

PRELIMINARY AGENDA

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

Tuesday, February 10, 2008

2:00 p.m.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. PUBLIC COMMENT

VI. CONSENT AGENDA

- A. Approval of Regular Commission Meeting Minutes of January 13, 2009*
- B. Approval of Economic Development Corporation Meeting Minutes of January 13, 2009*
- C. Approval of Payroll Roster dated January 15, 2009*
- D. Approval of Warrant Register dated January 28, 2009*
- E. Approval of Payroll Rosters of January 30, 2009*

V. KENNEWICK SCHOOL DISTRICT BOND PRESENTATION

VI. NEW BUSINESS

- A. Resolution 2009-05 Approving an Interlocal Agreement with City of Richland for Fowler Street and Georgia Street Improvements (Larry)*

VII. UNFINISHED BUSINESS

- A. Resolution 2009-06 Amending Executive Director's Delegation of Authority (Tim)*
- B. Resolution 2009-07 Amending Port Policies and Procedures (Tim)*

VIII. REPORTS, COMMENTS AND DISCUSSION ITEMS

- A. Clover Island Update*
 - 1. Clover Island Yacht Club/Mixed-Use Building Update (Larry)*
- B. Port Shoreline Management Plan Advisory Committee Update (Larry)*

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- C. *Vista Field Airport Update (Tim)*
- D. *City of West Richland Urban Growth Boundary Update (Tim)*
- E. *Willows Trailer Court Update (Teresa and Dan)*
- G. *Letter of Support from Confederated Tribes of the Umatilla Indian Reservation for Clover Island Recreational Access Project (Tana)*
- H. *Kennewick Wine Association Membership Discussion (Tim)*
- I. *Unified Wine and Grape Symposium Update (Tim)*
- J. *Discussion of February 24, 2009 Rescheduled Commission Meeting (Tim)*
Meeting Location: The Sandberg Event Center in West Richland at 2:00 pm
- K. *Meeting Reports*
- L. *Non-Scheduled Items*

IX. PUBLIC COMMENT

X. EXECUTIVE SESSION

Real Estate Matter: RCW 42.30.110(c)

XII. ADJOURNMENT

PORT OF KENNEWICK

RESOLUTION 2009-05

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF PORT OF KENNEWICK AUTHORIZING AN INTERLOCAL
AGREEMENT WITH CITY OF RICHLAND FOR IMPROVEMENTS TO
FOWLER STREET AND GEORGIA STREET IN
SPAULDING BUSINESS PARK***

WHEREAS, Port of Kennewick (Port) and City of Richland (City) desire to complete roadway improvements in the Island View area which benefit Spaulding Business Park; and

WHEREAS, the City's improvements to Fowler Street from Columbia Center Boulevard to the east end of the Spaulding Business Park enhance the entrance and marketability of the Port's project; and

WHEREAS, improvement of Georgia Street abutting Spaulding Business Park is a Port obligation linked to the development and sale of property within the business park; and

WHEREAS, the City and Port considered options which would result in full improvement of Georgia Street prior to reducing the scope of improvements to that portion abutting the business park; and

WHEREAS, the City and Port find benefit in partnering on efforts to enhance the Island View area; and

WHEREAS, an Interlocal Agreement has been developed which sets forth the rights and duties of the parties with respect to design and construction of Fowler Street and Georgia Street improvements; and

WHEREAS, Port staff and the Port attorney have reviewed the interlocal agreement and have determined it is in appropriate form;

NOW, THEREFORE;

BE IT HEREBY RESOLVED that the Board of Commissioners of Port of Kennewick hereby authorize the Port Executive Director to sign the Interlocal Agreement with City of Richland.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 10th day of February 2009.

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

DAVID HANSON, *President*

GENE WAGNER, *Vice President*

CALVIN E. DUDNEY, *Secretary*

PORT OF KENNEWICK

RESOLUTION 2009-05

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OF PORT OF KENNEWICK AUTHORIZING AN INTERLOCAL
AGREEMENT WITH CITY OF RICHLAND FOR IMPROVEMENTS TO
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SPAULDING BUSINESS PARK***

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WHEREAS, improvement of Georgia Street abutting Spaulding Business Park is a Port obligation linked to the development and sale of property within the business park; and

WHEREAS, the City and Port considered options which would result in full improvement of Georgia Street prior to reducing the scope of improvements to that portion abutting the business park; and

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WHEREAS, an Interlocal Agreement has been developed which sets forth the rights and duties of the parties with respect to design and construction of Fowler Street and Georgia Street improvements; and

WHEREAS, Port staff and the Port attorney have reviewed the interlocal agreement and have determined it is in appropriate form;

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CALVIN E. DUDNEY, *Secretary*

PORT OF KENNEWICK

RESOLUTION 2009-06

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF PORT OF KENNEWICK AMENDING
EXECUTIVE DIRECTOR'S DELEGATION OF AUTHORITY***

WHEREAS, Each year the Executive Director reviews the Executive Director's Delegation of Authority to determine whether changes should be made to reflect current conditions or potential improvements in operations; and

WHEREAS, the Executive Director has reviewed the Delegation of Authority and has identified a proposed change, which change would be in the best interest of the public; and

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of Port of Kennewick hereby approves amending the Port of Kennewick Delegation of Authority to state that the Executive Director shall be authorized to vote in all elections on behalf of the Port, where votes are tabulated based upon acreage owned. In all other aspects, the Delegation of Authority shall remain unchanged.

ADOPTED by the Board of Commissioners of Port of Kennewick this 10th day of February, 2009.

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

DAVID HANSON, *President*

GENE WAGNER, *Vice President*

CALVIN E. DUDNEY, *Secretary*

PORT OF KENNEWICK

RESOLUTION 2009-07

***A RESOLUTION OF THE BOARD OF COMMISSISONERS
OF PORT OF KENNEWICK AMENDING
PORT POLICIES AND PROCEDURES***

WHEREAS, Each year staff reviews the Port policies to determine whether changes should be made to reflect current conditions or potential improvements in operations; and

WHEREAS, Staff has reviewed policies and has identified several proposed changes which would be in the best interest of the public; and

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of Port of Kennewick hereby approves amending Port policies as follows:

Amendment No. 1:

The established Port of Kennewick "Wellness Policy" shall be amended to indicate that the Port will pay Commissioner and employee health memberships (up to \$100 per month) if the person attends a health club least six times per month; and

Amendment No. 2:

The following new provision of the Policy Manual shall be adopted:
"Policy and Procedures for Port Commission Meetings

Participation by Telephone

Any one Commissioner may participate telephonically in all or part of a Commission meeting if: 1) prior approval is given by the Commission President for good cause, whose approval shall not be unreasonably withheld; 2) all persons participating in the meeting are able to hear each other at the same time, such as by the use of speaker phone; and 3) the Commissioner participating telephonically shall have reviewed all of the applicable material.

Amendment No. 3:

Port of Kennewick's Policy Manual shall be amended to indicate that Port of Kennewick will not provide an airport courtesy car.

Amendment No. 4:

Port of Kennewick's Policy Manual shall be amended to indicate that Port of Kennewick will provide reimbursement to Commissioners and staff for travel expenses including tips for normal hospitality practice incurred as part of travel. Such tips may include but are not limited to valet, bag service, parking, housekeeping, etc., provided that said tips shall not exceed \$40 per day. Receipts must be attached for any item in this category of \$25 or more. Reasonable laundry and dry cleaning charges for clothing incurred while traveling are reimbursable.

Amendment No. 5:

Amend the Policy Manual to add an insurance policy that reads as follows:

“INSURANCE”

Acquisition of Insurance Policies.

All persons or entities entering into a business or other relationship with the Port (Persons or Entities), shall, at their sole cost and expense, procure and maintain, or cause to be procured and maintained, policies of insurance as deemed appropriate by the Executive Director with consultation of the Port Attorney. The insurance shall be subject to the Executive Director’s review and approval, which approval shall not be unreasonably withheld. The insurance shall name the Port as an additional insured.

Types of Required Insurance.

Persons or Entities shall procure and maintain the types of insurance deemed appropriate to the Executive Director with consultation of the Port Attorney, and shall be in the amounts deemed appropriate under the circumstances, in the discretion of the Executive Director, considering levels of inflation, risk of loss, premium expenses, and other relevant factors subject to the Port’s written consent. Policy limits may be reviewed annually and may be adjusted, on a case by case basis. Insurance forms and limits of liability may include, but shall not be limited to:

A. Commercial General Liability Insurance. For projects of work, commercial general liability insurance covering all claims with respect to injuries or damages to persons or property sustained in, on or about the property and the appurtenances thereto with limits of liability no less than Three Million Dollars (\$3,000,000) per occurrence and Five Million Dollars (\$5,000,000) aggregate. For projects or work valued at \$50,000 or less, limits of liability shall be no less than One Hundred Thousand Dollars (\$100,000) per occurrence and Three Hundred Thousand Dollars (\$300,000) aggregate.

B. Physical Property Damage Insurance. Physical damage insurance covering all real and personal property, but excluding property owned by subtenants and paid for by subtenants or paid for by Lessee for which subtenants have reimbursed Lessee, located on or in, or constituting a part of, the Property, in an amount equal to at least one hundred percent (100%) of the new replacement cost of all such property (or such lesser amount as The Port’s may approve in writing).

C. Builder’s Risk Insurance. During construction of any improvements on port property, and during any subsequent restorations, alterations or changes in the Property that may be made by Tenant at a cost in excess of Fifty Thousand Dollars (\$50,000) per job, builder’s risk insurance upon the entire work on the property in the amount of one hundred percent (100%) replacement value thereof against “all risks” of physical loss or damage to the property insured, including earthquake and flood.

D. Workers' Compensation Insurance. Workers' compensation and employer's liability insurance in respect of any work by employees of Lessee on or about the Property, as required under applicable law.

Amendment No. 6:

Miscellaneous Amendments:

a) Amend the Policy Manual to include an employee acknowledgement that the employee has read the Manual, understands its contents and will abide by the contents;

b) Amend the Policy Manual to clarify that temporary and seasonal employees cannot earn vacation or sick leave;

c) Amend the Policy Manual to acknowledge that the section dealing with "Travel Advances" shall be deleted as this was rescinded by Commission action in 2008;

d) Amend the Policy Manual to include a flower policy stating that the Port can purchase flowers for employees/Commissioners or others with a connection to the Port, such as tenants, provided that flowers will be presented only under special circumstances such as funerals, birthdays, etc., further provided that the cost of any flower arrangement does not exceed \$100. Approval may be granted by the Executive Director or Finance Director only;

ADOPTED by the Board of Commissioners of Port of Kennewick this 10th day of February, 2009.

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

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