.
 3. Installing an artistic mural as approved by the Director.
 4. Special building detailing that adds visual interest at a pedestrian scale. Such detailing must use a variety of surfaces; monotonous designs will not meet the intent of the standards.

For large visible blank walls, a variety of treatments may be required to meet the intent of the standards.

DEPARTURES will be considered provided the entire façade composition meets the intent of the standards for the context of the wall (e.g., walls along pathway corridors connecting parking areas to building entries might be granted more flexibility than street facades).



PORT OF KENNEWICK

RESOLUTION 2021-19

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE PORT OF KENNEWICK AUTHORIZING
PARCEL PRICING FOR COLUMBIA GARDENS***

WHEREAS, the Board of Commissioners received property appraisals through the Historic Waterfront District Market Study and Analysis report for parcels located in Columbia Gardens; and

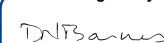
WHEREAS, the Commission has directed staff to add the 3% Art Policy fee to appraised valuations and sell parcels on a price per square foot basis inclusive of the Art Policy.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Port of Kennewick hereby approves and adopts parcel pricing for Columbia Gardens as found in Exhibit A.


BE IT FURTHER RESOLVED that the Port of Kennewick Board of Commissioners hereby ratifies and approves all action by port officers and employees in furtherance hereof; and authorizes the port Chief Executive Officer to take all action necessary in furtherance hereof.

ADOPTED by the Board of Commissioners of the Port of Kennewick this 28th day of September 2021.


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

By: 
DocuSigned by:
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DON BARNES, President

By: 
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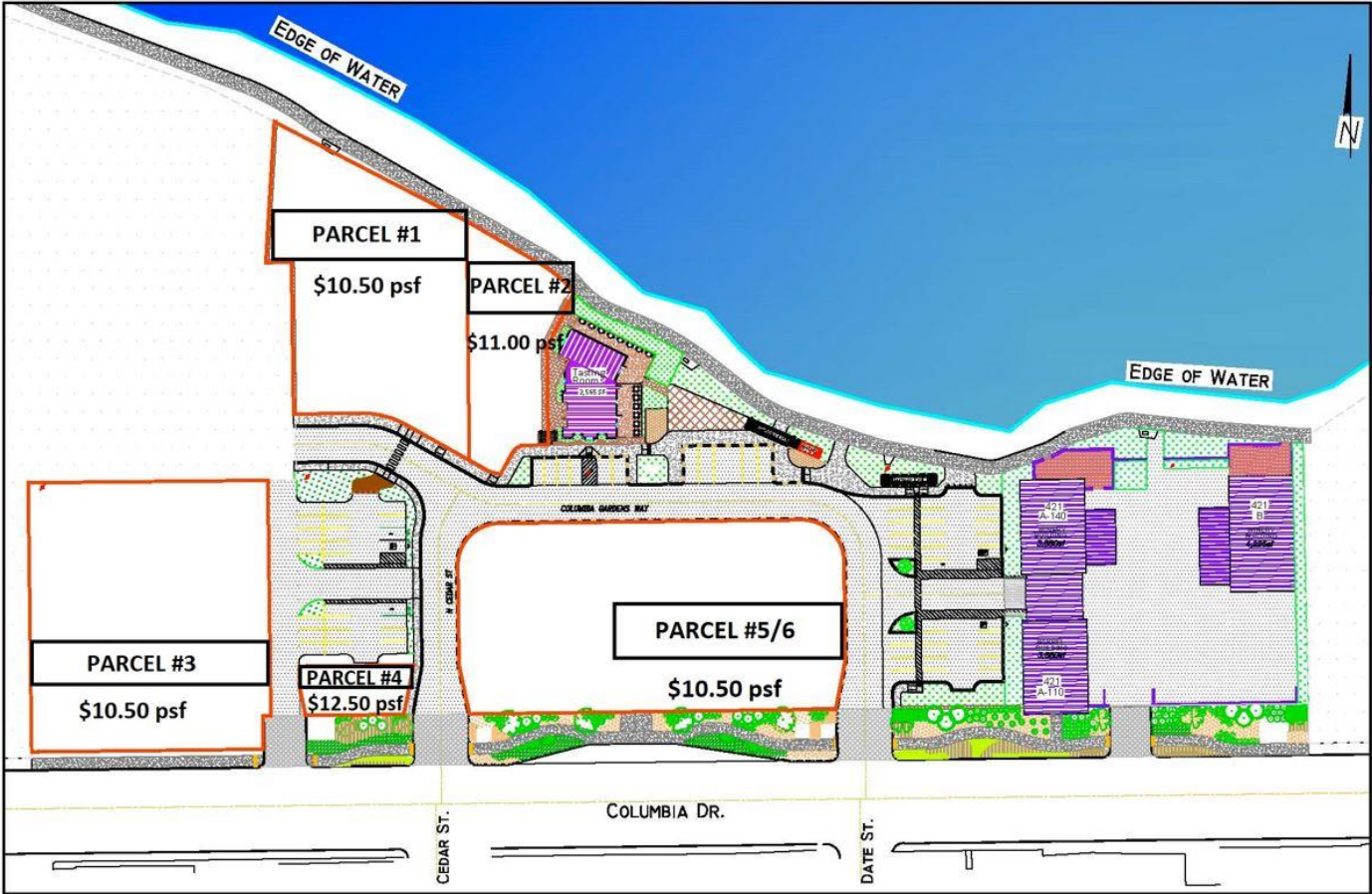
SKIP NOVAKOVICH, Vice President

By: 
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THOMAS MOAK, Secretary

RESOLUTION 2021-19
EXHIBIT A

Parcel #	Appraised Price (Per Square Foot)	Parcel Price Inclusive of Port 3% Art Policy (Per Square Foot)
1	\$10.00	\$10.50
2	\$10.50	\$11.00
3	\$10.00	\$10.50
4	\$12.00	\$12.50
5/6	\$10.00	\$10.50



Port of Kennewick
Request for Proposals (RFP) DRAFT II
Port of Kennewick Governance Audit
Proposals Due: November 12, 2021

A. Purpose

The Port of Kennewick (Port) is soliciting proposals from qualified firms that are interested in undertaking a Governance Audit (Audit) of the Port's operations, processes and practices that are further defined in this RFP.

The Audit is being undertaken to advance the organization by updating, revamping, and/or adopting new or revised policies, practices, and keystone operating documents. The overall outcome is intended to better equip the organization to cost effectively accomplish its mission in serving the community; capitalize on new opportunities; and better respond to stress and challenges.

The specific outcomes will include, but not be limited to, assuring the Port's operations, processes, and practices as well as its governance and management roles are consistent with regulatory requirements and best management practices for Washington port authorities.

In the long term the Port is striving for exceptional performance as one of Washington's most effective port authorities.

B. Background

The Port of Kennewick is an independent special purpose district located in Benton County, Washington. Created in 1915 by a vote of the electorate its original purpose was to capitalize on Celilo Canal improvements that would connect the community to distant markets. Today the Port's Mission ***'is to provide and support sound economic growth opportunities, which foster new business, industry, and jobs, improve infrastructure, and enhance the quality of life for the Port district citizens.'***

The Port's significant operations include:

- 103-acre Vista Field which is designed to be a vibrant, pedestrian-focused regional town center
- Kennewick's Historic Waterfront District by enhancing areas of Clover Island and taking a phased redevelopment approach to three project sites along Columbia Drive: Columbia Gardens Urban Wine & Artisan Village, The Willows and Cable Greens.
- The Willows which is part of the 15.8-acre Columbia Drive Urban Revitalization Area in east Kennewick. The Port, City of Kennewick and Benton County have partnered to transform the former industrial neighborhood into a waterfront destination.

- Cable Greens is a 3-acre site in the Columbia Drive Urban Revitalization Area adjacent to Columbia Gardens Urban Wine & Artisan Village. The Port is planning infrastructure enhancements within the next several years to open Cable Greens to private-sector investment.
- The Oak Street Industrial Park is just over 12 acres in northeast Kennewick and is zoned for light industrial development. The Port operates five business incubator buildings in a campus-like setting at the Industrial Park with building space currently available for lease.
- Other Port projects have included the Yakima River Gateway open space; the 93 West Richland Industrial Park; the Badger Mountain Trailhead Park; the Spaulding Business Park; the 15-acre Wine Estates Development Park; and participation in the Southridge development area with the City of Kennewick.
- Clover Island Boat Launch and Marina, home to 150 moorage slips and associated amenities.

The Port is governed by a three-member elected Board of Commissioners. Commissioners serve for 6-year staggered terms and select board officers annually. The current 2021 Board:

President: Don Barnes *	<i>(Serving since 2012)</i>
Vice President: Skip Novakovich	<i>(Serving since 2009)</i>
Secretary: Thomas Moak	<i>(Serving since 2014)</i>

**(Commissioner Barnes' term expires at the end of 2021. There is an uncontested candidate to assume his Board position in January 2022: Ken Hohenberg, retiring Police Chief, City of Kennewick)*

The Port is managed by a 13 member staff led by the Port's Chief Operating Officer (CEO).

In early 2019, following a real estate transaction, there was a citizen complaint filed and a series of legal actions that were judicially dismissed and settled in 2020. That experience caused the Port's Commission to move forward with this Governance Audit to review all systems, processes, and documents.

The Port anticipates awarding a single contract to the selected firm in January 2022 based on a recommendation by the current 2021 Commission. The period to complete the work is one year, however, an option to extend for additional time can be considered if necessary. The contract to be approved by the Board of Commissioners will be consistent with the Port's standard terms and conditions contained in its Consultant/Service Agreement. See Appendix A to this RFP.

C. Scope of Work & Deliverables

The Port is seeking consulting services to work directly with the Port Commission and staff to undertake a Governance Audit. It is expected that work will begin in early 2022. The selected firm will develop a set observations, findings, and recommendations as Deliverables as described below.

Work will be coordinated by the Port's Project Manager: **To Be Determined before release**

Contact Information

It is anticipated that the approach to undertake the following tasks would consist of some combination of Commission and staff interviews; review of the literature, practices, and statutory requirements for Washington Ports; and comparative analysis of Port documents.

Applicants should address the expected deliverables in their Project Approach Narrative. The Port's expectation is that there will be a series of 'Findings' for the three major assessment areas followed by a comprehensive series of 'Recommendations' on steps the Port should take to improve the organization's effectiveness and concurrency with both statutory requirements and best management practices.

Task 1: Assessment Area-Systems & Process Evaluation

Task Purpose: Evaluation of the systems and processes the Port utilizes to manage its affairs and reach binding decisions for the organization.

Task Topic: In general, the **Systems and Process Evaluation** will explore the Port's current approach to decision making and the respective roles of the elected Commission and appointed staff. Specifically, it is intended to include the review of the effectiveness and functionality of the following traditional Systems and Processes. The successful applicant will be encouraged to propose additional areas for evaluation at the proposal stage or as the work progresses.

- Agenda formulation and meeting protocols (ie. Use of a Consent Agenda)
- Roles and responsibilities of the Commission officers
- Development, adoption, and management of operating and capital budgets
- Strategic and asset planning
- Financial management and the statutory required audit by the State Auditor
- Organizational structure and performance capacity of the Port
- Performance evaluations of key personnel including CEO, internal auditor, and legal counsel
- Contract negotiations and approvals
- Contracting for legal and State audit services
- Legal guidance and risk management
- Internal communications
- Purchasing and contracting for services
- Travel policies and expense reimbursement
- Personnel: Hiring, training, development, as well as salary structure and benefit administration
- Public outreach, transparency, and community affairs

- Ethics practices
- Leasing, property acquisition and sales, as well as tenant and customer relations

In addition, the review and evaluation of these Systems and Processes will address the role, reporting structure, and responsibility of the elected Commission, CEO, internal Port auditor, and Port attorney.

Key Task 1 Deliverables: Written “Findings Report- Systems and Process Evaluation” that captures the outcomes of the evaluation in sufficient detail to support the recommendations within Task 4. Presentation to the Commission on the Task findings.

Task 2: Assessment Area- Organizational Culture Assessment

Task Purpose: An assessment of both the current and desired organizational culture and working atmosphere of the Port and how it may or may not impact effective operations.

Task Topic: An assessment of the formal and informal culture and working atmosphere at the Port from both an internal and external perspective. This includes the relationships between and amongst the Commission; between the professional staff and the Commission, amongst all levels of the staff; and with the Port’s external stakeholders, including tenants, other governmental agencies, and the overall community.

Applicants should consider utilizing traditional organizational assessment tools such as a SWOT or SOAR analysis. These tools, or others recommended by the successful applicant, should engage both the professional staff and the elected Commission. The intended outcome is an assessment but also should recommend a pathway forward to addressing the organizational culture and work atmosphere.

Note: The SOAR analysis maintains the Strengths and Opportunities of a SWOT analysis but introduces Aspirations and Results in place of Weaknesses and Threats. A SOAR analysis is more oriented toward action whereas a SWOT analysis is more analytical in nature.

Applicants should identify and propose a methodology to assess the current and desired organizational culture and working atmosphere of the Port from both an internal as well as external perspective such as tenants, customers, and other local governments.

Key Task 2 Deliverables: Written “Findings Report- Organizational Culture Assessment” that describes the current culture as well as defines a preferred culture for the Port. Presentation to the Commission on the Task 2 findings.

Task 3: Assessment Area-Document Review

Task Purpose: Identification and review of existing documents that underpin the Port’s operation and decision-making ability against regulatory requirements and best management practices.

Task Topic: As in all organizations there are a host of required and recommended documents that institutionalize the Port's practice, policies, and responsibilities. Task 3 is intended to be an in-depth review of those existing documents to determine if they are consistent with regulatory requirements and/or best management practices for a Washington port authority. The work will determine if there should be revisions to existing documents; a sense of the efficacy of each document, if there are any opportunities for consolidation, or if there are additional documents that should be considered. In reviewing existing documents, the successful applicant should gain a sense of historical context and why certain documents were adopted.

The documents that have been identified include the following. Documents that are reviewed shall include the most recent version with up-to-date amendments. This list may not be exhaustive, the successful applicant is encouraged to propose the review of other materials as well. A number of these documents are captured as resolutions of the Commission.

- i. Port Commission Rules of Policy & Procedure
- ii. Public records and information management program
- iii. CEO Delegation of Powers including secondary delegation to staff
- iv. Appointment of Port auditor
- v. Commission directives for Port assets
- vi. Art Policy
- vii. CEO evaluation policies
- viii. Budget financial and operational policies
- ix. Declaring local emergency and Delegation of Authority (CEO)
- x. Buyback clause language
- xi. CEO Procedures & Staff Handbook
- xii. Job descriptions of all employees
- xiii. Comprehensive Scheme of Harbor Improvements
- xiv. Staff employment contracts
- xv. Attorney contract
- xvi. Financial reports
- xvii. Port's organizational chart
- xviii. Strategic Plan
- xix. 2019 Audit
- xx. 2020 Audit

Key Task 3 Deliverables: Written "Findings Report-Documents Review" that summarizes the review and analysis of existing policies, contracts, and other relevant documents. Presentation to the Commission on the Task findings. Presentation to the Commission on the Task 3 findings.

Task 4: Recommendations

Task Purpose: Specific and general recommendations regarding the Port's processes and systems; organizational culture; and document adoption and use.

Task Topic: Building on the findings of Tasks 1 through 3 the successful applicant will produce a series of general and specific recommendations for the Port's consideration. Specifically, this task should bring forward phased changes and improvements to advance the Port's effectiveness, compliance with regulatory and industry practices as well as overall operating culture.

Key Task 4 Deliverables: Written report summarizing the specific recommendations on the three assessment areas to also include recommended modifications to processes and or documents. The recommendations should include suggested language and may include sample documents from other organizations or resources. The successful applicant shall vet all proposed amendments and modifications to existing documents against statutory requirements. Regarding recommendations for organizational culture the deliverables shall include a proposed course of action.

Task Approach

Section E of this RFP requests that submittals describe the applicant's approach to the work and the individual tasks. Inherent in the applicant's approach applicant proposals should include an early series of interviews with current and former elected Commissioners to better define the extent of each Task and review of Commission meeting tapes (minutes) and news articles.

Applicants should plan on an early kick off meeting with the Commission and staff to forecast a schedule of work and their approach.

D. Qualifications

The successful applicant for this Scope of Work should have extensive working knowledge of local government governance and management concepts and practices. It is anticipated there will be a lead consultant supported by an 'on call' panel of experts that specialize in a wide variety of topics and each will bring a distinct focus to the work. This model is intended to capitalize on the available expertise and knowledge of the 'on call' panel members when needed during the Audit. Panel members may be from the lead consultants' firm; however, applicants are encouraged to assemble and propose a diverse group of panel members with differing perspectives. The extent of the use of the 'on call' panel will evolve as the work progresses.

The combined knowledge and experience of the lead consultant and 'on call panel' should include, but not be limited to, the following areas:

- Port governance and management roles, concepts, and challenges
- Washington Port District Act (RCW 53), as well as all statutes regulating special purpose districts
- Strategic planning
- Organizational dynamics and cultural effectiveness
- Public finance, budgeting, purchasing, and contracting
- Washington State statutory audit requirements and practice
- Personnel and human resource practices

Applicants are encouraged to recommend and include other skill sets on the 'on call' panel. The successful applicant will have exceptional communication and interview skills as well as the ability to identify and analyze the effectiveness of organizational functions.

The successful applicant will be demonstrably neutral in the approach to the work and have no real or perceived conflicts with the Port. It is preferred that the successful applicant will not have worked under contract to the Port in the past.

E. Evaluation of Proposals

Proposals should present the applicants information in a straightforward and concise manner, while ensuring complete and detailed descriptions of the lead consultant and on call panel members abilities to meet the requirements of this RFP.

Written proposals are limited to 20 numbered pages (8.5 by 11 inch) including the cover letter and all appendices. Font size shall be 11 point or larger. All resumes and bios are not included in the total page count. Applicants are encouraged to abbreviate those to only include pertinent and relevant experience information.

Proposals should include a primary contact for further amendments or notices.

The cover letter shall include the RFP title as well as the name, email, phone number, and address of the lead consultant and further include the following information:

- Describe any claim submitted by a client against the lead consultants' firm or its key personnel. For purposes of this RFP claim means any sum of money in dispute in excess of the firm's fee for the services required.
- Any real or perceived conflicts of interest for the lead consultant and or the 'on call' panel
- A statement indicating acceptance or any objections to the Port's Consultant/Service Agreement and knowledge any addenda to this RFP issued.

Proposals will be evaluated by the Port of Kennewick Commission and will be based on the following criteria:

1. Qualifications and Experience

Identify the areas of expertise for the lead consultant and each member of the 'on call' panel. Include their role in the proposal, education, experience in similar efforts, and work experience. In addition to experience and knowledge identify the capacity of each individual given their other commitments.

2. Project Approach Narrative

Describe in detail the applicants proposed approach to accomplishing the work defined in Section C of this RFP. Describe the proposed engagement with the Port, its staff and Commission, including a sense of the amount of Port resources or anticipated time commitment for those Port resources. The Port will entertain suggested modifications, innovative ideas, and suggestions to enhance the 'on call' panel approach.

3. Project Management

Provide the applicants proposed project management approach including a preliminary timeline with key milestones, phases, tasks, and the like. Describe the level and timing of involvement of Port staff and the Commission. Define the assumptions made regarding the applicant's approach to the work as well as the factors that the applicant believes are risks to successfully completing the work. Describe the method for maintaining communications with the Port during the project.

4. Compensation

Proposals should include an estimated cost to perform the work including the assumptions made in developing that cost proposal. All costs should be provided including, but not limited to each consultant or expert hourly rates fully burdened, travel, direct/indirect expenses, and overhead. All costs to complete the work as described herein shall be included.

5. References

Proposals should include 3 to 5 references that can be used to evaluate the lead consultant's experience and ability to undertake the work. References may be included for 'on call' panel members if, in the opinion of the applicant, they are relative to assessing the overall capacity of the applicant to accomplish the work.

6. Interviews

The Port may, at its sole discretion, conduct interviews with applicants to further support its selection process. These interviews, if requested, can be conducted either remotely or in person at the Port's offices.

The Port's Commission shall make the selection of the preferred applicant based on the proposal submitted, the projected cost of the work, the results of reference checks and interviews, if necessary. The Commission will make a recommendation on the selection of the preferred applicant through the adoption of a Commission resolution. That resolution will be forward to the 2022 Commission at their second meeting in January 2022 (January 18, 2022). On or about January 18, 2022, the Commission will consider and award the work to the successful applicant.

The Port will consider and award the work to the applicant that represents the best value to the Port in terms of value received for cost. The Port reserves the right to accept or reject any and all proposals in their entirety, or in part, and to waive any informalities and minor irregularities and to contract in the best interest of the Port. The Commission's determination is final.

In the event only one proposal is received the Port may require that the applicant provide any additional information as required by the Port to further analyze the proposal. The port reserves the right, in any circumstance, to reject any and all proposals.

Applicant Costs for Proposal

All costs incurred by the applicant in the preparation of a proposal, as well as the cost of participating in the selectin process shall be borne by the applicant.

Minority and Women's Business Enterprise

The Port of Kennewick encourages participation in all of its contracts by MWBE firms certified by the Office of Minority and Women's Business Enterprise (OMWBE). Participation may be as the lead consultant or as a member of the 'on call' panel. It should be noted that no minimum level of MWBE participation shall be required as a condition of receiving an award for this work.

Discrimination Policy

The Port provides equal opportunity to the users of all Port services and facilities, all contracting entities, Port employees and applicants for employment, and to assure that there be absolutely no discrimination against any person on grounds of age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental or physical disability, or the use of a trained guide dog or service animal by a person with a disability, unless based upon a bona fide occupational qualification or any other protected status.

Documents

Proposals submitted to this solicitation shall be considered public documents at the conclusion of the process defined as the time at which a contract is executed between the Port and the preferred applicant. If an applicant considers any part of their submittal as proprietary it should be noted on the actual proposal. In the event there is a third-party request to release that information the Port will notify the applicant and allow the applicant 10 days to seek a protective order from the courts. The Port will own all products generated during this effort.

F. Procurement Process & Timeline

Activity	Date <i>(Dates are projected)</i>
RFP Issued	October 15, 2021
Last Day to Submit Questions	November 1, 2021
Proposals Due	November 12, 2021
Interviews, if required	November 29- December 3, 2021
Final Selection & Recommendation	December 14, 2021
Contract Award & Execution	January 18, 2022

Applicants are advised to track solicitation updates and addenda on the Port's website:

www.portofkennewick.org

Note: Applicants who, relative to this scope of services, contact any individual staff or Commission members representing the Port, other than the Port Project Representative listed in Section C Scope of Services may be eliminated from further consideration.

Questions concerning this solicitation should be submitted via email by November 1, 2021 to the Port Project Manager at: **To be determined**

Proposals must be received via on or before the **Proposal Due Date** listed on the cover page of this RFP. Proposals are to be sent to **To Be Determined** and include on the subject line: **Port of Kennewick Governance Audit**. Please be aware of the size of the transmittal to be conveyed electronically. Applicants are to confirm receipt of their proposal by the Port. Late proposals will not be accepted. Proposals can be submitted electronically or in hard copy or both. Hard copy submittals must include 5 copies.

Mail to:

Governance Audit

Port of Kennewick

350 N Clover Island Dr # 200, Kennewick, WA 99336

All proposals shall be valid and binding for 90 calendar days following the submittal deadline and/or any extension agreed to by the successful applicant.

Attachment A: Consultant/Service Agreement

(Insert PDF of Ports Consultant/Service Agreement)

Memorandum***September 28, 2021***

For: The Port of Kennewick
From: Ann Allen, Attorney at Law
Re: Compliance with the Washington Ready Proclamation

CONFIDENTIAL AND PRIVILEGED DOCUMENT ATTORNEY WORK PRODUCT

I. Current Employer Standards: The state of emergency due to the COVID-19 pandemic that was declared by Governor Inslee on February 29, 2020, remains in effect. Proclamation 20-25.17 (September 13, 2021). Department of Health (DOH) and Department of Labor and Industries (LNI) guidance documents provide further direction as well. This memo discusses the current standards applicable to the Port of Kennewick as it continues to evaluate the reintegration of employees to its office.

A. Safe Workplaces: Employers must provide a place of employment free of recognized hazards that are causing or likely to cause serious injury or death to employees. RCW § 49.17.060. Thus, the employer must continue to assess hazards associated with COVID-19 and take any necessary steps to protect employees, including the following.

1. Cleaning/Infection Control: Employers must ensure handwashing facilities and supplies are provided. LNI Publication F414-164-000 (08-2021). Cleaning and disinfecting of work areas must continue on an established schedule. DOH 420-350 (July 2, 2021). Organizations should apply the Safe Cleaning and Disinfection Guidance for Public Spaces provided by the DOH (June 16, 2020) where an ill or infected individual has entered the workplace.

2. Employee Training: Employees working in the office and other locations with the public must be trained to recognize the signs, symptoms, and risk factors associated with COVID-19. They must also understand the hygiene, cleaning, masking, and other steps necessary to prevent the spread of infection. The employer's masking requirements is to be posted for employees or others entering the workplace. LNI Publication F414-164-000 (08-2021).

3. Excluding Employees with Possible or Confirmed Positive COVID-19 Cases from the Workplace: Employers must continue to ensure they do not admit ill or infected employees to their premises. LNI Publication F414-164-000 (08-2021).

4. Notification: Employees must be given written notice if they had close contact with a person at work that tested positive for COVID-19. The employer must provide the notice within one business day of the result. The employer may not disclose the identity of the person receiving the positive test result. LNI Publication F414-164-000 (08-2021); LNI Publication F417-295-000 (08-2021). The employer must also report to the Benton-Franklin Health District within twenty-four hours if it suspects COVID-19 is spreading in the workplace or there are two or more confirmed or suspected cases among its employees within a fourteen day period. Proclamation 20-25.15 (August 20, 2021).

B. Mask Requirements: Employers must ensure that face coverings or masks be worn by all employees regardless of vaccination status, in all indoor spaces accessible to the public. The employer must also continue to provide cloth face coverings or more protective masks to employees, free of charge, when such use is required. Employees working in an area that is not open to the public may remove masks if fully vaccinated. Additionally, employees working entirely alone in an

isolated and non-public area may remove face coverings. Face coverings or masks are also required for customers, members of the public, and anyone else entering the indoor workspace regardless of vaccination status. The employer is to post its masking practices at entrances. Proclamation 20-25.17 (September 13, 2021); DOH Order 20-03.5 (September 13, 2021); & LNI Publication F414-164-000 (08-2021).

C. High Risk Employees in the Workplace: Employees at a high risk of severe illness from COVID-19 due to age or underlying condition may seek accommodation that will protect them from the risk of exposure. These individuals should provide documentation from a healthcare provider to verify the risk and need to be removed from the workplace. There is no obligation to include a medical condition or diagnosis. RCW § 49.17.NEW-03(4). If no accommodation is reasonable to allow the individual to continue to work, the employee may take all available leave options in the order chosen by the employee, until the state of emergency ends, or an accommodation is available. RCW § 49.17.NEW-03(6). Such employees may not be discharged, discriminated against, or permanently replaced while the public health emergency continues. RCW § 49.17.NEW-03(6). The law does not require that health insurance or other benefits continue, though such leave may run concurrently with FMLA leave.

D. Vaccine Mandates: As a local government entity, this employer is not currently required to mandate that its employees be fully vaccinated against COVID-19. Employees of Washington State, as well as those working in healthcare, long-term care, and for an operator of an educational setting must receive vaccinations by October 18 or face job loss. Proclamation 21-14.1 (August 20, 2021). The federal government is also requiring that federal employees, federal contractors, and healthcare workers either be fully vaccinated or be subject to weekly or more frequent testing, and additional safety measures. Executive Order on Requiring Coronavirus Disease 2019 Vaccination for Federal Employees (September 9, 2021); Executive Order on Ensuring Adequate COVID Safety Protocols for Federal Contractors (September 9, 2021); & 29 CFR § 1910, subpart U. Additionally, an Emergency Temporary Standard is currently being developed by the Federal Occupational Health and Safety Administration to require that entities having one hundred or more employees must either verify that employees are fully vaccinated or subject them to weekly or more frequent testing. An employer that is not covered by these state and federal mandates may determine it is appropriate to mandate vaccination. Equal Employment Opportunity Commission (EEOC), *What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws*, Section K (May 28, 2021). In that event, the employer must consider reasonable accommodation based on religion and disability. Such an employer, for example, the Port, may alternatively continue to encourage rather than requiring employees to be vaccinated and ensure they may take their paid time off to receive the vaccines or for any associated illness or side effects following vaccination.

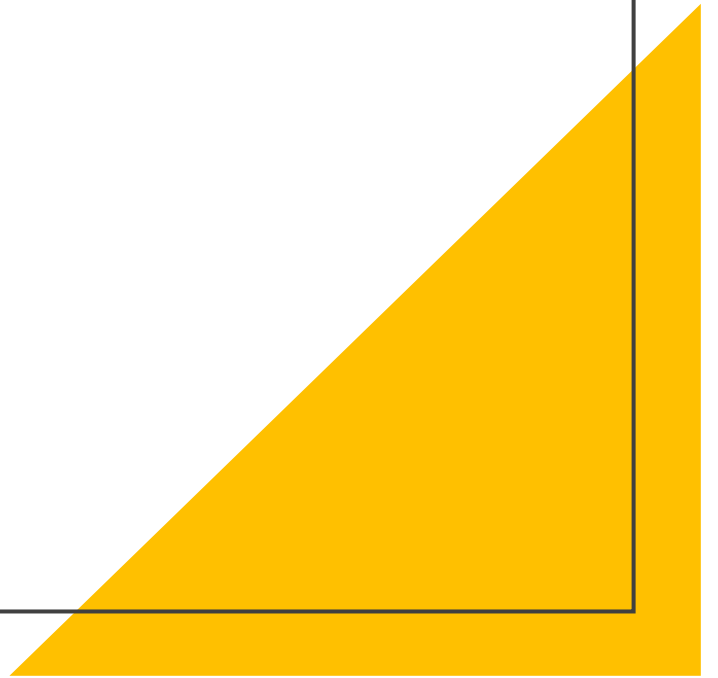
II. Open Public Meetings: So long as a state of emergency continues in Washington State, the provisions of the Open Public Meetings Act that hinder the holding of meetings remotely are suspended by proclamation of the Governor. RCW § 42.30.030; Proclamation 20-28 (March 24, 2020); Proclamation 20-28-15 (January 19, 2021); Proclamation, 20-25-17 (September 13, 2021). The state's guidance addressing Miscellaneous Venues and COVID-19 Requirements allows agencies to host in-person meetings. Given the current findings as to COVID-19 transmission in this area by the CDC and DOH, however, the option that best addresses the hazard to employees presented by the pandemic is the continuation of remote commission meetings until the emergency declaration is withdrawn. It is also of note that on August 20, 2021, the Benton-Franklin Health District officially recommended avoiding large events time that bring together many people from multiple households in a private or public space based on CDC guidance.

PORT *of* KENNEWICK

Year in Review

Winter 2020-Fall 2021

Administration and Operations



IF YOU ARE NOT FEELING WELL, WE HOPE THAT YOU

EXHIBIT C

Here are instructions for what to do

1

Please avoid contact with others and go straight home immediately.

2

Call your primary care provider for further instructions, including information about COVID-19 testing.

Contact your

Before going to a healthcare facility, please call and let them know that you may have an increased risk.

In case of a life-threatening medical emergency, dial 911 immediately!

RETURNING TO THE WORKPLACE



If you have had symptoms consistent with COVID-19 or have tested positive for COVID-19, DO NOT physically return to work until you get a medical evaluation and are approved to return to a work setting by your medical provider. Please call your supervisor to discuss when to return to work. Read more about when it is safe to be around others at <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/end-home-isolation.html>.



If you have been in close contact with someone with COVID-19 you should stay home and self-quarantine for 14 days before returning to work. Read more about when you should be in isolation or quarantine at <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/quarantine-isolation.html>.



23 NOV PORT EXPERIENCES CYBERSECURITY INCIDENT

Posted on Monday, November 23, 2020 in Miscellaneous, News, News Releases • 0 Comments

The Port of Kennewick experienced a cybersecurity incident resulting in a disruption to certain core systems. We are working diligently with law enforcement and third-party computer forensic specialists to investigate the source of this disruption, confirm its impact on our systems, and to restore full...

[READ MORE](#)

2021-2022 Work Plan

Resolution 2020-20

**2021-2022 WORK PLAN**

Public Meeting
Port Commission Chambers
October 13, 2020 2:00 p.m.

Approved by Resolution 2020-20
October 13, 2020

350 Clover Island Drive, Suite 200
Kennewick, WA 99336

Tel: (509) 586-1186
Fax: (509) 582-7678

www.PortofKennewick.org



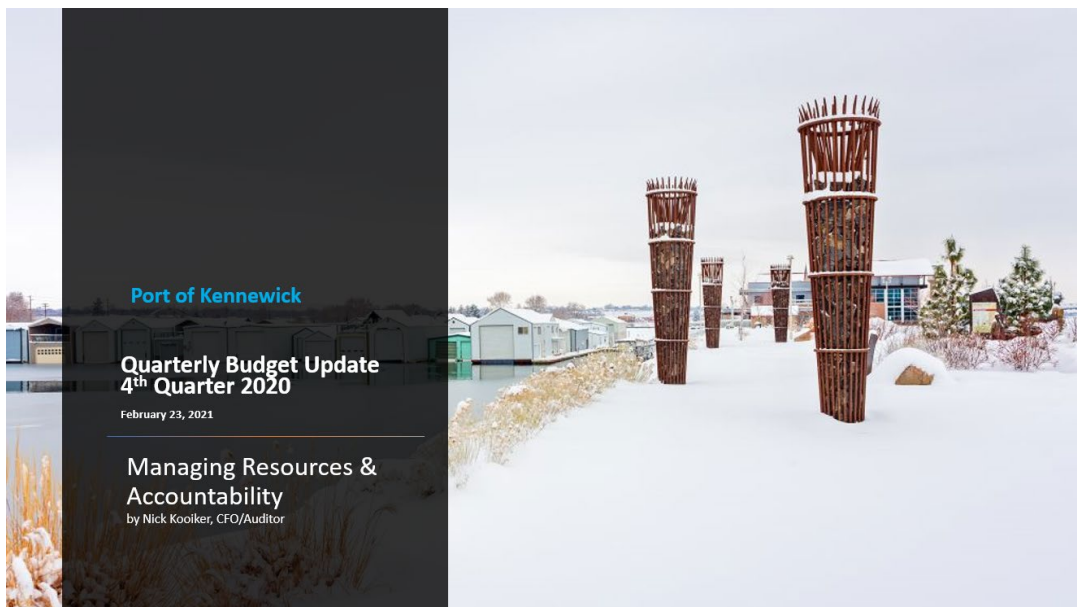
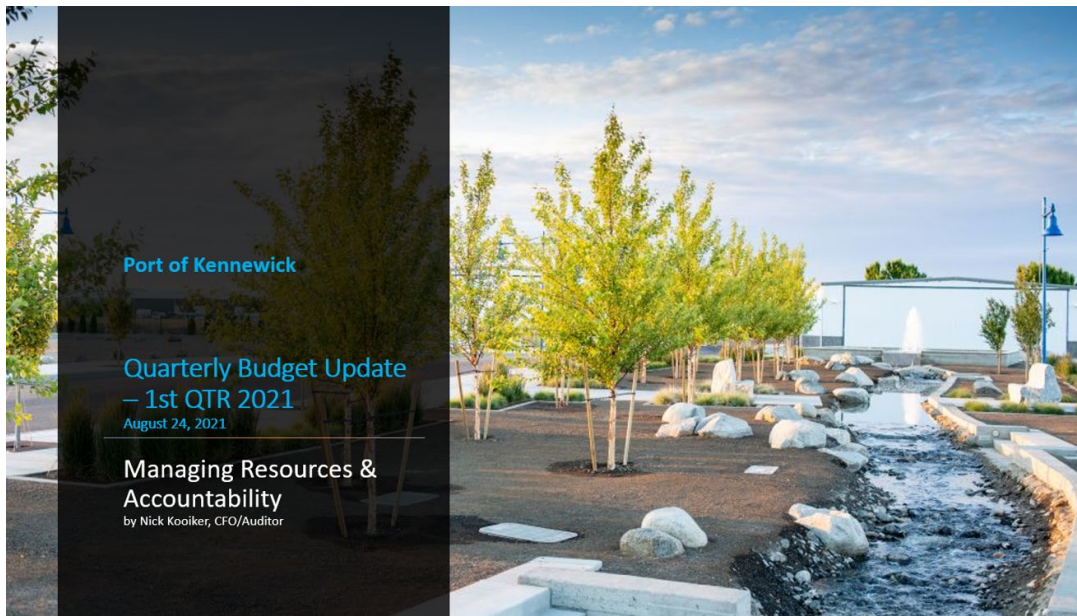


EXHIBIT C



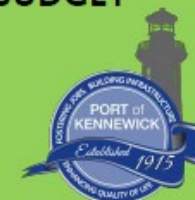
Port of Kennewick

2021 & 2022 PRELIMINARY BUDGET

Fostering Jobs

Building Infrastructure

Enhancing Quality of Life



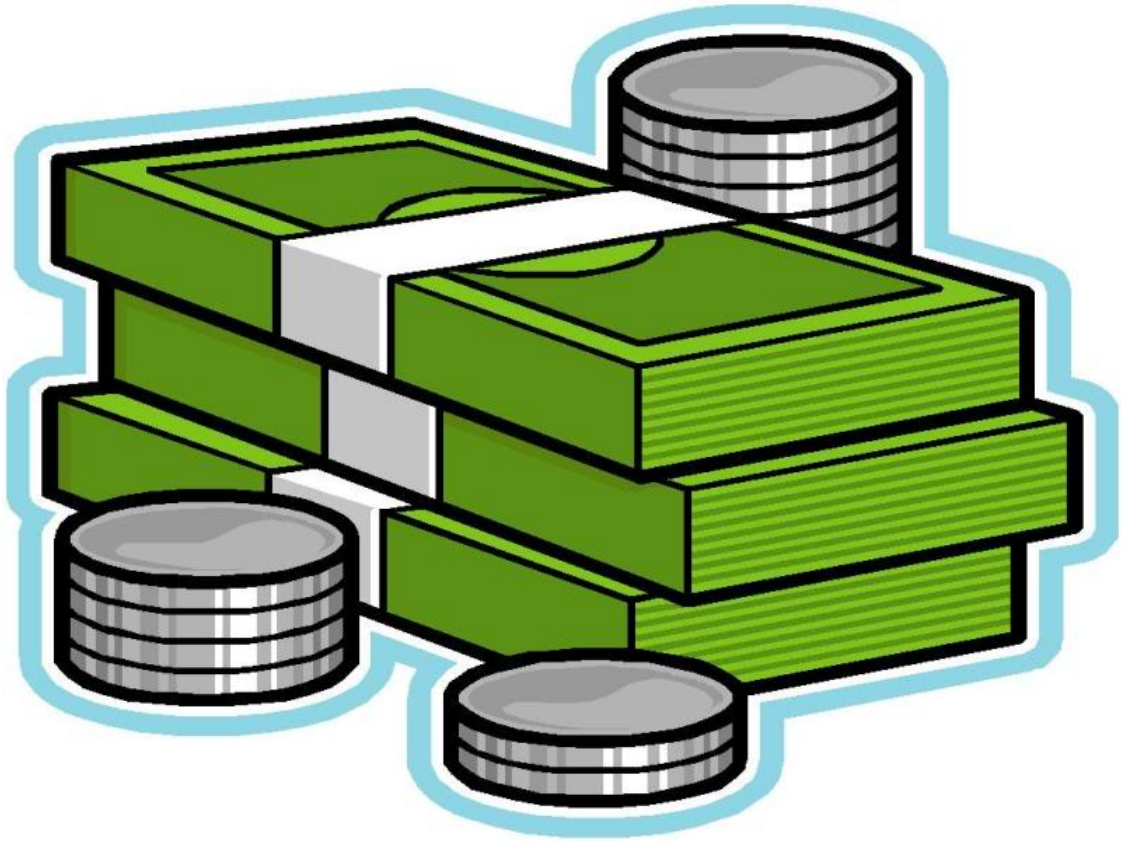
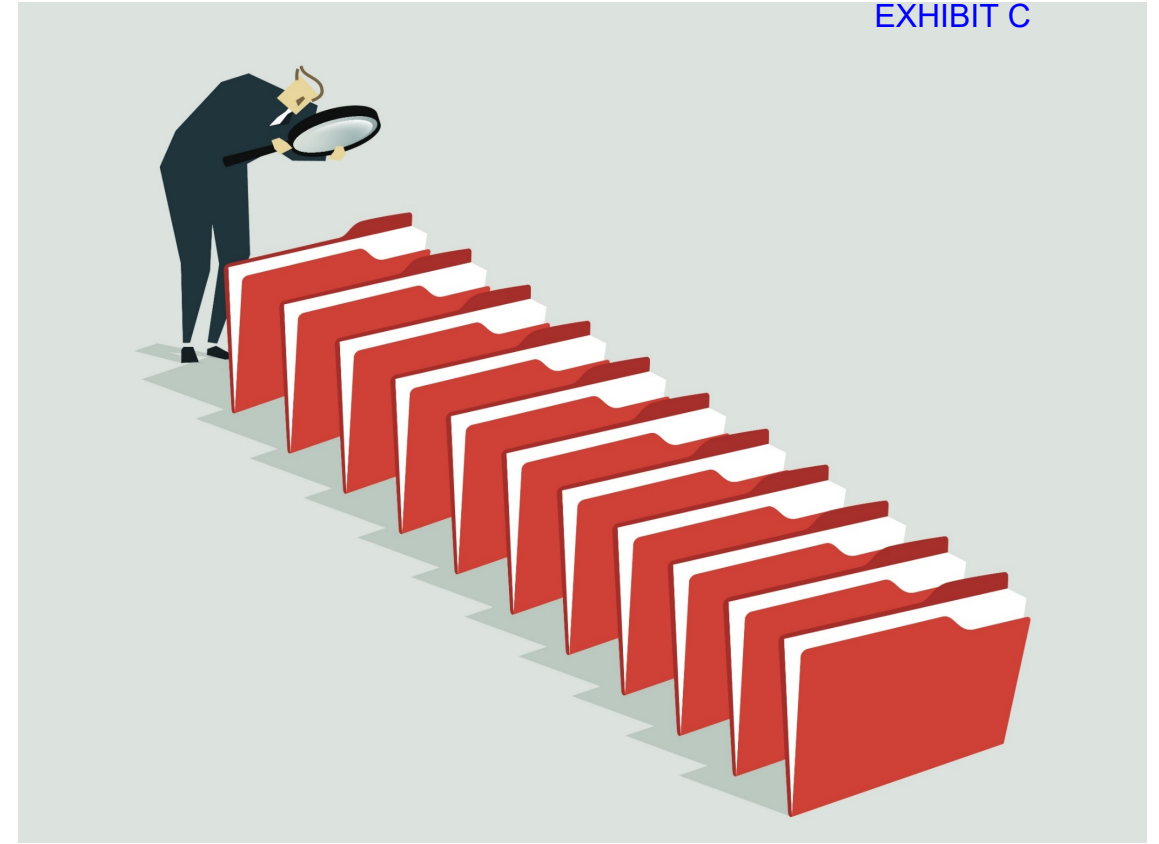


EXHIBIT C



Clean Audits/Strong Financials



Friends of the Port

FY22 Appropriations and Community Development dollars ON top of American Rescue Plan Funds



Office of Senator Patty Murray -
Infrastructure Priority Solicitation Form

**THE BUILD BACK
BETTER AGENDA**



**Newhouse Requests Central Washington Input
on Community Project Funding, Announces
Advisory Board**

U.S. Senator Patty Murray

FY2022 Congressionally Directed Spending Item Request Form



U.S. SENATE

Cantwell Non-Defense Appropriations Request Form - FY22



Facilities Maintained and Enhanced
100% Occupied



EXHIBIT C



Port of Kennewick



Governance Audit

September 14, 2021



WA Long Term Care Insurance Options

New State Employee Payroll Tax Law for Long-Term Care Benefits

2020 Census
Redistricting Data
Easier-to-Use Format

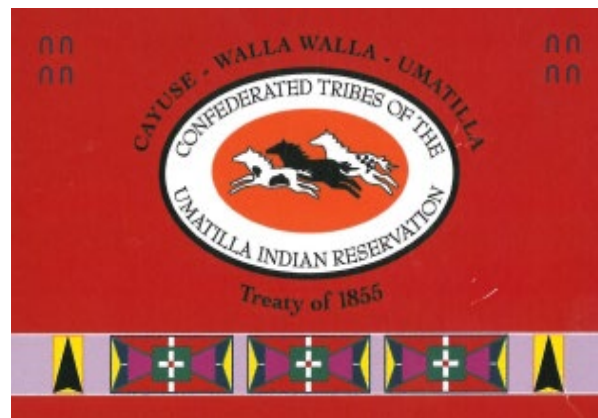
Projects & Strategic Partnerships



Strategic Partnerships



**US Army Corps
of Engineers®**



Clover Island





PORT *of*
KENNEWICK





EXHIBIT C





Marina 100% occupied!

Available Slip

Unavailable Slip

Guest Moorage

Day-Use Parking

Boathouse

Covered Slip

Public Day-Use Restrooms

Fuel Docks

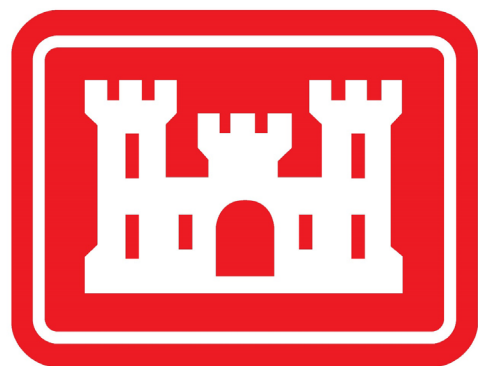
Public Boat Launch

Pumpout Station

Points of Interest







US Army Corps of Engineers®

AMENDMENT NO. 1
TO
PROJECT PARTNERSHIP AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
PORT OF KENNEWICK, WASHINGTON
FOR
CLOVER ISLAND ECOSYSTEM RESTORATION

THIS AMENDMENT NO. 1 to the Project Partnership Agreement is entered into this 22nd day of March, 2021, by and between the Department of the Army (hereinafter the "Government"), represented by the District Commander, Walla Walla District, and the Port of Kennewick (hereinafter the "Non-Federal Sponsor"), represented by its Chief Executive Officer, Port of Kennewick.

WITNESSETH, THAT:

WHEREAS, the Government and the Non-Federal Sponsor entered into a Project Partnership Agreement (hereinafter the "Agreement") on May 10, 2019, for the design and construction of the Clover Island Ecosystem Restoration Project in Kennewick, Benton County, Washington, generally described in the Clover Island Ecosystem Restoration, Benton County, Washington Feasibility Study (hereinafter the "Project"), dated July 19, 2018;

WHEREAS, the Agreement sets forth the Project's projected costs, including the Government's share and the Non-Federal Sponsor's share of such costs, and as of May 10, 2019, estimated total construction costs would be \$4,980,000; and

WHEREAS, projected total construction costs for the Project have increased to \$7,249,000, as a result of the following: business closures, limited availability of resources, and general cost increases due to COVID-19 restrictions; additional costs for mobilization, demobilization, and demolition to prepare the Project site for construction; additional barge costs for water-based construction; limited plant availability; additional costs to ensure successful wetland development and avoid incursion of water stargrass; additional plant survival costs; and additional excavation for electrical conduits;

NOW, THEREFORE, the Government and Non-Federal Sponsor agree to amend the Agreement as follows:

1. ARTICLE VI – PAYMENT OF FUNDS, SECTION A., currently reads:



WASHINGTON STATE
Recreation and
Conservation Office



Amendment to Project Agreement

Project Sponsor: Kennewick Port of

Project Title: Clover Island Northshore Restoration and Riverwalk

Project Number: 16-1470 C

Amendment Number: 2

Amendment Type:

Time Extension

Amendment Description:

Pursuant to a request from Kennewick Port of the Project Agreement identified above is amended to extend the end date of this agreement.

The project period of 07/26/2018 to 06/30/2021 is extended to allow the contracting party until 06/30/2023 to complete the project.

Agreement Terms

In all other respects the Agreement, to which this is an Amendment, and attachments thereto, shall remain in full force and effect. In witness whereof the parties hereto have executed this Amendment.

**State Of Washington
Recreation and Conservation Office**

BY: Alison Greene
for Megan Duffy

TITLE: Director

DATE: May 11, 2021

Pre-approved as to form:
By: /S/
Assistant Attorney General





US Army Corps
of Engineers
Walla Walla District

PORT of KENNEWICK

Improving Your Island

Clover Island shoreline restoration and
Riverwalk trail enhancements are on the way!



Improvement Plan

PROJECT PARTNERS



Cooper - Umatilla - Walla Walla
Confederated Tribes of the Umatilla Indian Reservation



This construction project will help stabilize and restore Clover Island's north and east shorelines and extend the Clover Island Riverwalk.

Similar to the west causeway (area between the gateway and lighthouse), this work will improve habitat for listed and endangered fish, beautify the Columbia rivershore, expand recreational opportunities and support future economic development. Other planned ameniti

The U.S. Army Corps of Engineers awarded this contract to XXX, with construction beginning in fall 2

PORT of KENNEWICK

Help shape the future of
Kennewick's Historic
Waterfront District.

[Learn More](#)

TDX power services

a tanadgusix company



Corps Awards Clover Island Contract

The U.S. Army Corps of Engineers' Walla Walla District (Corps) on Monday, awarded a \$4 million construction contract to TDX Power Services, LLC to restore Clover Island's aquatic and riparian habitat to benefit endangered salmonids.

[READ MORE](#)

Historic Waterfront District Mater Plan



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Help shape the future of
Kennewick's Historic
Waterfront District.

[Learn More](#)

Previous Community Input



Phase Three Outreach Summary

Find out what the community had to say about the proposed master plan during round three.

[VIEW DOCUMENT](#)

Phase Two Outreach Summary

View concepts and read the community comments gathered during phase two outreach.

[VIEW DOCUMENT](#)

Phase One Outreach Summary

Read a summary of the community input received during the first phase of outreach.

[VIEW DOCUMENT](#)

Significant Public Engagement:

- 2,365 unique website visitors
- 168 comments
- 137 survey responses

PORT of
KENNEWICK

Review the Final Draft!
Kennewick's Historic Waterfront
District Master Plan now online.

[View Now](#)

PORT OF KENNEWICK

HISTORIC WATERFRONT DISTRICT

MASTER PLAN

JUNE 22, 2021



MAKERS
architecture · planning · urban design

FAST FACTS

2,365 unique website visitors
168 comments
137 survey responses



Figure 15. Open house #1 map activity showing location-based feedback

IN-WATER INPUT

Though the master plan focuses on the district's "uplands" or land areas, the community suggested a variety of in-water improvements and activities for Port consideration. These most commonly included adding a fishing pier and providing a safe space to paddle-boat, kayak, or paddle-board.

OPEN HOUSES

MAKERS hosted three virtual open houses to support plan development. The first asked the community about the area's strengths, weaknesses, and potential. Results showed the community wants an activated district with a variety of amenities for people to recreate, gather, and celebrate and support local culture. The community also expressed concern about the aesthetics of some existing development, such as the Clover Island Inn and nearby residences, limiting development potential. Findings helped to develop preliminary plan concepts for further consideration.

In the second open house, the community provided feedback on two alternative concepts for the district. The first concept focused on creating a new district-wide residential community and the second concept created a local tourism destination rich with amenities and activities.

The community prioritized:

- **Activation:** lively public spaces with amenities
- **Access:** improved boardwalk at Duffy's Pond and trails throughout the district
- **Amenities:** formal performance area and artisan market
- **Residential:** small scale and attractive.

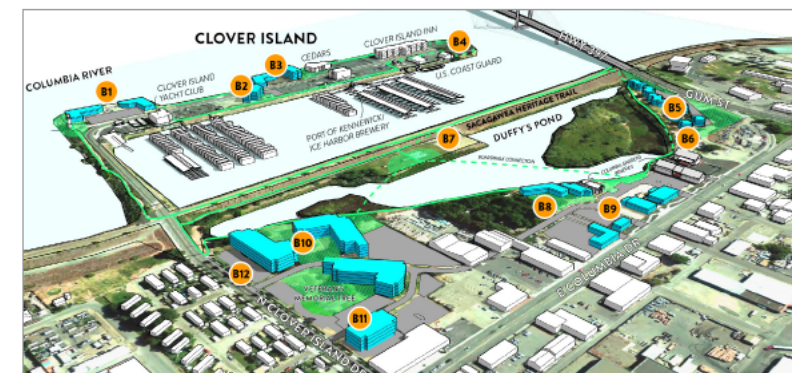


Figure 16. Concept B featured in the second open house focused on creating an amenity-rich destination











EXHIBIT C



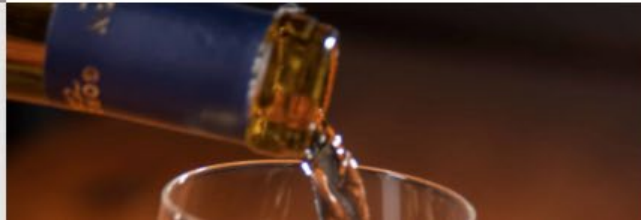
COLUMBIA GARDENS VENDORS

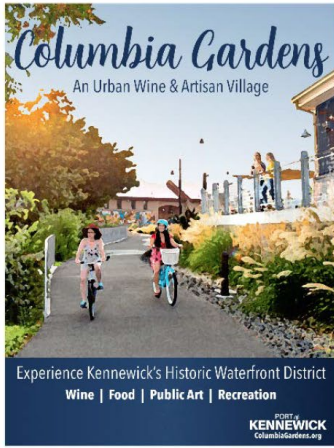
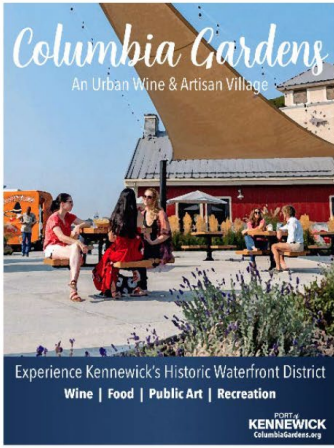
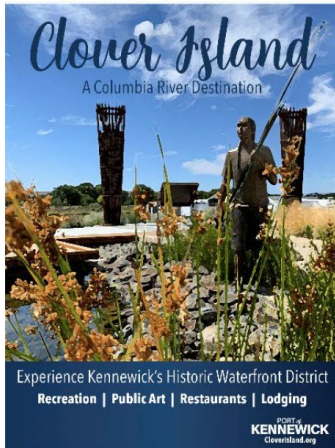
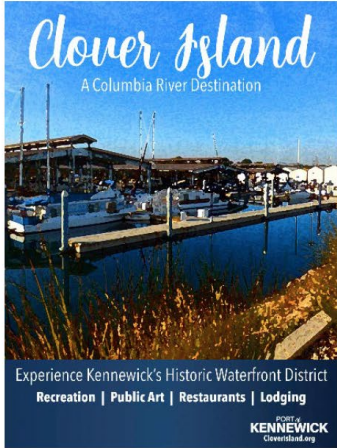
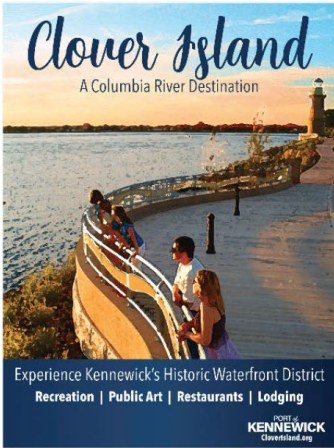
Savor wines and cuisines
walkable wine and artisan

Food Trucks

Wineries

Pop-Up Vendors





PORT of
KENNEWICK





Advertising Partnerships to Promote
Vibrant Port Properties



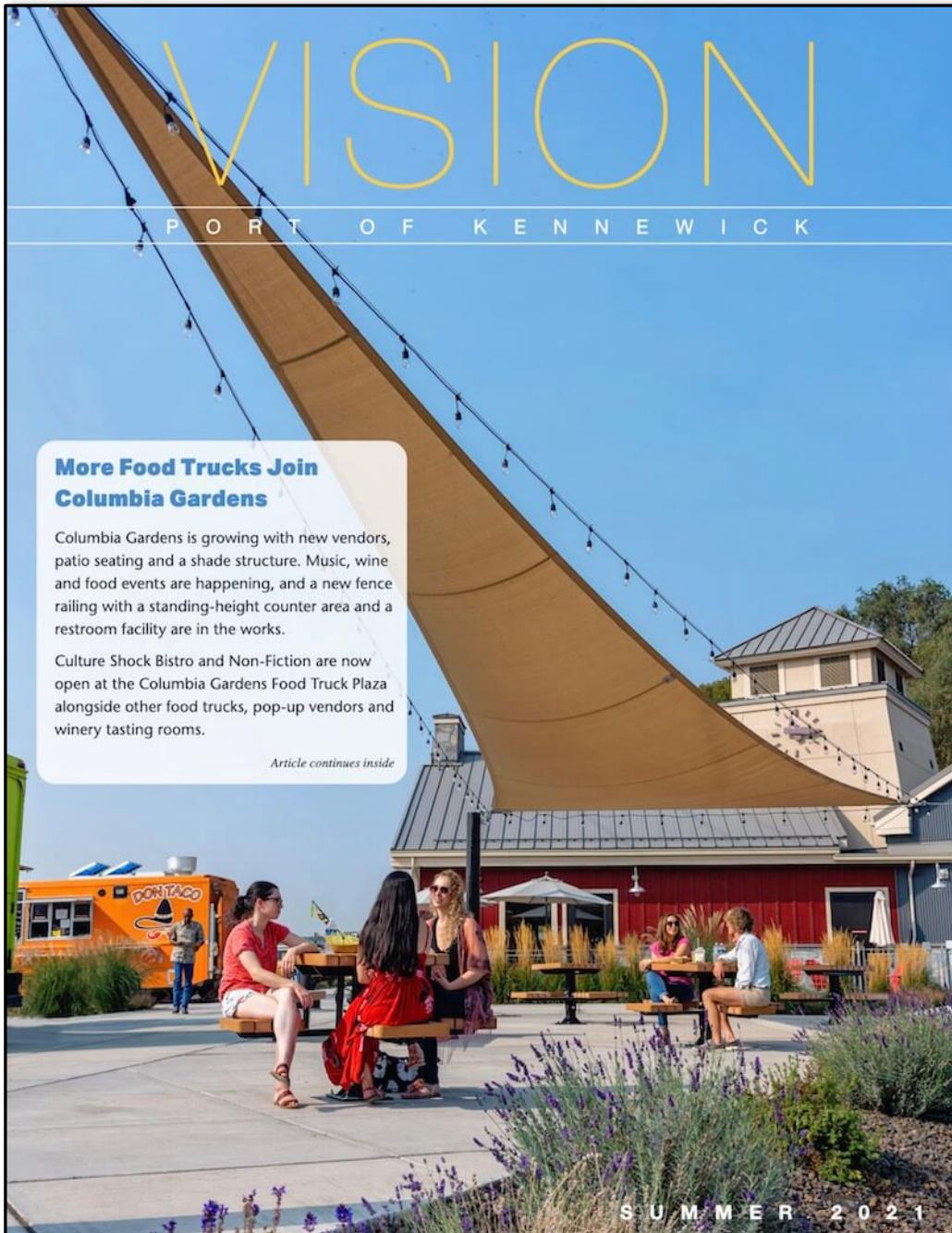


EXHIBIT C

WINE PRESS
NORTHWEST

Match Maker: A garden spot along the Columbia for wine, food trucks



Columbia Gardens Urban Wine & Artisan Village Offers Outdoor Fun this Autumn

Tri-City Herald

Port of Kennewick: Engaging, working and partnering for a bright future



Columbia Gardens evolves into destination area despite pandemic



INTERLOCAL COOPERATIVE AGREEMENT PROVIDING SPECIALTY, TECHNICAL AND/OR PROFESSIONAL SERVICES WITH ENERGY NORTHWEST; RESOLUTION 2021-15

September 14, 2021

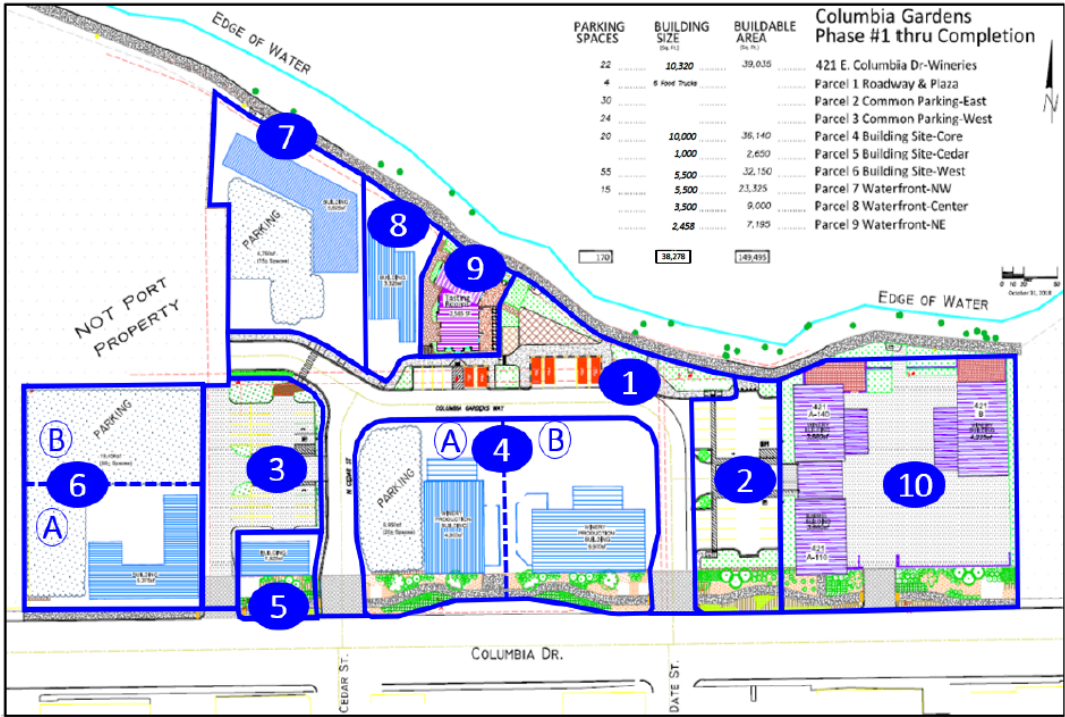
Port of Kennewick

Columbia Gardens Urban Wine & Artisan Village Design Standards



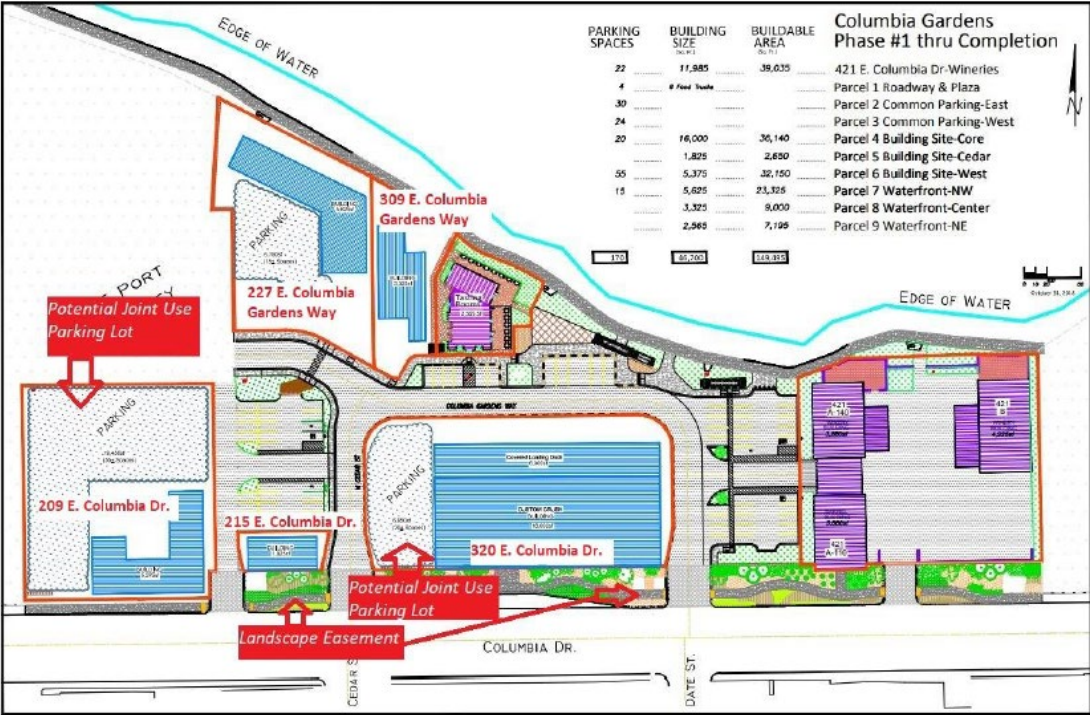
DRAFT September 10, 2021

Columbia Gardens
Property Owners Association



Each property is identified by a number and few with a letter suffix too, as further parcel division is anticipated.

Historic Waterfront District
Market Study & Analysis



COLUMBIA GARDENS PARCEL PRICING

Parcel Address	Price Per Square Foot		NET Parcel Size (SF)		Subtotal: Price Per Parcel		Art Policy (3%)		Asking Price/ Per Lot
227 E. Columbia Gardens Way	\$ 10.00	x	22,215	=	\$ 222,150	+	\$ 6,665	=	\$ 228,815
309 E. Columbia Gardens Way	\$ 10.50	x	9,583	=	\$ 100,622	+	\$ 3,019	=	\$ 103,640
209 E. Columbia Drive	\$ 10.00	x	37,026	=	\$ 370,260	+	\$ 11,108	=	\$ 381,368
215 E. Columbia Drive**	\$ 12.00	x	2,650	=	\$ 31,800	+	\$ 954	=	\$ 32,754
320 E. Columbia Drive**	\$ 10.00	x	36,140	=	\$ 361,400	+	\$ 10,842	=	\$ 372,242
TOTAL							\$ 32,587		\$ 1,118,818

**Parcel size net of any landscape easement.



EXHIBIT C







VISTAFIELD



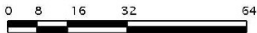


VISTA FIELD - PHASE 1

INSPIRATIONAL BUILDING FACADES

DPZ CO-DESIGN + QAMAR AND ASSOCIATES INC. + STRUCTURA NATURALIS INC.

DECEMBER 9, 2020



VISTA FIELD DESIGN REGULATIONS

DRAFT August 19, 2021

DPZ
CODESIGN

Michael Mehaffy, Structura Naturalis, Inc
Laurence Qamar, Qamar and Associates



Vista Field Market Study & Analysis

VISTA FIELD PRICING

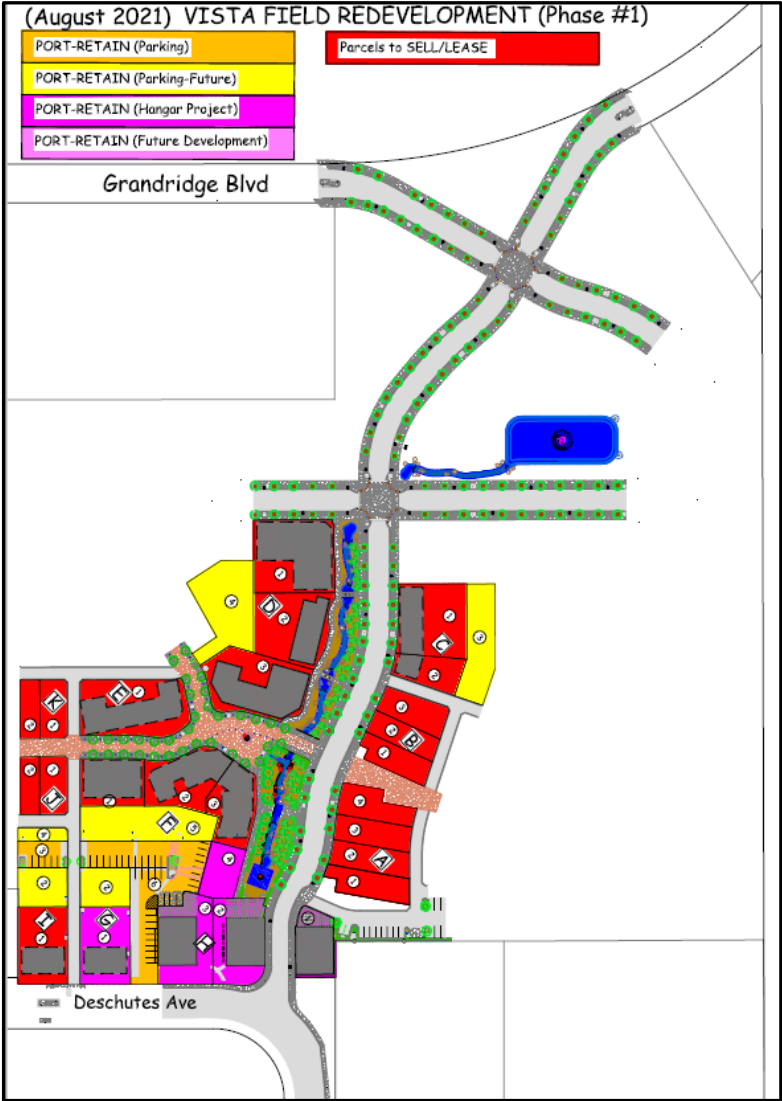
preliminary

USE	Market Price/ Per Lot		Art Policy (3%)		Asking Price/ Per Lot		Real Estate Commission (4%)		NET PER LOT
Residential Detached	\$ 85,000	+	\$ 2,550	=	\$ 87,550	-	\$ 3,502	=	\$ 84,048
Live/Work	\$ 95,000	+	\$ 2,850	=	\$ 97,850	-	\$ 3,914	=	\$ 93,936
Residential Attached (Townhomes/Duplex/Patio)	\$ 100,000	+	\$ 3,000	=	\$ 103,000	-	\$ 4,120	=	\$ 98,880

USE	Market Price / Per SF		Art Policy (3%)		Asking Price / Per SF		Real Estate Commission (4%)		NET PER LOT
Commercial (office/retail/hotel)	\$ 20.00	+	\$ 0.60	=	\$ 20.60	-	\$ 0.82	=	\$ 19.78

Multi-Family - based on density. 2021 market research finds \$10,000 - \$13,000 per dwelling unit.








VISTAFIELD

Creating a vibrant, regional town center

Vista Field is 103-acres at the commercial core of the Tri-Cities, Washington. The development is near Columbia Center Mall, and adjacent to the City of Kennewick's Vista Entertainment District, which includes the Three Rivers Convention Center and the Toyota Center.

Port of Kennewick's Vista Field redevelopment project aims to establish a vibrant, regional town center to foster visitation and entrepreneurial ventures, as well as create new jobs, new living options, civic amenities, entertainment, and recreation opportunities that everyone can enjoy. Small-scale city blocks with pedestrian-friendly neighborhoods, a mix of work and open spaces, residential, restaurants, and shops are essential elements.

For the initial infrastructure, Port of Kennewick contracted with Total Site Services to construct the roads, utilities, linear parkway and stream, that will open the first 20-acres to development.




Conceptual of Phase One with initial roads & utility infrastructure



Conceptual of Phase One at build-out with private sector investment

The Port, which is acting as master developer, will sell or lease parcels to the private sector and use those funds to bid and construct future phases until that entire 103-acre site is complete.



Vista Field water features



Gathering Spaces

Commercial Mixes

Integrated Parks

South-Inspired Design

PORT of KENNEWICK
WWW.PORTOFKENNEWICK.COM
(360) 585-1156 VISTAFIELD.COM



VISTAFIELD

www.VistaField.com



EXHIBIT C




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**BENTON
COUNTY FIRE
DISTRICT #4**





Supported City of Richland in transforming their Island View neighborhood and undergrounding of utilities



**INTERLOCAL COOPERATIVE AGREEMENT REGARDING THE WASHINGTON STREET
CORRIDOR IMPROVEMENTS PROJECT WITH CITY OF KENNEWICK**

May 27, 2021

CITY OF RICHLAND

CENTER PARKWAY EXTENSION PROJECT



EXHIBIT C

City of Richland
City of Kennewick
Port of Kennewick
Port of Benton
BNSF Railroad
Union Pacific Railroad



PDF

INTERLOCAL COOPERATIVE AGREEMENT REGARDING THE CENTER PARKWAY PROJECT
WITH CITY OF RICHLAND

November 17, 2020



PORT *of*
KENNEWICK



AUCTION

Tuesday
July 20, 2021
1:00 p.m.

Location: TBD

109 N. Oak Street

50 S. Verbena

1721 E.
3rd Ave

**(3) Industrial Parcels
KENNEWICK, WASHINGTON**



Washington State
Office of the Attorney General



PORT *of* KENNEWICK

Year in Review

Winter 2020-Fall 2021