

## AGENDA

*Regular Commission Business Meeting  
Port of Kennewick  
Port of Kennewick Commission Chambers  
350 Clover Island Drive, Suite 200, Kennewick, Washington 99336*

Tuesday, March 9, 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 Warrant Registers dated February 26, 2010
  - B. Approval of Warrant Registers dated March 9, 2010
  - C. Approval of Commission Meeting Minutes dated February 23, 2010
- V. **NEW BUSINESS**

Resolution 2010-07, Vista Field Contract Rescission
- VI. **FRIEND OF THE PORT AWARD**
- VII. **REPORTS, COMMENTS AND DISCUSSION ITEMS**
  - A. Clover Island Update
  - B. Clover Island Fuel Sales
  - C. Vista Field Update
  - D. Columbia Drive Update
  - E. Commissioner Reports
  - F. Meeting Reports
  - G. Non-Scheduled Items
- VIII. **PUBLIC COMMENT** *(Please state your name and address for the public record)*
- IX. **ADJOURNMENT**

*PLEASE SILENCE CELL PHONES*

*Resolution No. 2010-07*

***A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE PORT OF KENNEWICK RESCINDING THE 1991 VISTA FIELD AIRPORT  
CONTRACT***

***WHEREAS***, the Port of Kennewick (Port) has owned and operated the Vista Field Airport (Airport) as a general aviation airport since 1991; and

***WHEREAS***; Clause VII of the Airport Contract places a restriction on the Port's use of funds from land sales in the Vista Field area; and

***WHEREAS***; it is the opinion of port staff that most, if not all of the airport contract is out dated and of little use to the port or the public considering present conditions and circumstances; and

***WHEREAS***; it is the opinion of port staff that it is in the best interest of the port, the City of Kennewick and the general public to rescind the entire airport contract (and with it Clause VII); and

***WHEREAS***; recently the City of Kennewick had been amenable to such rescission;

***NOW, THEREFORE, BE IT HEREBY RESOLVED:***

That the Port of Kennewick hereby authorizes the Port President to sign the attached Dissolution Agreement, which will carry out the rescission of the airport contract.

***ADOPTED*** by the Board of Commissioners of the Port of Kennewick on the 9th day of March, 2010.

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

By:

\_\_\_\_\_  
GENE WAGNER, *President*

By:

\_\_\_\_\_  
SKIP NOVAKOVICH, *Vice President*

By:

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DAVID HANSON, *Secretary*

DISSOLUTION OF AIRPORT CONTRACT

This dissolution of the Airport Contract is hereby executed by the City of Kennewick and the Port of Kennewick, municipal corporations of the State of Washington, on the \_\_\_\_\_ day of March 2010.

WHEREAS, in 1991 the City of Kennewick conveyed in fee simple, title to the property, facilities, and accessories commonly known as Vista Field Airport and other real estate within Vista Field to the Port of Kennewick, pursuant to the Airport Contract.

WHEREAS, in 2008 the City of Kennewick and the Port of Kennewick agreed to an amendment of the Airport Contract which eliminated Section 10 of the contract which contained a reversionary clause.

WHEREAS, upon review of the remaining sections of the Airport Contract the parties have concluded that in the interest of facilitating the Port of Kennewick's consideration of options for future operations at Vista Field Airport, the Airport Contract should be dissolved/terminated in its entirety.

THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

Section 1. The Airport Contract between the City of Kennewick and the Port of Kennewick dated September 17, 1991, recorded under Auditor's File No. 91-17361, including all amendments thereto, is hereby terminated in its entirety.

Section 2. The sole purpose of this agreement is to terminate all conditions, obligations and restrictions in said Airport Contract. The City of Kennewick shall make no claim that the Port of Kennewick is not fully vested to the entirety of the real property described in the Statutory Warranty Deed For Vista Airport recorded on September 25, 1991 under Benton County Auditor's File No. 91-17363, which deed remains in full force and effect. Consistent with the intent of this agreement the Port, in its sole discretion, is authorized to hold, sell, lease, trade, build upon, or otherwise utilize and develop said real property and shall be entitled to all proceeds derived therefrom, without restriction on the Port's use of said funds, or claim thereto by the City.

DATED this \_\_\_\_ day of March 2010.

CITY OF KENNEWICK

BY \_\_\_\_\_  
STEVE YOUNG

Attest:

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VALERI LOFFLER, City Clerk

Approved as to form:

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LISA BEATON, City Attorney

PORT OF KENNEWICK  
BOARD OF COMMISSIONERS

BY: \_\_\_\_\_  
GENE WAGNER, President

BY: \_\_\_\_\_  
SKIP NOVAKOVICH, Vice President

BY: \_\_\_\_\_  
DAVID HANSON, Secretary