

**WAIVER OF FINANCIAL INTEREST
OF
AMY EVANS HARDING, COMMISSIONER
PORT OF OLYMPIA**

Whereas, I, Amy Evans Harding, assumed the office of Commissioner of the Port of Olympia in December of 2021; and

Whereas, I have been a shareholder in the commercial real estate firm of Kidder Mathews since 2020; and

Whereas, my percentage shares in Kidder Mathews at the time of assuming the office of Port of Olympia Commissioner was less than one percent, which percentage has not increased since assuming office; and

Whereas, on April 26, 2021, the firm of Kidder Mathews entered into an agreement with the Port of Olympia for brokerage services, which includes a commission schedule based on a proposed ground lease between the Port of Olympia and Panattoni Development Company as lessee, which agreement is hereby incorporated by reference; and

Whereas, on July 13, 2020 the Port entered into an option agreement with SSECC PDC, LLC, a Delaware limited liability company (developer), concerning 199 acres of land in the New Market Industrial Campus, City of Tumwater, whose term is ten years, and will expire on July 13, 2030, which agreement is hereby incorporated by reference; and

Whereas, the option agreement allows developer Panattoni Development Company to identify portions of the optioned property for conversion to leased property to be developed; and

Whereas, while the option agreement provides no real estate commission shall be payable in connection with the execution of the option agreement, Kidder Mathews would receive a commission for its representation of the Port, payable under the aforementioned April 26, 2021 agreement; and

Whereas, on January 7, 2022 a member of the public alleged a conflict of interest in connection with my involvement with the Panattoni Project and my business relationship with Kidder Mathews; and

Whereas, on March 11, 2022 a written legal opinion was issued by the law firm of Chmelik Sitkin & Davis, a firm that provides legal advice in the areas of municipal government, real estate, and Washington Port Districts, following the alleged conflict of interest; and

Whereas, among the recommendations in the March 11, 2022 report, is that my previous oral waiver of any financial interest in the July 13, 2020 option agreement and the April 26, 2021 brokerage services agreement, be memorialized to make clear that I will receive no compensation under these contracts for the duration of my term in office.

NOW THEFORE, I memorialize my waiver of interest during my term of office as a Port Commissioner as follows:

1. I hereby waive any compensation I may be entitled to under the aforementioned April 26, 2021 and July 13, 2020 contracts with the Port of Olympia;
2. I will not increase my percentage of ownership in the firm of Kidder Mathews for the duration of my term of office as a Port of Olympia Commissioner;
3. I will request the firm of Kidder Mathews to undertake appropriate accounting procedures to ensure that I am not compensated under the aforementioned agreements;
4. I will request the firm of Kidder Mathews assign handling of the aforementioned agreements to personnel other than myself;
5. I will request the firm of Kidder Mathews not discuss the aforementioned agreements with me at any time;
6. I have read the March 11, 2022 legal opinion and intend to comply with its recommendations.

Executed this 8th day of August, 2022 in Olympia, Washington.



By: Amy Evans Harding, Commissioner