

REVISED AGENDA

*Regular Commission Business Meeting
Port of Kennewick
Port of Kennewick Commission Chambers
Tuesday, December 14, 2010
2:00 p.m.*

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. PUBLIC COMMENT** *(Please state your name and address for the public record)*
- IV. CONSENT AGENDA**
 - A. Approval of Direct Deposits and Warrant Registers Dated November 30, 2010
 - B. Approval of Warrant Registers Dated December 14, 2010
 - C. Approval of Direct Deposits and Warrant Registers Dated December 15, 2010
 - D. Approval of Commission Meeting Minutes Dated October 26, 2010
 - E. Approval of Commission Meeting Minutes Dated November 9, 2010
 - F. Approval of Special Commission Meeting Minutes Dated November 30, 2010
 - G. Approval of 2010 Budget Amendments
 - H. Approval of Lease with White Stone Digital (dba: Artmil); Resolution 2010-49
 - I. Approval of Emergency Repairs to Cedars Dock; Resolution 2010-50
 - J. Authorization for the Executive Director to Sign the Interlocal Agreements with the City of Richland for Signage Improvements and the Installation of Upgraded Underground Utilities at the Spaulding Business Park; Resolution 2010-51
 - K. Approval of First Addendum to Interlocal with City of West Richland for Jurisdictional Projects; Resolution 2010-52
- V. NEW BUSINESS**
 - A. Cancellation of December 28, 2010 and January 25, 2011 Regular Business Meetings
 - B. RCO Boating Facilities (BFP) Grant Request; Resolution 2010-53
- VI. BREAK, IF NEEDED**
- VII. REPORTS, COMMENTS AND DISCUSSION ITEMS**
 - A. Clover Island Update
 - 1. West Shoreline Pathway Concepts
 - 2. Metz Family Plaza
 - B. Vista Field
 - C. 2011 TRIDEC Representative and Executive Committee
 - D. 2011 Committee Appointments
 - E. Badger Mountain South
 - F. Executive Director's Vacation Request
 - G. Non-Scheduled Items
- VIII. PUBLIC COMMENT** *(Please state your name and address for the public record)*
- IX. EXECUTIVE SESSION**
 - A. Real Estate Matter: RCW 42.30.110(c)
 - B. Personnel Matter: RCW 42.30.110 (g)
- X. ADJOURNMENT**

PLEASE SILENCE CELL PHONES

PORT OF KENNEWICK

RESOLUTION NO. 2010-49

***A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
PORT OF KENNEWICK APPROVING A LEASE AGREEMENT BETWEEN
THE PORT OF KENNEWICK AND WHITE STONE COMMUNICATIONS
(WHITE STONE DIGITAL, dba ARTMIL)***

WHEREAS, The Port of Kennewick (Port) is authorized to enter into certain leases upon such terms as the Port Commission deems proper; and

WHEREAS, a lease agreement has been negotiated between the Port and Whitestone Digital; and

WHEREAS, the terms and conditions of said lease agreement have been reviewed by the Port Commission and deemed proper and acceptable; and

WHEREAS, after consideration of the attached lease agreement, the Port Commission has determined that the lease is proper; and

NOW, THEREFORE, BE IT RESOLVED that the Port of Kennewick Board of Commissioners agrees to enter into a lease with White Stone Digital as presented and hereby authorize the Port's Executive Director to execute all documents and agreement on behalf of the Port to complete the transaction as specified above.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 14th day of December, 2010.

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

GENE WAGNER, *President*

SKIP NOVAKOVICH, *Vice President*

DAVID HANSON, *Secretary*

PORT OF KENNEWICK

RESOLUTION No. 2010-50

*A RESOLUTION OF THE PORT OF KENNEWICK
BOARD OF COMMISSIONERS DESIGNATING CLOVER ISLAND
DOCK REPAIRS AS EXEMPT FROM PUBLIC WORKS
COMPETITIVE BIDDING REQUIREMENTS*

WHEREAS, in accordance with RCW 39.04.280, the Port of Kennewick (Port) is authorized to designate certain public works contracts as emergencies and, therefore, exempt from competitive bidding requirements; and

WHEREAS, high winds split apart the public dock below Cedars Restaurant, causing a public safety hazard and threatening further damage to the pilings and dock sections; and

WHEREAS, under his delegation of authority, the Executive Director authorized emergency repairs and so notified each commissioner individually;

NOW, THEREFORE, BE IT RESOLVED that the Port of Kennewick Board of Commissioners designates these dock repairs as emergency public works projects within the guidelines of RCW 39.04.280, and therefore exempt from competitive bidding requirements.

ADOPTED by the Board of Commissioners of the Port of Kennewick on the 14th day of December, 2010.

*PORT OF KENNEWICK
BOARD OF COMMISSIONERS*

GENE WAGNER, *President*

SKIP NOVAKOVICH, *Vice President*

DAVID HANSON, *Secretary*

PORT OF KENNEWICK

RESOLUTION 2010-51

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF PORT OF KENNEWICK AUTHORIZING INTERLOCAL
AGREEMENTS WITH CITY OF RICHLAND FOR SIGNAGE IMPROVEMENTS
AND UPGRADED UNDERGROUND UTILITIES AT SPAULDING BUSINESS PARK***

WHEREAS, Port of Kennewick (Port) and City of Richland (City) have determined signage and underground utility improvements are necessary at Spaulding Business Park; and

WHEREAS, the Port's funding commitment is not to exceed \$6,850 (plus applicable taxes) for signage improvements and \$7,350 for underground utility improvements. Total project costs are estimated at \$26,550; and

WHEREAS, Interlocal Agreements have been developed which set forth the rights and duties of the parties with respect to each project; and

WHEREAS, Port staff and the Port attorney have reviewed the interlocal agreements and have determined they are 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 execute all documents necessary to complete the Interlocal Agreements with the City of Richland.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 14th day of December 2010.

*PORT OF KENNEWICK
BOARD OF COMMISSIONERS*

GENE WAGNER, *President*

SKIP NOVAKOVICH, *Vice President*

DAVID HANSON, *Secretary*

PORT OF KENNEWICK

RESOLUTION 2010-52

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF PORT OF KENNEWICK AUTHORIZING A FIRST ADDENDUM/
INTERLOCAL COOPERATIVE AGREEMENT WITH CITY OF WEST RICHLAND
FOR SEVERAL JURISDICTIONAL PROJECTS***

WHEREAS, the Port of Kennewick (Port) and City of West Richland (City) entered into an Interlocal Agreement on September 22, 2009, Resolution No. 2009-32, for several projects that mutually benefit both the Port and City and will provide significant safety improvements and enhance aesthetic appeal; and

WHEREAS, the First Addendum revises "Section 3. Funding" as described in the attached First Addendum / Interlocal Cooperative Agreement; and

WHEREAS, the Port and City are, pursuant to Chapter 39.34 RCW (the Interlocal Cooperation Act), authorized to exercise their powers jointly, thereby maximizing their ability to provide services and facilities which will best fulfill common needs of the Jurisdictions; 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 approve the attached First Addendum / Interlocal Cooperative Agreement with the City of West Richland.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 14th day of December 2010.

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

GENE WAGNER, *President*

SKIP NOVAKOVICH, *Vice President*

DAVID HANSON, *Secretary*

FIRST ADDENDUM / INTERLOCAL COOPERATIVE AGREEMENT
between
THE CITY OF WEST RICHLAND AND THE PORT OF KENNEWICK, WASHINGTON,
for
SEVERAL JURISDICTIONAL PROJECTS

THIS AMENDMENT TO THE INTERLOCAL COOPERATIVE AGREEMENT is entered into this 14th day of December, 2010 between the City of West Richland, Washington, a Washington Municipal Corporation and the Port of Kennewick, Washington, referred to as the "Jurisdictions".

WITNESSETH

The Jurisdictions are parties to that certain Interlocal Cooperative Agreement, dated 22nd day of September, 2009.

WHEREAS, the Jurisdictions have determined that there are several projects that would mutually benefit both the Port of Kennewick and the City of West Richland that will provide significant safety improvements and enhanced aesthetic appeal, and is in the best interest of the Jurisdictions and the public and;

WHEREAS, said projects will improve vehicular access, improve industrial waste treatment, improve and enhance the appeal of the City to attract economic development within the Port District which serves Port-owned land held for sale and/or lease in the Red Mountain Center and within the proposed expanded Urban Growth Area; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Jurisdictions agree to amend the aforesaid Interlocal Cooperative Agreement as follows:

Section 3. Funding. The Port of Kennewick commits to providing project funding as follows:

(A) Port of Kennewick- 2010/2011 Funding Remaining \$43,654.65

Such Port of Kennewick funding shall be used

- o To fund projects which directly or indirectly benefit the Port-owned property in West Richland. These projects shall be identified by West Richland and approved by the Port of Kennewick's Executive Director. Proper supporting document of all expenses shall be presented to Port Auditor for review and payment processing which shall be on a reimbursement bases in a one-time payment in the full amount of funding remaining as described above.

All other terms and conditions of said Interlocal Cooperation Agreement dated 22nd Day of September 2009 shall remain the same and continue in full force and effect.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the day and year written below.

CITY OF WEST RICHLAND

Mayor

Date: _____, 2010

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Date: _____, 2010

PORT OF KENNEWICK

Gene Wagner, President

Date: _____, 2010

PORT OF KENNEWICK

RESOLUTION NO. 2010-53

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF PORT OF KENNEWICK AUTHORIZING AN APPLICATION FOR FUNDING
ASSISTANCE FOR A BOATING FACILITIES PROGRAM (BFP) PROJECT
TO THE RECREATION AND CONSERVATION OFFICE (RCO)
AS PROVIDED IN CHAPTER 79A.25 RCW, BOATING FACILITIES PROGRAM AND
SUBSEQUENT LEGISLATIVE ACTION***

WHEREAS, our organization has approved a comprehensive plan that includes this project area; and

WHEREAS, under the provisions of BFP, state funding assistance is requested to aid in financing the cost of planning, land acquisition, and/or facility development; and

WHEREAS, our organization considers it in the best public interest to complete the planning, land acquisition, and/or facility development project described in the application;

NOW, THEREFORE, BE IT RESOLVED that:

- The Executive Director of the Port of Kennewick be authorized to make formal application to the Recreation and Conservation Office for funding assistance;
- Any fund assistance received be used for implementation of the project referenced above;
- Our organization hereby certifies that its share of project funding will be derived from the Port of Kennewick construction funds and/or any other grant funding Port Staff are able to leverage;
- We acknowledge that we are responsible for supporting all non-cash commitments to the sponsor share should they not materialize;
- We are aware that the grant, if approved, will be paid on a reimbursement basis. This means we may only request payment after eligible and allowable costs have already been paid and remitted to our vendors.
- We acknowledge that any property acquired or facility developed with financial aid from the Recreation and Conservation Funding Board (RCFB) must be placed in use for the funded purpose, and be retained in such use in perpetuity unless otherwise provided and agreed to by our organization and RCFB;
- This resolution becomes part of a formal application to the Recreation and Conservation Office; and
- We provided appropriate opportunity for public comment on this application.

The resolution shall be effective immediately upon passage and signature by the Port of Kennewick Commissioners.

ADOPTED by the Board of Commissioners of the Port of Kennewick on the 14th day of December 2010.

*PORT OF KENNEWICK
BOARD OF COMMISSIONERS*

GENE WAGNER, *President*

SKIP NOVAKOVICH, *Vice President*

DAVID HANSON, *Secretary*