

September 14, 2009

**THE BOARD OF
BENTON COUNTY
COMMISSIONERS
AGENDA PACKET**

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
September 8, 2009, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Max E. Benitz, Jr. Chairman
Commissioner Leo Bowman
Commissioner James Beaver
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Linda Ivey; Planning Manager Mike Shuttleworth; Jacki Lahtinen, Dixie Jameson, Reva Kirby, and Richard Cloud, District Court; Steve Becken and Malcom Bowie, Public Works; Nick Kooiker, Treasurer's Office; DPA Ryan Brown; Auditor Bobbie Gagner; Judge Bob Ingvalson; DPA Sarah Perry; Sheriff Larry Taylor.

Approval of Minutes

The Minutes of August 31, 2009 were approved as corrected.

Consent Agenda

MOTION: Commissioner Beaver moved to approve the consent agenda items "a" through "r". Commissioner Bowman seconded and upon vote, the Board approved the following:

Board of Equalization

- a. Appointment of L Peilstick

Commissioners

- b. National Day of Remembrance for Murder Victims

Facilities

- c. Contract w/Spilker Masonry Company

Fairgrounds

- d. Purchase of Water Truck

Human Services

- e. Custodian Appointment of Petty Cash Fund for Crisis Response Unit
- f. Custodian Appointment of Petty Cash Fund for Substance Abuse Assessment Center
- g. Custodian Appointment of Revolving Fund for Substance Abuse Assessment Center
- h. Agreement, #09/10-DD-PHG-00, w/Provident Horizon Group
- i. Agreement, #09/10-DD-CI-00, w/Columbia Industries

- j. Agreement, #09/10-PREV-JJC-00, w/BF Juvenile Justice - Strengthening Families Program

Juvenile

- k. Truancy Contract w/Pasco School District

Prosecuting Attorney

- l. Procurement of Office Furniture; Rescinding Resolution 09-358

Public Works

- m. Plan Authorizations for Johnson/Hinzerling Road/OIE H Intersection/Rothrock Rd/Foisy Rd/OIEH Intersection and N. River Road Curve
- n. Authorization to Proceed for Pavement Marking 2009
- o. Contract w/A & B Asphalt, Inc., for Webber Canyon Road, Phase 2
- p. Authorization of Expert Agreement w/E Takle, Ph.D.
- q. Reconstruction of Walter Road PRSE

Sheriff

- r. Line Item Transfer, Fund No. 0000101, Dept. 121

The Board briefly recessed, reconvening at 9:05 a.m.

Health District - Discussion

Chairman Benitz presented a letter to Franklin County Commissioners regarding the status of the Health District building on Canal. The Board agreed to send the letter, along with a copy of the summary of the appraisal.

The Board briefly recessed, reconvening at 9:20 a.m.

District Court Judges Interviews

Chairman Benitz outlined the process and said that each applicant could give an opening statement and then would be asked a series of questions by the Board.

Daniel Kathren

Mr. Kathren said he had a unique background with a lifelong experience in public service and public administration. He said he had worked with the City of Richland on a few committees and has a good feel for how government worked. Additionally, his career as a public defender for 10 years and pro tem judge for 9 years had prepared him to step in as a judge. He said his judicial philosophy was first and foremost to serve the public.

Question: If you were appointed, what would be the biggest challenge in the first six months, how would you address those challenges, and what have you done to prepare yourself for those challenges?

Answer: He said you usually don't know what you are doing in the first six months. There are changes that need to be made, but he would not start making those changes in the first six months. Rather, he would look to be a member of the team by

building trusts and laying the foundation so the team could start making changes and building efficiencies. He said he had spent his whole career preparing for district court and he had excellent relationships with the judges, administration and staff.

Question: Why are you interested in becoming a judge and why should you be selected?

Answer: He said he had been interested for many years since the first time he was sworn in as a pro tem judge, his life was dedicated to public service, and this was another step up. He indicated he should be selected because of his unique background and experience in District Court.

Question: Please list in order of importance the top three character traits a district court judge should possess.

Answer: Integrity, commitment to serving the people, and a solid work ethic.

Question: What do you believe is your biggest weakness?

Answer: An abundance of passion. Sometimes being too excited gets in the way of my focus.

Question: What would you bring to District Court?

Answer: The character traits I previously listed, because I believe I have them and a lot of good ideas. He said he would work hard to achieve those ideas, that he valued efficiency, and had the background in working with local government and the ability to see the big picture.

Question: If you had the authority, what would you change about current district court policies and practices to improve its efficiency?

Answer: Write local court rules, credit cards (already happening), combine dockets, traffic mitigation docket at 8:00 a.m., and look closely at collection practices.

The Board briefly recessed, reconvening at 9:50 a.m.

Joseph Burrowes

Mr. Burrowes thanked the Board for the opportunity to have a second shot at the selection process. He said he had been a commissioner for 2 ½ years and he tried to bring to the bench respect and integrity. He said he had conducted himself as a public servant and it was rewarding to receive a call or letter from a parent thanking him for understanding their child's position.

- Question: If you were appointed, what would be the biggest challenge in the first six months, how would you address those challenges, and what have you done to prepare yourself for those challenges?
- Answer: He said the biggest challenge was the budget. He said he would recommend a self-assessment to cut costs, utilize technology, combine dockets, and install a code of conduct for judges to abide by. He said he believed that district court had been very efficient but the challenge is that different judges have individual thought processes and its needs to be communicated to educate the cities and County commissioners and he wanted to be part of the change.
- Question: Why are you interested in becoming a judge and why should you be selected?
- Answer: He said he had been a public servant for 30 years and wanted to live and work in this community and being judge could make a difference. He said he believed it was his calling to make a difference and district court was a unique place because of the volume of people that came through it.
- Question: Please list in order of importance the top three character traits a district court judge should possess.
- Answer: Integrity, honesty (always do the right thing and have candor to the court), and treat people with respect.
- Question: What do you believe is your biggest weakness?
- Answer: Openness and honesty about himself. He said he was a people person and sometimes less is more, however, it could also be a benefit.
- Question: Independent thinking is sometimes considered an attribute. Do you consider yourself to be an independent thinker?
- Answer: District Court has policies in place and if my independent thought was different, I would do the right thing at any given moment, but must take into consideration the consequences for the court and the cities.
- Question: If you had the authority, what would you change about current district court policies and practices to improve its efficiency?
- Answer: He said the biggest issue was adopting a code of conduct. Additionally, would adopt a mission statement and goals that we would all agree to and complete a self-assessment.
- Question: Who would be involved in the self-assessment?

Answer: He said he would take a look at all the departments and ask employees to make suggestions to make things better and set up a team to assess either quarterly or yearly. Additionally, maybe have an independent from the outside help with the assessment.

The Board briefly recessed, reconvening at 10:20 a.m.

Katharine Butler

Ms. Butler said she started her law practice as a deputy prosecuting attorney and was excited at the possibility of becoming a full-time judge. She became a pro tem judge and part-time commissioner in Benton and Franklin Counties, as well as a hearings officer for the City of Pasco. She said as a trial lawyer she handled many high-profile cases and understood the public scrutiny and could bring experience to District Court. She said she lived in Benton County for 25 years and was ready to step up in a full-time capacity and her experience on a board in W. Richland and various capacities in the school district and church would also assist her to serve the people of Benton County as a district court judge.

Question: If you were appointed, what would be the biggest challenge in the first six months, how would you address those challenges, and what have you done to prepare yourself for those challenges?

Answer: She said the biggest challenge would be adapting from a pro-tem judge to a full-time judge and establishing her own policy in the way the courtroom might be handled.

Question: Why are you interested in becoming a judge and why should you be selected?

Answer: She said she would like to take what she has done as a pro tem and commissioner and grow in that capacity and would really enjoy being there on a daily basis. She said that all candidates were qualified but she was best suited because of her trial experience, community experience, personality, and how she functioned.

Question: Please list in order of importance the top three character traits a district court judge should possess.

Answer: Integrity (it is important to know the judge has integrity); respect (respect the people in front of you, no matter how small the matter); and remember the matter before you is important.

Question: What do you believe is your biggest weakness?

Answer: A very limited familiarity with the job system in the court (technology).

Question: Independent thinking is sometimes considered an attribute. Do you consider yourself to be an independent thinker?

Answer: I look at the case presented and research what the law says, consider myself an independent thinker, and make sure I personally believe what I am trying, presenting, or ruling on. However, if you mean always way out in left field, believe it is important to reach consensus.

Question: If you had the authority, what would you change about current district court policies and practices to improve its efficiency?

Answer: She said there were things to look at in District Court like whether to impose probation on every criminal case, which might help on compliance dockets; deferred findings; collection of fines in District Court; work crew (re-evaluate to see if more might be eligible for work crew).

The Board briefly recessed, reconvening at 10:50 a.m.

David Petersen

Mr. Petersen said it was his desire to become a District Court judge for many reasons: it was a wonderful opportunity for himself and his family, and a fantastic job. He said he was a pro tem in many courts and this was an opportunity to be a public servant and he felt he would be an asset to the team. He said he believed in what he did and believed in the process and District Court was where most people had their day in court and that a judge was like a board member answering to the CEO of a \$10.7 million business.

Question: If you were appointed, what would be the biggest challenge in the first six months, how would you address those challenges, and what have you done to prepare yourself for those challenges?

Answer: Administrative duties as a judge would be his biggest challenge. He said he didn't fully appreciate the financial impacts of being a judge and understanding those concepts was a challenge. He said since the last interview he has been reviewing budgets and doing some analysis to better understand the budget. He said he would use his business sense to run an efficient business.

Question: Why are you interested in becoming a judge and why should you be selected?

Answer: He said he believed this was a phenomenal opportunity for him and his family and from the bench you have power to influence people's lives and the ability to impact county budgets and have a stake in what goes on. He said each of his colleagues were qualified, but his demeanor and personality was well received from prosecuting attorneys and public defenders and he possessed business skills from partnering in two law firms.

Question: Please list in order of importance the top three character traits a district court judge should possess.

Answer: Understanding (both applies to the bench and administration to hear people, not listen, digest and move forward); values and morals (something that drives everything you do, religious or not, an approach on life); and ability to make a decision. He said life is not fair and decisions can be hard but you have to be able to make a decision on the bench and as a judge you are in a position of doing good.

Question: What do you believe is your biggest weakness?

Answer: Administration of an office. He said he stood firm on his abilities on the bench and could overcome that weakness and looked forward to the challenge.

Question: Independent thinking is sometimes considered an attribute. Do you consider yourself to be an independent thinker?

Answer: He said it could be an attribute, although he didn't know if it was always an attribute. He said he believed District Court was a family and rogue independent thinking could be a detriment. He said that speaking your mind was one thing, but he would be skeptical of rogue without looking at the entire picture.

Question: If you had the authority, what would you change about current district court policies and practices to improve its efficiency?

Answer: He would improve efficiencies by requiring prosecuting and defense counsel to be prepared before court (a simple phone call before court could improve efficiencies in moving people through the docket). He said the County spent a lot on jail costs and thinks it could be looked at.

The Board briefly recessed, reconvening at 11:20 a.m.

District Court Judges – Decision and Appointment

MOTION: Commissioner Bowman moved to appoint Joseph Burrowes to the Elective Office of Benton County District Court Judge for District 4. Commissioner Beaver seconded and upon vote, the motion carried unanimously.

MOTION: Commissioner Beaver moved to appoint Katharine Butler to the Elective Office of Benton County District Court Judge for District 5. Commissioner Bowman seconded and upon vote, motion carried unanimously.

The Board briefly recessed, reconvening at 11:40 a.m.

Commissioner Bowman said he had erred in making the motion to appoint the individuals to a district instead of a position.

MOTION: Commissioner Bowman moved to appoint Joseph Burrowes to Benton County District Court Judge, Position 4 and Katharine Butler to Benton County District Court Judge, Position 5. Commissioner Beaver seconded and upon vote, the motion carried.

Executive Session – Pending Litigation

The Board went into executive session at 11:33 a.m. with DPA Ryan Brown for approximately 15 minutes to discuss pending litigation. Also present were Mike Shuttleworth, David Sparks, Loretta Smith Kelty and Cami McKenzie. The Board came out at 11:45 a.m. Mr. Brown announced the Board discussed pending litigation and that no action was taken.

Executive Session – Pending Litigation

At 11:46 a.m. the Board went into executive session with DPA Sarah Perry for approximately 10 minutes to discuss pending litigation. Also present were Sheriff Larry Taylor, DPA Ryan Brown, David Sparks, Loretta Smith Kelty, and Cami McKenzie. The Board came out at 11:54 a.m. Ms. Perry announced the Board discussed pending litigation, and that no action was taken.

Relocation Reimbursement Request

MOTION: Commissioner Bowman moved to approve the resolution authorizing the Benton County Employment Relocation Expense Agreement with Malcolm Bowie. Commissioner Beaver seconded and upon vote, the motion carried.

Vouchers

Check Date: 09/04/2009
Warrant #: 931969-932177
Total all funds: \$1,679,864.65

Check Date: 8/31/2009
Taxes #: 01010809
Total all funds: \$897.48

Total amounts approved by fund can be reviewed in the Benton County Auditor's Office.

Resolutions

09-573 Appointment of L Peilstick
09-574 National Day of Remembrance for Murder Victims
09-575 Contract w/Spilker Masonry Company
09-576 Purchase of Water Truck
09-577 Custodian Appointment of Petty Cash Fund for Crisis Response Unit
09-578 Custodian Appointment of Petty Cash Fund for Substance Abuse Assessment Center

- 09-579 Custodian Appointment of Revolving Fund for Substance Abuse Assessment Center
- 09-580 Agreement, #09/10-DD-PHG-00, w/Provident Horizon Group
- 09-581 Agreement, #09/10-DD-CI-00, w/Columbia Industries
- 09-582 Agreement, #09/10-PREV-JJC-00, w/BF Juvenile Justice - Strengthening Families Program
- 09-583 Truancy Contract w/Pasco School District
- 09-584 Procurement of Office Furniture; Rescinding Resolution 09-358
- 09-585 Plan Authorizations for Johnson/Hinzerling Road/OIE H Intersection/Rothrock Rd/Foisy Rd/OIEH Intersection and N. River Road Curve
- 09-586 Authorization to Proceed for Pavement Marking 2009
- 09-587 Contract w/A & B Asphalt, Inc., for Webber Canyon Road, Phase 2
- 09-588 Authorization of Expert Agreement w/E Takle, Ph.D.
- 09-589 Reconstruction of Walter Road PRSE
- 09-590 Line Item Transfer, Fund No. 0000101, Dept. 121
- 09-591 Appointment of Joseph M. Burrowes to the Nonpartisan Elective Office Vacancy of Benton County District Court Judge, Position 4
- 09-592 Appointment of Katharine A. Butler to the Nonpartisan Elective Office Vacancy of Benton County District Court Judge, Position 5
- 09-593 Approving the Benton County Employment Relocation Expense Agreement with Malcolm Bowie

There being no further business before the Board, the meeting adjourned at approximately 12:00 p.m.

Clerk of the Board

Chairman

Leo Bowman
District 1
Max Benitz, Jr.
District 2
James Beaver
District 3

Board of County Commissioners BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator



AGENDA
BOARD OF BENTON COUNTY COMMISSIONERS
Regular Board Meeting
Monday, September 14, 2009
Benton County Courthouse, Prosser, WA

9:00 AM Call to Order
Approval of Minutes
Review Agenda

CONSENT AGENDA

Central Services

a. Upgrading and Renewing Borderware Email Firewall

Commissioners

b. Submission of the WA State Historic County Courthouse Rehabilitation Grant Application

Juvenile

c. Contract Amendment w/Aramark Correctional Services

d. Contract w/Finley School District for Truancy Program and Services

Public Works

e. Surplus of Personal Property

f. Authorization for Purchase of Snowplow Carbide Cutting Edges

g. Public Assistance Grant Agreement - Emergency Disaster Assistance Funds

Sheriff

h. Memorandum of Agreement / Lead Nurse Position

Superior Court

i. Proclamation for National Adoption Day

Workforce Development Council

j. Service Provider Contract w/Career Path Services Employment and Training

9:05 AM Comprehensive Plan Amendment Workshop – M Shuttleworth

10:05 AM Public Hearing – Zone Change 09-01 - Planning

10:15 AM Executive Session – Potential Litigation – K Galioto

10:25 AM Benton City Economic Development Council Presentation – A Fyall

- 10:45 AM Requests for Supplemental Appropriations – L Ivey
- 10:55 AM a. Other Business
 b. Unscheduled Visitors

a.

AGENDA/WORKSHOP ITEM		TYPE OF ACTION NEEDED		
Meeting Date:	14-September-2009	Execute Contract	_____	Consent Agenda <u> x </u>
Subject:	Upgrade and Renewal of Borderware Email Firewall	Pass Resolution	<u> x </u>	Public Hearing _____
Prepared By:	J. Randall Reid	Pass Ordinance	_____	1 st Discussion _____
Reviewed By:	Loretta Smith-Kelty	Pass Motion	_____	2 nd Discussion _____
		Other	_____	Other _____

BACKGROUND INFORMATION

At the beginning of 2004, an email firewall was added to the county infrastructure. The product chosen for this was an appliance (hardware/software) solution called MXtreme by Borderware. The MXtreme will no longer be supported after 30-September-2009, so we planned to upgrade the system as the annual maintenance renewal came due. The successor system is the Model 360. In determining whether or not to continue with Borderware, we evaluated both the Model 360 and the Iron Port email firewall appliance marketed by Cisco. The Model 360 was less expensive and appeared to involve a much easier transition from the current system. The account representative at Borderware contacted several resellers and asked them to provide a quote for the upgrade. Three of them responded as indicated on the proposed resolution.

SUMMARY

The attached resolution authorizes Central Services to upgrade the county email firewall to a BorderWare Model 360 appliance from Wasach Software, Inc., of Salt Lake City UT.

RECOMMENDATION

1ST Pass resolution.

2nd

FISCAL IMPACT

None. The funds are included in the 2009 budget.

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF UPGRADING AND RENEWING BORDERWARE EMAIL FIREWALL.

WHEREAS, resolution 08-132 requires authorization by the Board of County Commissioners for purchases between \$5,000 and \$25,000; and

WHEREAS, the current version of BorderWare email firewall used by Benton County will no longer be supported after 30 September 2009; and

WHEREAS, five (5) authorized resellers of the new BorderWare Security Platform Model 360 were contacted by Borderware and asked to provide quotes; and

WHEREAS, three (3) resellers responded as follows:

CDW Government, Inc.	230 North Milwaukee Avenue Vernon Hills IL 60061	\$20,901
MicroAge	8061 South Hardy Drive Tempe AZ 85284	\$18,208
Wasach Software, Inc.	3856 West 5400 South Salt Lake City UT 84118	\$17,395

of which Wasach Software, Inc., was the lowest quote; NOW THEREFORE,

BE IT RESOLVED, by the Board of Benton County Commissioners, that Central Services be authorized to purchase the upgrade and annual maintenance for BorderWare Security Platform Model 360 from Wasach Software, Inc., for the amount of \$17,395 plus tax; and

BE IT FURTHER RESOLVED, that the total purchases with this award are not to exceed \$18,200 plus tax.

Dated this _____ day of _____, _____

Chairman of the Board

Member

Member

Constituting the Board of County Commissioners
of Benton County, Washington.

Attest:

Clerk of the Board

REID

b.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF THE BOARD OF BENTON COUNTY COMMISSIONERS AUTHORIZING SUBMISSION OF THE 2009-2011 WASHINGTON STATE HISTORIC COUNTY COURTHOUSE REHABILITATION GRANT APPLICATION

WHEREAS, the Washington State Legislature has established a Historic County Courthouse Rehabilitation Grant program to fund capital improvements to historic county courthouses statewide; and

WHEREAS, the Benton County Courthouse is entered in the National Register of Historic Places and is qualified to apply for and receive such funds; and

WHEREAS, on August 24, 2009, the Deputy County Administrator made a presentation before the Board of Benton County Commissioners on the Courthouse Exterior Renovations (excluding the annex portion) known as Phase I to preserve and protect the historic building and was approved to move forward by the majority of the Board; and

WHEREAS, Benton County has completed a pre-design study and summary report identifying a viable means of the courthouse exterior renovations with historic preservation standards; and

WHEREAS, Benton County has the appropriate cash and in-kind match to complete this project and is ready to proceed; **NOW, THEREFORE**

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County, Washington, that the Board hereby authorizes the submittal of the 2009-2011 Washington State Historical County Courthouse Rehabilitation Grant Application for restoration of the exterior building of the Benton County Courthouse.

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

Member

Attest:
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

C.

AGENDA ITEM: Consent	TYPE OF ACTION NEEDED Executive Contract xx Pass Resolution xx Pass Ordinance Pass Motion Other	CONSENT AGENDA xx PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER
MEETING DATE: B/C 09-14-09 F/C 09-09-09		
SUBJECT: Signature on Contract Amendment with ARAMARK Correctional Services		
Prepared By: Donna A. Lee		
Reviewed By: Sharon Paradis		

BACKGROUND INFORMATION

The Benton-Franklin Counties Juvenile Justice Center a current contract with ARAMARK Correctional Services for detention food services. Under Section 2 (Duration of Contract) of the current contract, a request for proposal for Detention Food Services has been let which will not close until June, a new contract with the selected vendor cannot be in place before the end of September. The current ARAMARK contract amendment, which expires August 31, 2009, needs to be extended until September 30, 2009 to accommodate the gap. This amendment is to extend the term of the original contract to September 30, 2009.

SUMMARY

ARAMARK continues to provide for food services to the Benton-Franklin Counties Juvenile Justice Center, Detention Unit and agrees to this extension.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Food Services Contract Amendment between the Benton-Franklin Counties Juvenile Justice Center and ARAMARK Correctional Services, as written.

FISCAL IMPACT

The food service rates are included in Juvenile's 2008 approved budget and 2009 proposed budget.

MOTION

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be hereby are authorized to sign, on behalf of their respective county, the Food Services Contract Amendment between ARAMARK Correctional Services and the Benton-Franklin Counties Juvenile Justice Center.

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

BEFORE THE BOARDS OF THE COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES, WASHINGTON;

IN THE MATTER OF THE REQUEST FOR SIGNATURE FROM THE CHAIRMAN OF THE BOARDS OF BENTON AND FRANKLIN COUNTY COMMISSIONERS ON THE FOOD SERVICES CONTRACT AMENDMENT BETWEEN THE JUVENILE JUSTICE CENTER AND ARAMARK CORRECTIONAL SERVICES, and

WHEREAS, Sharon A. Paradis, Administrator of the Juvenile Court, believes it is in the best interest of the Juvenile Justice Center that the Food Service Contract Amendment, extending the existing contract to September 30, 2009, between ARAMARK Correctional Services and Benton-Franklin Counties Juvenile Justice Center be approved as presented for a term commencing August 31, 2009 and terminating on September 30, 2009, NOW, THEREFORE

BE IT RESOLVED, that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and they hereby are authorized to sign, on behalf of their respective county, the Personal Services Contract.

DATED this 14th day of September 2009
BENTON COUNTY BOARD OF COMMISSIONERS

DATED this 9th day of September 2009
FRANKLIN COUNTY BOARD OF COMMISSIONERS

Chairman of the Board

Chairman of the Board

Member

Chairman Pro Tem

Member

Constituting the Board of
County Commissioners,
Benton County, Washington

Attest:

Member

Constituting the Board of
County Commissioners,
Franklin County, Washington

Attest:

Clerk of the Board

Clerk of the Board

JUDGES
Hon. Craig J. Matheson
Hon. Vic L. VanderSchoor
Hon. Robert G. Swisher
Hon. Carrie Runge
Hon. Cameron Mitchell
Hon. Bruce Spanner

BENTON-FRANKLIN COUNTIES JUVENILE JUSTICE CENTER



SHARON PARADIS, Administrator
Juvenile Court Services

SUPERIOR COURT OF THE STATE OF WASHINGTON

5606 W CANAL PLACE, SUITE 106 • KENNEWICK, WASHINGTON 99336-1388
PHONE (509) 783-2151 • FAX (509) 736-2728

LONNA K. MALONE
JOSEPH R. SCHNEIDER
JERRI G. POTTS
Court Commissioners

FOOD SERVICE CONTRACT AMENDMENT

This Contract Amendment is made and entered into by and between Benton County, a political subdivision, with its principal offices at 620 Market Street, Prosser, WA 99350 and Franklin County, a political subdivision, with its principal offices at 1016 North Fourth Avenue, Pasco, WA 99301, by and for the Benton-Franklin Counties Juvenile Justice Center, a bi-county agency located at 5606 W. Canal Place STE 106, Kennewick, WA 99336 (hereinafter collectively referred to as "Counties"), and ARAMARK Correctional Services, LLC., with its principal offices located at the ARAMARK Tower, 1101 Market Street, Philadelphia, PA 19107 (hereinafter referred to as "Contractor").

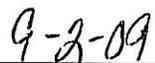
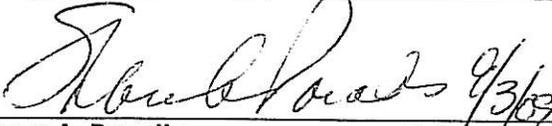
In consideration of the mutual benefits and covenants contained herein and in the parties' contract, numbered as Benton County Resolution No. 06 477 and executed on August 28, 2006, and Franklin County Resolution No. 2006 428 and executed on August 30, 2006 (the "Contract"), the parties agree to amend the Contract as follows:

1. In accordance with Section 2 of the Contract ("Duration of Contract"), as amended by the Contract Amendment numbered as Benton County Resolution No. 09 498 and executed on August 3, 2009 and Franklin County Resolution No. 2009 334 and executed on August 10, 2009, the parties agree to extend the Contract for an additional one-month period, from August 31, 2009, to **September 30, 2009**.
2. In accordance with paragraph 5.H. of the Contract, the price per meal charged to the Counties by Contractor under paragraph 5.A. of the Contract shall be changed as a result of changes in the Consumer Price Index. The new price per meal charges are set forth in Attachment A to this Contract Amendment and are incorporated herein by reference.

These prices shall be effective as of September 1, 2009 and shall remain firm through September 30, 2009.

Except as expressly provided in this Contract Amendment, all other terms and conditions of the original Contract and subsequent written contract amendments thereto remain in full force and effect.

This Amendment shall be effective upon execution by the parties.

ARAMARK Correctional Services, LLC. ARAMARK Tower 1101 Market Street Philadelphia, PA 19107	Benton Franklin Counties Juvenile Justice Center 5606 W Canal PL STE 106 Kennewick WA 99336-1388
 	 
David Kimmel, Vice President, Finance Date	Sharon A. Paradis Date
<p align="center">BENTON COUNTY APPROVAL</p> <p>Approved as to Form:</p> <hr/> Sarah Perry, Deputy Prosecuting Attorney Date	<p align="center">FRANKLIN COUNTY APPROVAL</p> <p>Approved as to Form:</p> <p><u>Agreed Review Performed by Benton County</u> Ryan Verhulp, Civil Deputy Prosecuting Attorney Date</p> By: _____ Name: <u>Max E. Benitz, Jr</u> Title: <u>Chairman, Board of Commissioners</u>
Date: _____	Date: _____
Attest: _____	Attest: _____
Clerk of the Board: _____	Clerk of the Board: _____

ATTACHMENT A

Benton-Franklin Counties Juvenile Justice Center

Sept 1, 2009 – September 30, 2009

<u>Average Population</u>	<u>Meal Price without Sales Tax</u>	<u>Meal Price with Sales Tax (Tax Rate is 8.3%)</u>
1 – 39	\$ 4.308	\$ 4.666
40 – 49	\$ 3.468	\$ 3.756
50 – 59	\$ 3.347	\$ 3.625
60 – 70	\$ 3.292	\$ 3.566

d.

AGENDA ITEM: Consent	TYPE OF ACTION NEEDED	CONSENT AGENDA <u>xx</u> PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER
MEETING DATE: B/C 09-14-09 F/C 09-21-09		
SUBJECT: Truancy Contract for Finley School District for 2009 2010 School Year	Executive Contract <u>xx</u>	
Prepared By: Donna A. Lee	Pass Resolution <u>xx</u>	
Reviewed By: Sharon Paradis	Pass Ordinance	
	Pass Motion	
	Other	

BACKGROUND INFORMATION

The State has contracted with both the Benton and Franklin County Boards of Commissioners for several years for the costs/services associated with processing At-Risk Youth (ARY), Children in Need of Services (CHINS), and Truancy Petitions. With the start of the new school (September 1, 2009, through June 30, 2010), the Finley School District has received their BECCA Bill grant monies and wish to renew their contract with the Juvenile Court so that we may continue to provide services associated with Truancy matters for the term of September 1, 2009, through July 31, 2010.

SUMMARY

Finley has contracted with us to develop, recruit and train a truancy board; implement and follow-up on truancy board recommendations; assist families in obtaining outreach services; provide Family Support counseling; perform drug/alcohol assessment and treatment referrals; assist in the processing of all truancy court referrals; monitor courtroom truancy petitions; and follow-up truancy petition requirements.

RECOMMENDATION

We recommend that the Boards of County Commissioners authorize their Chairs to sign the Fee for Service Contract with the Finley School District.

FISCAL IMPACT

This is a state-funded grant whereby we are reimbursed for services provided. There is no fiscal impact to the counties.

MOTION

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be hereby authorized to sign, on behalf of their respective county, the Fee for Service Contract with the Finley School District.

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

BEFORE THE BOARDS OF THE COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES, WASHINGTON;

IN THE MATTER OF THE REQUEST FOR SIGNATURE FROM THE CHAIRMAN OF THE BOARDS OF BENTON AND FRANKLIN COUNTY COMMISSIONERS ON FEE FOR SERVICE CONTRACT BETWEEN THE BENTON-FRANKLIN JUVENILE JUSTICE CENTER AND FINLEY SCHOOL DISTRICT, and

WHEREAS, Sharon A. Paradis, Administrator of the Juvenile Court, believes it is in the best interest of the Juvenile Justice Center that the Fee for Service Contract between Finley School District, in the amount of \$1,665.00 and Benton-Franklin Juvenile Justice Center be approved as presented for a term commencing September 1, 2009 and terminating on July 31, 2010, NOW, THEREFORE

BE IT RESOLVED, that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and they hereby are authorized to sign, on behalf of their respective county, the Fee For Service Contract.

DATED this 14th day of September 2009.

DATED this 21st day of September 2009.

BENTON COUNTY BOARD OF COMMISSIONERS

FRANKLIN COUNTY BOARD OF COMMISSIONERS

Chairman of the Board

Chairman of the Board

Member

Chairman Pro Tem

Member

Constituting the Board of
County Commissioners,
Benton County, Washington

ATTEST:

Member

Constituting the Board of
County Commissioners,
Franklin County, Washington

ATTEST:

Clerk of the Board

Clerk of the Board

JUDGES
Hon. Dennis D. Yule
Hon. Craig J. Matheson
Hon. Vic L. VanderSchoor
Hon. Robert G. Swisher
Hon. Carrie Runge
Hon. Cameron Mitchell

BENTON-FRANKLIN COUNTIES JUVENILE JUSTICE CENTER



SHARON PARADIS, Administrator
Juvenile Court Services

SUPERIOR COURT OF THE STATE OF WASHINGTON

5606 W CANAL PLACE, SUITE 106 • KENNEWICK, WASHINGTON 99336-1388
PHONE (509) 783-2151 • FAX (509) 736-2728

LONNA K. MALONE
JOSEPH R. SCHNEIDER
JERRI G. POTTS
Court Commissioners

FEE FOR SERVICES CONTRACT TERMS AND CONDITIONS

This Contract is made and entered into by and between Benton County, a political subdivision, with its principal offices at 620 Market Street, Prosser, WA 99350 and Franklin County, a political subdivision, with its principal offices at 1016 North Fourth Avenue, Pasco, WA 99301, by and for the Benton/Franklin Counties Juvenile Justice Center, a bi-county agency located at 5606 W. Canal Place STE 106, Kennewick, WA 99336 (hereinafter collectively referred to as "Counties"), and Finley School District, with its principal offices at 224606 E Game RD, Kennewick, WA, 99337 (hereinafter referred to as "District").

In consideration of the mutual benefits and covenants contained herein, the parties agree as follows:

1. DURATION OF CONTRACT

The term of this Contract shall be from September 1, 2009, through July 31, 2010, unless terminated prior to that time as provided herein.

2. SERVICES PROVIDED

The Counties shall perform the following services:

- A. Develop, recruit and train a truancy board; implement and follow-up on truancy board recommendations; assist families in obtaining outreach services (in-home when necessary); provide Family Support counseling; perform drug/alcohol assessment and treatment referrals; assist in processing all truancy court referrals; monitor courtroom truancy petitions; and follow-up on truancy petition requirements.
- B. The Counties agree to provide its own labor and materials. Unless otherwise provided in this Contract, no material, labor, or facilities will be furnished by the District.
- C. The Counties shall perform the work specified in this Contract according to standard industry practice and shall perform the work in coordination with the Truancy Court Liaison.

- D. The Counties shall complete its work in a timely manner and in accordance with the schedule agreed by the parties.
- E. The Counties shall confer with the District from time to time during the progress of the work. The Counties shall prepare and present status reports and other information that may be pertinent and necessary, or as may be requested by the District.

3. CONTRACT REPRESENTATIVES

Each party to this Contract shall have a Contract representative. Each party may change its representative upon providing written notice to the other party. The parties' representatives are as follows:

- A. For District:
Suzanne Feeney
Superintendent
Finley School District
224606 E Game RD
Kennewick WA 99337
Phone: (509) 586-3217
Fax: (509) 586-4408
E-Mail: sfeeney@finleysd.org
- B. For Counties:
Sharon Paradis
Juvenile Court Administrator
5606 W Canal PL STE 106
Kennewick WA 99336
Phone: (509) 736-2724
Fax: (509) 222-2311
E-mail: sharon.paradis@co.benton.wa.us

4. COMPENSATION

For the services performed hereunder, the Counties shall be paid as follows:

- A. The District will pay Counties One Thousand Six Hundred Sixty-Five Dollars (\$1,665.00) for the entire Contract period, to be paid in quarterly installments of Four Hundred Sixteen Dollars and Twenty-Five Cents (\$416.25) each and processed with the District's first payment cycle after receiving an invoice from Counties.
- B. The maximum total amount payable by the District to the Counties under this Contract shall not exceed One Thousand Six Hundred Sixty-Five Dollars (\$1,665.00).
- C. No payment shall be made for any work performed by the Counties, except for work identified and set forth in this Contract.

- D. The Counties will submit invoices to the District once per quarter during the progress of the work. Invoices shall cover the time Counties performed work for the District during the billing period. The District shall pay the Counties for services rendered in the quarter following the actual delivery of work and will remit payment within thirty (30) days from the date of receipt of the invoice.

5. AMENDMENTS AND CHANGES IN WORK

No amendment, modification or renewal shall be made to this Contract, unless set forth in a written Contract Amendment signed by both parties. Work under a Contract Amendment shall not proceed until the Contract Amendment is duly executed by the Administrator of Benton-Franklin Juvenile Justice Center and both Benton and Franklin Counties Boards of County Commissioner's Chairperson and shall not be binding until so approved.

6. HOLD HARMLESS AND INDEMNIFICATION

The District shall hold harmless, indemnify and defend the Counties, its officers, officials, employees and agents, from and against any and all claims, actions, suits, liability, loss, expenses, damages, and judgments of any nature whatsoever, including reasonable costs and attorneys' fees in defense thereof, for injury, sickness, disability or death to persons or damage to property or business, caused by or arising out of the District's acts, errors or omissions in the performance of this Contract. PROVIDED, that the District's obligation hereunder shall not extend to injury, sickness, death or damage caused by or arising out of the sole negligence of the Counties, its officers, officials, employees or agents.

7. TERMINATION

- A. The Counties may terminate this Contract in whole or in part whenever the Counties determine, in its sole discretion, that such termination is in the best interests of the Counties. The Counties may terminate this Contract upon giving thirty (30) days written notice by certified mail to the District.
- B. If either party breaches any of its obligations hereunder, including but not limited to timely payment of compensation to the Counties in accordance with Section 4 of this Contract, and fails to cure the breach within ten (10) days of written notice to do so, the other party may immediately terminate this Contract by providing written notice by certified mail to the breaching party.
- C. In the event this Contract is terminated prior to the end of the contract term, the District shall pay Counties on a pro-rated basis for all services performed up to the termination date.

8. ASSIGNMENT, DELEGATION AND SUBCONTRACTING

- A. The Counties shall perform the terms of the Contract using only its bona fide employees or agents, and the obligations and duties of the Counties under this

Contract shall not be assigned, delegated, or subcontracted to any other person or firm without the prior express written consent of the District.

- B. The Counties warrants that it has not paid nor has it agreed to pay any company, person, partnership, or firm, other than a bona fide employee working exclusively for Counties, any fee, commission, percentage, brokerage fee, gift, or other consideration contingent upon or resulting from the award or making of this Contract.

9. NON-WAIVER OF RIGHTS

The parties agree that the excuse or forgiveness of performance, or waiver of any provision(s) of this Contract does not constitute a waiver of such provision(s) or future performance, or prejudice the right of the waiving party to enforce any of the provisions of this Contract at a later time.

10. COMPLIANCE WITH LAWS

The parties agree that all activity pursuant to this Contract will be in accordance with all applicable federal, state and local laws, rules and regulations. All services provided by the Counties shall not be considered the practice of law, nor will the Counties provide any legal advice or representation.

11. OWNERSHIP OF MATERIALS/WORKS PRODUCED

All reports, all forms of electronic media, and data and documents produced in the performance of the work under this Contract shall be owned by the Counties. Ownership includes the right to copyright, patent, register, and the ability to transfer these rights. The District agrees that if it uses any materials prepared by the Counties for purposes other than those intended by this Contract, it does so at its sole risk and it agrees to hold the Counties harmless there from to the extent such use is not agreed to in writing by the Counties.

12. DISPUTES

Differences between the District and the Counties, arising under and by virtue of this Contract, shall be brought to the attention of the Counties at the earliest possible time in order that such matters may be settled or other appropriate action promptly taken. Any dispute relating to the quality or acceptability of performance and/or compensation due the Counties shall be decided by the Counties' Contract Representative or designee. All rulings, orders, instructions and decisions of the Counties' Contract Representative shall be final and conclusive, subject to District's right to seek judicial relief.

13. CONFIDENTIALITY

The District, its employees, subcontractors, and their employees shall maintain the confidentiality of all information provided by the Counties or acquired by the Counties in performance of this Contract, except upon the prior written consent of the Counties' or an order entered by a court of competent jurisdiction. The District shall promptly give

the Counties written notice of any judicial proceeding seeking disclosure of such information.

14. CHOICE OF LAW, JURISDICTION AND VENUE

- A. This Contract has been and shall be construed as having been made and delivered within the State of Washington, and it is agreed by each party hereto that this Contract shall be governed by the laws of the State of Washington, both as to its interpretation and performance.
- B. Any action at law, suit in equity, or judicial proceeding arising out of this Contract shall be instituted and maintained only in any of the courts of competent jurisdiction in Benton and Franklin Counties, Washington.

15. SUCCESSORS AND ASSIGNS

The Counties, to the extent permitted by law, and the District each bind themselves, their partners, successors, executors, administrators, and assigns to the other party to this Contract and to the partners, successors, administrators, and assigns of such other party in respect to all covenants to this Contract.

16. NONDISCRIMINATION

The parties, their assignees, delegates, or subcontractors shall not discriminate against any person in the performance of any of its obligations hereunder on the basis of age, sex, marital status, sexual orientation, race, creed, religion, color, national origin, honorably discharged veteran or military status, disability, or any other protected status.

17. SEVERABILITY

- A. If a court of competent jurisdiction holds any part, term or provision of this Contract to be illegal, or invalid in whole or in part, the validity of the remaining provisions shall not be affected, and the parties' rights and obligations shall be construed and enforced as if the Contract did not contain the particular provision held to be invalid.
- B. If it should appear that any provision of this Contract is in conflict with any statutory provision of the State of Washington, said provision which may conflict therewith shall be deemed inoperative and null and void insofar as it may be in conflict therewith, and shall be deemed modified to conform to such statutory provision.

18. ENTIRE AGREEMENT

The parties agree that this Contract is the complete expression of its terms and conditions. Any oral or written representations or understandings not incorporated in this Contract are specifically excluded.

19. NOTICES

Any notices shall be effective if personally served upon the other party or if mailed by registered or certified mail, return receipt requested, to the addresses set out in the Contract Representatives Section of this Contract. Notice may also be given by facsimile with the original to follow by regular mail. Notice shall be deemed to be given three days following the date of mailing or immediately, if personally served. For service by facsimile, service shall be effective at the beginning of the next working day.

The parties have caused this Contract to be signed as follows:

<p>FINLEY SCHOOL DISTRICT</p>	<p>BENTON FRANKLIN COUNTIES JUVENILE JUSTICE CENTER</p>
<p><i>Suzanne Feeny</i> <i>8/17/09</i> _____ Suzanne Feeny Date Superintendent</p>	<p><i>Sharon A. Paradis</i> <i>7/23/09</i> _____ Sharon A. Paradis Date Administrator</p>
<p style="text-align: center;">BENTON COUNTY APPROVAL</p> <p>Approved as to Form:</p> <p><i>Sarah Perry</i> <i>7/20/09</i> _____ Sarah Perry, Deputy Prosecuting Attorney Date</p> <p>By: _____ Name: <u>Max E. Benitz, Jr.</u> Title: <u>Chairman, Board of Commissioners</u> Date: _____</p> <p>Attest: _____</p> <p>Clerk of the Board: _____</p>	<p style="text-align: center;">FRANKLIN COUNTY APPROVAL</p> <p>Approved as to Form:</p> <p><u>Agreed Review Performed by Benton County</u> Ryan Verhulp, Civil Deputy Prosecuting Attorney Date</p> <p>By: _____ Name: <u>Rick Miller</u> Title: <u>Chairman, Board of Commissioners</u> Date: _____</p> <p>Attest: _____</p> <p>Clerk of the Board: _____</p>

e.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF COUNTY POLICY, RE: SURPLUS OF PERSONAL PROPERTY IN ACCORDANCE WITH RESOLUTION 07-752

WHEREAS, The County has accumulated surplus personal property and space availability is limited; and

WHEREAS, The Benton County Auditor is the Personal Property Manager and maintains an updated inventory listing of county personal property; and,

WHEREAS, the Personal Property Manager and the Public Works Manager have determined that the attached list of equipment is either outdated, does not function and has been replaced by new technology, or is no longer needed, and is not desired by any other county department or office; and,

WHEREAS, the items listed have an estimated value less than \$100; and,

WHEREAS, the Board finds it to be in the best interest of the citizens of Benton County to surplus antiquated and obsolete personal property; NOW, THEREFORE,

BE IT RESOLVED, that, based on the recommendation of the Personal Property Manager and the Public Works Manager, the attached list of equipment is hereby surplused and shall be recycled or disposed of as waste.

Dated this 14th day of September, 2009.

Chairman of the Board

Member

Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest: _____
Clerk of the Board

Prepared by L. Moser

BENTON COUNTY DECLARATIC OF SURPLUS

DEPARTMENT: ROAD NO: 500 c:\excellm\documents\2007 Surplus Equipment Road
 DATE: 08/13/2007 BY: L. Moser

<u>INV NO.</u>	<u>LICENSE</u>	<u>DESCRIPTION (Include Model & Serial No.)</u>	<u>QTY</u>	<u>REASON FOR DISPOSAL</u>	<u>LOCATION OF ITEM</u>
Tag: 1525	n/a	Monitor, Viewsonic Color Model GS790	1	Surplus	Prosser Shop (ERR)
Tag: 1582	n/a	Cell Phone, Nokia, Model 5165, ESN: 10607440219	1	Surplus (Does not work)	Courthouse
Tag: 1589	n/a	Cell Phone, Nokia, Model 5165, ESN: 09413783973	1	Surplus (Does not work)	Courthouse
Tag: 1629	n/a	Cell Phone, Nokia, Model 6360, ESN: 07412867606	1	Surplus (Does not work)	Courthouse
Tag: 105	n/a	Chair, Steelcase Secretarial	1	Surplus (Broken)	Courthouse Annex
Tag: 933	n/a	Chair, Grahl Secretarial	1	Surplus (Broken)	Courthouse Annex
Tag: 938	n/a	Chair, Grahl Secretarial w/arms	1	Surplus (Broken)	Courthouse Annex
Tag: 1362	n/a	Printer, HP 692C, s/n: US7C91503K	1	Surplus (Outdated)	Courthouse Annex
Tag: 1288	n/a	Cell Phone, NEC, Model MP5A1F3-1A, S/N: 01157205E1D6	1	Surplus (Does not work)	Courthouse
Tag: 1289	n/a	Cell Phone, NEC, Model MP5A1F3-1A, S/N: 01157774E1D6	1	Surplus (Does not work)	Courthouse
Tag: 1389	n/a	Cell Phone, Nokia, Model 5160, ESN: 25303664656	1	Surplus (Does not work)	Courthouse
Tag: 1504	n/a	Cell Phone, Nokia, Model 5160, ESN: 25303664752	1	Surplus (Does not work)	Courthouse
Tag: 1524	n/a	Cell Phone, Nokia, Model 5160, ESN: 12208016930	1	Surplus (Does not work)	Courthouse
Tag: 1532	n/a	Cell Phone, Nokia, Model 5160i, ESN: 11410345946	1	Surplus (Does not work)	Courthouse
Tag: 1536	n/a	Cell Phone, Nokia, Model 5160i, ESN: 11411198515	1	Surplus (Does not work)	Courthouse
Tag: 1545	n/a	Cell Phone, Nokia, Model 5165, ESN: 10600814958	1	Surplus (Does not work)	Courthouse
Tag: 1546	n/a	Cell Phone, Nokia, Model 5165, ESN: 10601062771	1	Surplus (Does not work)	Courthouse
Tag: 1571	n/a	Cell Phone, Nokia, Model 5165, ESN: 11013391169	1	Surplus (Does not work)	Courthouse
Tag: 1641	n/a	Cell Phone, Nokia, Model 6360, ESN: 04314372007	1	Surplus (Does not work)	Courthouse
Tag: 1653	n/a	Cell Phone, Nokia, Model 6360, ESN: 04407791585	1	Surplus (Does not work)	Courthouse

P.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON
IN THE MATTER OF COUNTY ROADS RE: EQUIPMENT RENTAL & REVOLVING
FUND PURCHASE OF SNOWPLOW CARBIDE CUTTING EDGES

WHEREAS, resolution 08-132 and RCW 36.32.245 authorize contracts for the purchase of materials, equipment and supplies valued at between \$5,000 and \$25,000 without advertisement and formal sealed bidding; and

WHEREAS, written quotations for snowplow carbide cutting edges were received from three vendors on the Benton County Vendor List; as follows:

Rebuilding & Hardfacing, Inc., Colville, WA	\$4,906.00
Titan Truck Equipment & Accessories, Spokane, WA	\$7,575.00
Western States, Pasco, WA	\$9,166.00;

and

WHEREAS, the Public Works Manager recommends award of the business to Rebuilding & Hardfacing, Colville, Washington; NOW, THEREFORE,

BE IT RESOLVED that the business of supplying Benton County Road with snowplow carbide cutting edges be awarded to Rebuilding & Hardfacing, Inc., Pasco, Washington, in the amount of \$4,906.00, and Washington State Sales Tax in the amount of \$407.20; and

BE IT FURTHER RESOLVED that the Public Works Manager is hereby authorized to proceed with the purchase.

Dated this 14th day of September 2009.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington
SWB:LJM:slc

OK ✓ List

REBUILDING & HARDFACING INC.

1390 N. MAIN

COLVILLE, WA 99114

PHONE (509)684-4879 FAX (509)684-4870

EMAIL rhinc@ultraplix.com

4-09
SOLD TO: Benton County Rd Dept

DATE 8-20-09
P.O.
SHIPPING
SHIP DATE Stock
SALESMAN John Mack
ORDERED BY Don

SHIPPED TO:
1709 So. 5th
Kennewick, WA 99336
don.mclure@colville.gov

Ph 509-222-2303

fax 509-222-2304

ITEM		UNIT PRICE	AMOUNT
1			
2	10ea 345 3' TC snowplow blade	169.	1690. ⁰⁰
3	35#		
4			
5	10ea 345 4' TC	226.	2260. ⁰⁰
6	47#		
7			
8	5 586# FCS58PBTP-3-3-12	145.	725. ⁰⁰
9	Face Snowplow Blades	158.	790. ⁰⁰
10	140#		
11			
12			
13	Base on one each with		
14	out knowing total numbers		
15	you want, use this for		
16	those cost		
17			
18	When you get total		
19	numbers get back with		
20	me.		
21			
22			
23	total 1520#		166. ⁰⁰
24			4906. ⁰⁰
25	confirm		
26		tax 8.3%	407. ²⁰
27			
28	8-8-09	total	5313. ²⁰
29			
30			

01/15/09

ARRIVE IN STYLE!

Accessories

509-534-5010

800-445-4807

Fax 509-535-4320

Equipment

509-755-5037

877-652-1010

Fax 509-755-5040

P.O. Box 13056, Spokane, WA 99213

605 N. Fancher, Spokane, WA 99212



Invoice Copy

ACCT.# 12870

INVOICE # 936761

ORDER DATE

08/28/09

BENTON CNTY DEPT OF PUBLIC WRK
 EQUIPMENT MAINTENANCE
 1709 S. ELY
 KENNEWICK WA 99337

BENTON CNTY DEPT OF PUBLIC WRK
 EQUIPMENT MAINTENANCE
 1709 S. ELY
 KENNEWICK, WA 99337

PO#	SLSM	Acc Type	Resale #	Ship Via
QUOTE	71	O/A	GOVERNMENT	QUOTE

PO#	FLINK#	Description	Unit Price	Quantity	Net Price	Tax	Total
10	FLINK202760	*CARBIDE BLADE 3/4"X6"X36"	10.0	10.0	0.00	238.00	2,380.00
10	FLINK202761	*CARBIDE BLADE 3/4"X6"X48"	10.0	10.0	0.00	296.00	2,960.00
10	FLINK202058	*CUTTING EDGE 5/8"X6"X132"	5.0	5.0	0.00	262.00	1,310.00

ALL RETURNS MUST BE SENT BACK FREIGHT PREPAID
 UNLESS OTHERWISE NOTIFIED.

NET TOTAL : 6,650.00
 FREIGHT : 925.00
 FED EXCISE TAX: 0.00
 SALES TAX : 659.03
 ORDER TOTAL : 8,234.03
 PAYMENT 0.00

Date Printed: 09/08/0

AMOUNT DUE : 8,234.03

148



GENERAL OFFICE
PO BOX 38
8555 IDAHO
83707
BOISE
208/888-2287
Lift Trucks/Engine
208/847-4501

POCATELLO
208-232-2640
LEWISTON
208/746-3301

TWIN FALLS
208/734-7330
IDAHO FALLS
208/552-2287

SPOKANE
509/535-7444
Truck Engine
509/535-2287

PASCO
509/547-9541

LA GRANDE
541/863-3101
PENDLETON
541/276-5612

MISSOULA
406/721-1050
KALISPELL
406/752-3030

FOR INQUIRIES PLEASE
REFERENCE THIS NUMBER

CUSTOMER QUOTE * EXPIRES 09/26/09 * CHARGE*

SOLD TO BENTON COUNTY PUD #1
PO BOX 6270
KENNEWICK WA 99336-0270

CUSTOMER NO. SHIP TO BENTON COUNTY PUD # 1
0722026 2721 W 10TH AVE
KENNEWICK, WA

STORE 11 99336

DOCUMENT NO. 110011907

FILLED BY	
W/C LOCATION	
W/C PIECE/S	

ORDERED BY DON TELEPHONE 509 582 2175

CUST. ORDER NO. 99336

INSTRUCTIONS DELIVERY LOCATION SHIP VIA

MAKE P/C MODEL SERIAL NO. EQUIP. NO. ARRANGEMENT NO. DATE TIME ENT. BY REFERENCE NO. PAGE

8/26/09 15:13:51 WDL 1

ITEM NO.	QUANTITY	PART NUMBER / DESCRIPTION	TR	SOS	NET WEIGHT	UNIT PRICE	EXTD PRICE
1	10	MHL-C-PB-236 CARBIDE BLADE 36"	QN	112	.0	346.60	3466.00
2	10	MHL-C-PB-248 CARBIDE BLADE 48"	QN	112	.0	450.00	4500.00
3	5	MHL-M-3 (50) -132 COVER BLADE 11FT	QN	112	.0	240.00	1200.00

EST. TOTAL NET WEIGHT OF SHIPPED ITEMS .0

FOB WESTERN STATES EQUIPMENT PASCO
PLEASE ALLOW 2 WEEKS FOR DELIVERY.

WASHINGTON SALES TAX 760.78
USD SELL TOTAL 9926.78

ALL ITEMS ABOVE ARE SUBJECT TO THE PARTS RETURN POLICY TERMS AND CONDITIONS

I CERTIFY THIS PURCHASE IS FOR USE IN THE PRODUCTION OF TANGIBLE PERSONAL PROPERTY BY MINING, MANUFACTURING, PROCESSING, FABRICATION, OR FARMING.

RECEIVED BY

9.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROADS RE: PUBLIC ASSISTANCE GRANT AGREEMENT-EMERGENCY DISASTER ASSISTANCE FUNDS FOR THE SEVERE WINTER STORMS EVENT

WHEREAS, Presidential Disaster Declaration #FEMA-1825-DR-WA provides funds for the repair or restoration of damaged public facilities and a Public Assistance Grant Agreement will be required for said funding; and

WHEREAS, the Board of Benton County Commissioners adopted the Public Assistance Grant Agreement-Emergency Disaster Assistance Funds for the Severe Winter Storms Event by Resolution 09-216; and

WHEREAS, an Amendment B to the Grant Agreement has been issued by the Washington Military Department to clarify programmatic specifications as well as addresses recent changes in the Federal Emergency Management Agency Public Assistance Program; and

WHEREAS, Amendment B to the Grant Agreement must be signed; **NOW, THEREFORE**

BE IT RESOLVED that Amendment B to the Public Assistance Grant Agreement-Emergency Disaster Assistance Funds for the Severe Winter Storms Event is hereby approved, and the Chairman is authorized to sign Amendment B on behalf of Benton County.

Dated this 14th day of September, 2009.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington.

**Washington State Military Department
AMENDMENT**

1. APPLICANT NAME/ADDRESS: Benton County		2. GRANT NUMBER: D09-469	3. AMENDMENT NUMBER: B - Local / State
4. APPLICANT CONTACT PERSON, NAME/TITLE:		5. MD STAFF CONTACT, NAME/TELEPHONE: Gary Urbas, (253) 512-7402	
6. TIN or SSN:	7. CATALOG OF FEDERAL DOMESTIC ASST. (CFDA) #: 97.036 Public Assistance	8. FUNDING SOURCE NAME/AGREEMENT #: FEMA 1825-DR-WA	
9. FUNDING AUTHORITY: Washington State Military Department (Department) and Federal Emergency Management Agency (FEMA)			
10. DESCRIPTION/JUSTIFICATION OF AMENDMENT, MODIFICATION, OR CHANGE ORDER: Under the authority of Presidential Major Disaster Declaration FEMA 1825-DR-WA, the Department through its Public Assistance Program, is reimbursing the Applicant for those eligible costs and activities necessary for the repair and restoration of public facilities damaged during this disaster. As the program has progressed, the need to modify and redefine certain agreement language has become necessary. <ul style="list-style-type: none"> • Correct a clerical error in the PA Boilerplate and clarify the Limitation of Authority roles and responsibilities. 			
11. AMENDMENT TERMS AND CONDITIONS: <ol style="list-style-type: none"> 1. The grant expiration date of March 1, 2013 remains unchanged. 2. In the General Terms and Conditions, Exhibit A, A.26 <u>Single Audit Act Requirements</u> (Including All Amendments), replace in its entirety with the language found in Amendment B, Attachment A, Exhibit A, General Terms and Conditions, A.26 <u>Single Audit Act Requirements</u> (Including all amendments). 3. In the General Terms and Conditions, Exhibit A, A.26 <u>Limitation of Authority – Authorized Signature</u>, replace in its entirety with the language found in Amendment B, Attachment A, Exhibit A, General Terms and Conditions, A. 26 <u>Limitation of Authority – Authorized Signature</u>. <p>No other changes are required. All other terms and conditions of the original grant and any previous amendments thereto remain in full force and effect.</p>			
IN WITNESS WHEREOF, the Department and Applicant acknowledge and accept the terms of this grant amendment and attachments hereto and in witness whereof have executed this amendment as of the date and year written below. The rights and obligations of both parties to this grant are governed by this Grant Amendment Face Sheet and other documents incorporated herein by reference or attached and identified in the original grant agreement document. A copy of this grant agreement amendment shall be attached to and incorporated into the original agreement between the Department and the Applicant. Any reference in such grant agreement to the "grant agreement" shall mean "grant agreement as amended."			
IN WITNESS WHEREOF, the parties hereto have executed this amendment as of the date and year last written below:			
FOR THE DEPARTMENT:		FOR THE APPLICANT:	
Signature _____ Date _____ James M. Mullen, Director Emergency Management Division Washington State Military Department		Signature _____ Date _____ print or type name: _____	
APPROVED AS TO FORM: Sara J. Finlay (signature on file) August 26, 2009 Assistant Attorney General		APPROVED AS TO FORM: <i>Kathleen B. Galante</i> Applicant's Legal Review _____ Date _____	

Form Date: 10/27/00

Replace these numbered paragraphs of the original agreement with the following new paragraphs:

GENERAL TERMS AND CONDITIONS

A.26 SINGLE AUDIT ACT REQUIREMENTS (INCLUDING ALL AMENDMENTS)

Non-federal APPLICANTS expending financial assistance of **\$500,000** or more in federal funds from all sources, direct and indirect, are required to have a single or a program-specific audit conducted in accordance with the Office of Management and Budget (OMB) Circular A-133-Audits of States, Local Governments, and Non-Profit Organizations (revised June 27, 2003, effective for fiscal years ending after December 31, 2003). Non-federal APPLICANTS that spend less than **\$500,000** a year in federal awards are exempt from federal audit requirements for that year, except as noted in Circular No. A-133. Circular A-133 is available at: <http://www.whitehouse.gov/omb/circulars/index.html>.

APPLICANTS required to have an audit must ensure the audit is performed in accordance with Generally Accepted Auditing Standards (GAAS); Government Auditing Standards (the Revised Yellow Book) developed by the Comptroller General and the OMB Compliance Supplement.

The APPLICANT has the responsibility of notifying the State Auditor's Office and requesting an audit. Private non-profit APPLICANTS must contact a CPA firm to perform the audit. Costs of the audit may be an allowable grant expenditure if the grant has not been closed.

The APPLICANT shall maintain records and accounts so as to facilitate the audit requirement and shall ensure that any subrecipients also maintain auditable records.

The APPLICANT is responsible for any audit exceptions incurred by its own organization or that of its subrecipients. Responses to any unresolved management findings and disallowed or questioned costs shall be included with the audit report. The APPLICANT must respond to DEPARTMENT requests for information or corrective action concerning audit issues within 30 days of the date of request. The DEPARTMENT reserves the right to recover from the APPLICANT all disallowed costs resulting from the audit.

Once the single audit has been completed, the APPLICANT must send a full copy of the audit to the DEPARTMENT and a letter stating there were no findings, or if there were findings, the letter should provide a list of the findings. The APPLICANT must send the audit and the letter no later than nine (9) months after the end of the APPLICANT'S fiscal year(s) to:

**Accounting Manager
Washington Military Department
Finance Division, Building #1 TA-20
Camp Murray, WA 98430-5032**

In addition to sending a copy of the audit, the APPLICANT must include a corrective action plan for any audit findings and a copy of the management letter, if one was received.

The APPLICANT shall include the above audit requirements in any subcontracts.

A.33 LIMITATION OF AUTHORITY – Authorized Signature

Only the DEPARTMENT'S Authorized Signature and the APPLICANT'S Authorized Authority shall have the express, implied, or apparent authority to alter, amend, modify, or waive any clause or condition of this Grant Agreement. Any alteration, amendment, modification, or waiver of any clause or condition of this Grant Agreement is not effective or binding unless made in writing and signed by the DEPARTMENT'S Authorized Signature and the APPLICANT'S Authorized Authority. Only the APPLICANT'S Authorized Authority, Designated Applicant Agent, or Designated Alternate Applicant Agent shall have signature authority to sign payment requests, certification of project completion, time extension requests, requests for changes to project status (including improved or alternate project status), and Statements of Documentation for large projects.

h.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE BOARD TO SIGN THE MEMORANDUM OF AGREEMENT BY AND BETWEEN BENTON COUNTY AND TEAMSTERS LOCAL 839, REPRESENTING THE SHERIFF'S OFFICE MEDICAL EMPLOYEES REGARDING THE CREATION OF TWO LEAD NURSE POSITIONS, CURRENT EXPENSE FUND 0000-101, SHERIFF CUSTODY DEPT 120

WHEREAS; the Memorandum of Agreement is to memorialize the parties' agreement regarding the creation of two Lead Nurse positions effective September 1, 2009; **NOW THEREFORE**

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County Washington, the Board approve the Agreement negotiated and are authorized to sign the same.

Dated this _____ day of _____, 2009.

Chairman of the Board

Member

Member

Constituting the Board of Commissioners
of Benton County, Washington.

Attest.....
Clerk of the Board

Orig: Commissioners, Teamsters Local 839
cc: Sheriff's Office, David Sparks, Personnel, Auditor's Office (Payroll), PA (Sarah Perry)

Prepared by: J. Thompson

MEMORANDUM OF AGREEMENT
Between
BENTON COUNTY and the BENTON COUNTY SHERIFF'S OFFICE
and
TEAMSTERS LOCAL 839,
Representing
SHERIFF'S OFFICE MEDICAL EMPLOYEES

This Memorandum of Agreement ("Agreement") is entered into by and between Benton County and the Benton County Sheriff's Office and Teamsters Local 839, representing Sheriff's Office Medical Employees. The purpose of this Agreement is to memorialize the parties' agreement regarding creation of a Lead Nurse position.

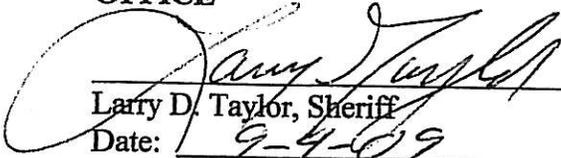
The parties agree as follows:

1. Effective September 1, 2009 there will be a bargaining unit position of Lead Nurse. There will be two Lead Nurse positions, one for each of the two squads.
2. Two bargaining unit employees have been selected for the Lead Nurse position through the Civil Service hiring process. Any future vacancies will be filled through that same process.
3. The Lead Nurse position will be a Grade 19 on the Medical Salary Schedule. That Salary Schedule is attached to this Agreement as Attachment A and is incorporated herein by reference.
4. The classification description for the Lead Nurse position is attached to this Agreement as Attachment B and is incorporated herein by reference.
5. Any disputes concerning this Agreement will be resolved through the grievance procedure in the parties' collective bargaining agreement.

The parties indicate their agreement to the terms and conditions of this Agreement by their signatures below:

Mem. of Agreement
Lead Nurse
9/2/9

**BENTON COUNTY SHERIFF'S
OFFICE**



Larry D. Taylor, Sheriff
Date: 9-4-09

TEAMSTERS LOCAL 839

Robert C. Hawks, Secretary-Treasurer
Date: _____

**BENTON COUNTY BOARD OF
COMMISSIONERS**

Chairman
Date: _____

Member

Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest:

Clerk to the Board
Date: _____

Approved as to form:



Sarah H. Perry, Deputy Prosecuting
Attorney
Date: 9/4/9

Mem. of Agreement
Lead Nurse
9/2/9

2009 SALARY SCHEDULE

TEAMSTERS LOCAL 839 SHERIFF'S OFFICE MEDICAL EMPLOYEES

GRADE	STEPS in \$.....								
	A	B	C	D	E	F	G	H	I
19	4953	5052	5229	5412	5601	5797	6000	6210	6427
18	4718	4812	4980	5154	5334	5521	5714	5914	6121
14	3881	3959	4098	4241	4389	4543	4702	4867	5037

cc: Sheriff's Office, Payroll, Personnel, Teamsters 839 and Sarah Perry

BENTON COUNTY AGENDA ITEM

AGENDA ITEM: _____	Type of Action		
MEETING DATE: <u>09/21/09</u>	Execute Contract	_____	CONSENT AGENDA <u>X</u>
SUBJECT: <u>Proclamation for</u> <u>National Adoption Day</u>	Pass Resolution	_____	PUBLIC HEARING _____
	Pass Ordinance	_____	1 ST DISCUSSION _____
Prepared By: <u>Pat Austin</u>	Pass Motion	_____	2 ND DISCUSSION _____
Reviewed By: _____	Other	_____	OTHER _____
	Approve for Hearing	_____	_____

BACKGROUND INFORMATION

The Court is preparing for the fourth year to participate in National Adoption Day. The Benton and Franklin Counties Superior Court will be holding it's ceremony on November 20, 2009 and would like both Benton and Franklin Counties to proclaim November 20th as National Adoption Day.

SUMMARY

RECOMMENDATION

Recommend signing proclamation.

FISCAL IMPACT

MOTION

I move to declare November 20, 2009 as National Adoption Day in Benton County and sign the proclamation.

NATIONAL ADOPTION DAY PROCLAMATION

By the Board of Commissioners of Benton County, Washington;

WHEREAS, the County of Benton County recognizes the importance of giving children permanent, safe and loving families through adoption; and

WHEREAS, more than 129,000 children in the United States foster care system are waiting to be adopted; and

WHEREAS, to help these children find permanent, nurturing families, the local courts of Benton County will open their doors on National Adoption Day, Friday, November 20, 2009 to finalize the adoptions of local children and join other organizations to celebrate all adoptions; and

WHEREAS, this effort along with similar celebrations in all 50 states around the country will offer children the chance to live with stable and loving families and encourage other dedicated individuals to make a powerful difference in the lives of a child through adoption;

NOW, THEREFORE, I, Max Benitz, Chairman of the Benton County Commissioners, by virtue of the authority vested in me, do hereby proclaim November 20, 2009, as NATIONAL ADOPTION DAY in this county, and in so doing, urge all citizens to join in a national effort to raise awareness about the importance of adoption.

DATED this _____ day of _____, 2009.

Max Benitz, Chairman of the Board

Attest:

Leo Bowman, Member

Clerk of the Board

James Beaver, Member

j

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF REVIEW OF SERVICE PROVIDER CONTRACT BETWEEN BENTON-FRANKLIN WORKFORCE DEVELOPMENT COUNCIL AND CAREER PATH SERVICES EMPLOYMENT & TRAINING IN THE AMOUNT OF \$220,400 FOR ARRA IN-SCHOOL YOUTH SERVICES AND \$330,600 FOR ARRA OUT-OF-SCHOOL YOUTH SERVICES

WHEREAS, the Master Agreement between the counties of Benton and Franklin and the Benton-Franklin Workforce Development Council (WDC) signed by Benton County on March 27, 2000, states that the Benton County Commissioner on the WDC Executive Council shall, pursuant to section II.C.5, review all service provider contracts approved by the WDC; and,

WHEREAS, Benton and Franklin Counties' Interlocal Cooperation Agreement for the Workforce Investment Act Administration signed by Benton County on March 27, 2000, indicates section II.C.3 and 4 that the commissioner appointed to the WDC Executive Council shall present service provider contracts and modifications to his or her Board of Commissioners so that such Board can make a determination as to whether it wishes to advise the WDC that the respective county disagrees with and rejects the proposed contract; and,

WHEREAS, the WDC has presented a contract between the WDC and Career Path Services Employment & Training for the WIA ARRA In-School Youth and ARRA Out-of-School Services; **NOW, THEREFORE,**

BE IT RESOLVED that the Benton County Board of Commissioners has received and reviewed the proposed contract between the WDC and Career Path Services Employment & Training, in the amounts of \$220,400 and \$330,600 for ARRA In-School Youth and ARRA Out-of-School Youth Services respectively, effective April 15, 2009 through September 30, 2009, and does not object to such contract; and,

BE IT FURTHER RESOLVED that the Chairman is hereby authorized to sign said contract indicating the Board's receipt and review on behalf of the Board of Benton County Commissioners.

Dated this _____ day of _____, 2009.

Chairman of the Board

Member

Member

Constituting the Board of County
Commissioners of Benton County,
Washington.

Attest: _____
Clerk of the Board

T. Kopf

GENERAL TERMS AND CONDITIONS - EXHIBIT A

A. ACCESS TO RECORDS AND FACILITIES

The BF-WDC, the Office of the Washington State Auditor, federal auditors, the Comptroller General of the United States, and any persons duly authorized by the State Employment Security Department shall have full access to and the right to examine and copy any or all books, records, documents and other material regardless of form or type which are pertinent to the performance of this contract, or reflect all direct and indirect costs of any nature expended in the performance of this contract.

In addition, these entities shall have the right, subject to conformance with the Contractor's safety and security standards provided in advance to the BF-WDC, to access, examine, and inspect any site used by the Contractor or its agents to conduct, control, or advance the program in any way. Such sites may include the home office, any branch office, or other locations of the Contractor. The Contractor shall maintain its records and accounts in such a way as to facilitate the audit and examination and assure that subcontractors also maintain records that are auditable in accordance with Generally Accepted Accounting Standards. Access under this section shall be at reasonable times not limited to the required retention period, but as long as records are retained, and at no additional cost to the BF-WDC.

The Contractor shall include these requirements in all approved contracts awarded to subcontractors.

B. ASSIGNABILITY/SUBCONTRACTOR COMPLIANCE

The Contractor agrees not to assign or subcontract any part or all of its interest in this contract without prior written approval from the BF-WDC except for On-the-Job Training or Classroom Training agreements. Identification of a specific subcontractor in the Statement of Work, Exhibit B, constitutes BF-WDC approval.

All applicable provisions and requirements of this contract shall apply to any subcontracts or agreements. The Contractor shall be held responsible for compliance and performance of all subcontractors. Subcontracts must be in writing and a copy of each subcontract must be provided to the BF-WDC.

C. ASSURANCES

The BF-WDC and the Contractor agree that all activity pursuant to this Contract will be in accordance with all applicable current or future federal, state and local laws, rules, and regulations, including without limitation the Workforce Investment Act (WIA), the U.S. Department of Labor's regulations relating to WIA, Federal OMB Circulars, and the Washington State WIA Policies. The Contractor shall also comply with all Benton-Franklin Workforce Development Council Policies and Procedures.

As a condition to the award of this contract, the Contractor assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

Section 188 of the Workforce Investment Act of 1998(WIA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or participation in any WIA Title 1-financially assisted program or activity;

Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color or national origin;

Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;

The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and

Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The Contractor also assures that it will comply with 29 CFR part 37 and all other regulations implementing the laws listed above. This assurance applies to the Contractor's operation of the WIA Title 1-financially assisted program or activity, and to all agreements the Contractor makes to carry out the Title 1-financially assisted program or activity. The Contractor understands that the United States has the right to seek judicial enforcement of this assurance.

D. AUDITS

At any time during normal business hours and as often as the BF-WDC, Employment Security Department, the Office of the State Auditor, federal auditors, Comptroller General of the United States, and any other person duly authorized by the BF-WDC deem necessary, the Contractor shall make its records available. The BF-WDC, Employment Security Department, the Office of the State Auditor, federal auditors, and any persons duly authorized by the BF-WDC shall have the authority to audit, examine, and make excerpts or transcripts from records including all contracts, invoices, materials, payrolls, records of personnel, conditions of employment, and other data relating to all matters covered by this Contract. The Contractor will maintain its records and accounts in such a way as to facilitate the audit and ensure that subcontractors also maintain records that are auditable. The Contractor is responsible for any audit exceptions resulting from its own actions or those of its subcontractors.

The Contractor shall adhere to applicable federal Office of Management and Budget Circulars, and other applicable federal and state regulations.

E. INDEMNIFICATION, INSURANCE AND BONDING

1. Indemnification

The Contractor will protect, save, and hold harmless the BF-WDC, Benton County and Franklin County, and all employees of each of them, from and against all claims, suits, actions, costs, damages, or expenses arising from any negligent or deliberate act or omission of the Contractor. In the case of negligence of both the BF-WDC and the Contractor, any damages shall be levied in proportion to the percentage of negligence attributable to each party.

2. Insurance and Bonding

The Contractor shall carry, without interruption during the term of this contract, commercial general liability insurance that covers bodily injury, property damage, and contractual liability with the following minimum limit: Each Occurrence - \$1,000,000; General Aggregate - \$2,000,000.

The Contractor agrees to maintain, without interruption during the term of this contract, a fidelity bond in an amount consisting of the greater of \$100,000 or the largest monthly reimbursement under this contract which will cover all officers, directors, or employees authorized to act on behalf of the contractor or any subcontractor for the purpose of receiving or depositing funds into program accounts or issuing financial documents, checks, or other instruments of payment for program costs.

The Contractor shall maintain automobile liability insurance, with a minimum limit of \$1,000,000 when vehicles owned or leased by the contractor or its employees, subcontractors or volunteers are used to provide services in performance of this contract.

If requested, the Contractor will provide the BF-WDC Executive Director with a copy of the applicable insurance face sheet(s) or certification reflecting these coverage(s). Insurance coverage(s) must be effective no later than the effective date of the Contract and for the term of the Contract.

The Contractor shall immediately notify the BF-WDC Executive Director if either insurance or bonding coverage is terminated during the term of the contract or is reduced below contractual requirements.

The Contractor shall carry and maintain professional liability insurance and if requested and/or required by law or agreement, provide proof of professional liability insurance in coverage amounts satisfactory to the BF-WDC.

F. CHANGES AND MODIFICATIONS

1. Unilateral Modification

This contract may be unilaterally modified at any time by the BF-WDC if required by changes in Federal or State laws, regulations, or rules. The Contractor must accept the unilateral modification or may elect to give immediate notice of contract termination.

2. Bilateral Modification

This contract may be bilaterally modified at any time by the execution of a written, signed contract modification executed by both parties to this contract.

3. Budget Adjustments

Except as set forth below, a written, detailed explanation of requested changes in amounts to budgeted line items must be submitted to and approved by the BF-WDC Executive Director, and followed up by a formal modification to the contract prior to expenditure of funds by the Contractor.

Individual line items may be over expended, up to a maximum of 10% of the expenditure line item, without pre-approval by the BF-WDC Executive Director, provided that total expenditures by the Contractor may not exceed the maximum contract amount set forth for this Agreement.

G. CONTRACT TERMINATION

This contract may be terminated early in whole or in part for any of the following reasons:

1. Either party may terminate this contract for convenience by giving 90 calendar days advance written notice to the other party in person or by certified mail. The 90-day period shall commence when notice is deposited with the post office or personally delivered;
2. Either party may terminate this contract immediately for cause by giving written notice. Breach of any of the contract terms or attachments shall constitute cause for termination
3. If the BF-WDC fails to receive sufficient WIA funding to meet any or all of its contractual obligations due to fund reduction, rescission, suspension or termination or other causes, the BF-WDC shall have the right to immediately and unilaterally reduce the maximum contract amount or terminate all or part of this contract;
4. The BF-WDC may terminate this contract for cause if the Contractor appears on the register of employers in contempt of court for violations of the National Labor Relations Act;
5. The BF-WDC reserves the right to terminate this contract if the Contractor fails to perform according to planned services, outcome, and expenditures goals;
6. Contractor may immediately terminate this contract if it declines the BF-WDC's right to unilaterally modify the contract pursuant to Section F1.
7. If this contract is terminated early, the Contractor shall only be entitled to reimbursement of actual WIA expenditures incurred prior to the date of termination. The BF-WDC has the authority to take possession of all records regarding this contract, including participant and accounting records, in the event of early termination of the contract.

H. CONFLICT OF INTEREST/CODE OF CONDUCT

The Contractor, including its agents and employees, will comply with all applicable federal, state, BF-WDC, and local laws, regulations, ordinances, and policies and procedures governing conflict of interest. The Contractor shall make available to the BF-WDC, upon request, a copy of its company's Conflict of Interest Policy. The Contractor further agrees to make available to its agents and employees copies of all applicable federal, state, BF-WDC, and local laws, regulations, ordinances, and policies and procedures governing conflict of interest.

I. DEBARMENT AND SUSPENSION

The Contractor has provided, in Exhibit E its certification that it is in compliance with and shall not contract with individuals or organizations which are debarred, suspended, or otherwise excluded from or ineligible from participation in Federal Assistance Programs under Executive Order 12549, and "Debarment and Suspension", codified at 29 CFR Part 98 -

J. DRUG-FREE WORKPLACE

The Contractor must comply with the government-wide requirements for a drug-free workplace, codified at 29 CFR Part 98.

K. INDEPENDENT CAPACITY OF CONTRACTOR

All parties to this contract will be acting in an independent capacity and not as agents, employees, partners, joint ventures, or associates of one another. The employees or agents of one party shall not be deemed or construed to be the agent or employee of the other party for any purpose whatsoever.

L. INDUSTRIAL INSURANCE COVERAGE

The Contractor shall provide or purchase industrial insurance coverage prior to performing activities under this Contract. The BF-WDC will not be responsible for payment of industrial insurance premiums or for any other claim or benefits for the Contractor, or any subcontractor, or employee of the Contractor, which might arise under the industrial insurance laws during the performance of duties and services under this Contract. Should the Contractor fail to secure industrial insurance coverage or fail to pay premiums on behalf of its employees, the BF-WDC may deduct the amount of premiums owing from the amounts payable to the Contractor under this Contract and transmit the same to the Department of Labor and Industries, Division of Industrial Insurance.

M. JURISDICTION

This Contract shall be construed and interpreted in accordance with the laws of the State of Washington. The venue of any action brought hereunder shall be in either Benton County or Franklin County.

N. LEGAL AUTHORITY

The Contractor certifies that it possesses the legal authority to execute this contract and to perform required work.

O. LOBBYING ACTIVITIES

The Contractor has provided, as Exhibit D to this contract, its certification that it is in compliance with the requirements of 29 CFR Part 93, restricting lobbying activities. The Contractor shall also make available, upon request, required disclosure information if the Contractor participates in lobbying activities during the Contract period.

P. NONDISCRIMINATION

No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity funded in whole or in part by this contract on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I-financially assisted program or activity.

The Contractor shall comply with the nondiscrimination and equal opportunity laws described in Section 188 of WIA of 1998, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972; and the Americans with Disabilities Act of 1990.

The Contractor must not discriminate in any of the following areas:

Deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity;

Providing opportunities in, or treating any person in regard to, such a program or activity; or

Making employment decision in the administration of, or in connection with, such a program or activity.

The Contractor also ensures that it will comply with 29 CFR, Part 37; including the Methods of Administration (MOA) developed by the Washington Employment Security Department and any WIA policies and procedures issued.

The Contractor shall promptly notify the State EO Officer at the Employment Security Department of any administrative enforcement actions or lawsuits filed against it alleging discrimination on the grounds of race, color, religion, sex, national origin, age, disability, or political affiliation or belief; and against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I-financially assisted program or activity. The State EO Officer will notify the Director, Civil Rights Center (CRC), Office of the Assistant Secretary for Administration and Management, U.S. Department of Labor.

The Contractor shall post the attached "Equal Opportunity is the Law" notice prominently in reasonable numbers and places; shall disseminate the notice in internal memoranda, other written or electronic communications; shall include the notice in handbooks or manuals; make the notice available during orientations and to each participant. A signed copy of the notice will also be made a part of the participant's file. All medical information and/or information regarding a participant's disability must be kept confidential and maintained in a file that is separate from the participant's file.

The Contractor shall include the following Equal Opportunity tagline in recruitment brochures and other materials that are ordinarily distributed or communicated in written and/or oral form, electronically and/or on paper, to staff, clients, or the public at large, to describe WIA Title I financially assisted programs or activities.

"(NAME OF ORGANIZATION) is an equal opportunity employer and Contractor of employment and training services. Auxiliary aids and services are available upon request to persons with disabilities."

Q. RECORDS RETENTION

The Contractor shall:

1. Retain all financial, statistical, property records and supporting documentation for a period of three years following the BF-WDC's receipt of the contract closeout package required under section CC. 2 below.

2. Retain records for a period of three years after final disposition of assets, if any, acquired with contract funds that have a useful life of more than one year and a unit acquisition cost of \$5,000.
3. Retain those records mentioned in 1. and 2. above beyond the three year period if any litigation or audit is begun, or if a claim is instituted involving the Contract Agreement, or agreement covered by the records. In these instances, the records shall be retained from three years after the litigation, audit, or claim has been resolved.
4. Records regarding discrimination complaints and actions taken there under are confidential, and shall be maintained for a period of not less than three years from the final date of resolution of the complaint.
5. Retain, and upon request from the BF-WDC, shall transfer to the BF-WDC any and all WIA-related records, reports, applicant and participant files, and other documentation and physical evidence not otherwise specified above.

R. RESOLUTION OF CONFLICTING PROVISIONS

If any provision of this Contract is allegedly in conflict with federal or state law, the conflict will be resolved by giving precedence in the following order:

1. The existing or hereinafter amended Workforce Investment Act (WIA), the Department of Labor's (DOL) regulations relating to WIA, and the Washington State WIA Policies, and any applicable Washington State Regulations.
2. The Contract and its modifications.
3. The BF-WDC Strategic Plan and Operational Overview and its modifications.

S. SALARY AND BONUS LIMITATIONS

In compliance with Public Law 109-234, none of the funds appropriated in Public Law 109-149 or prior appropriations acts under the heading 'Employment and Training', as that phrase is defined in the Training and Employment Guidance Letter #5-06 issued by the U. S. Department of Labor, that are available for expenditure by the Contractor on or after June 15, 2006, shall be used by Contractor or its subcontractor to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II as defined in section 101 of Public Law 109-149, except as provided under section 101 thereunder. This limitation shall not apply to the extent Contractor provides "goods and services" as defined in OMB circular A-133. The incurrence of costs and receipt of reimbursement for these costs by the Contractor under this agreement shall be deemed a certification and representation by the Contractor that the Contractor has read Training and Employment Guidance Letter #5-06 and is in compliance.

The incurrence of costs and receipt of reimbursement for these costs by the Contractor under this agreement shall be deemed a certification and representation that the Contractor has read the above special conditions and is in compliance.

T. SAFEGUARDING OF PARTICIPANT INFORMATION

The Contractor shall not divulge such information without the written consent of the participant, except for disclosures required by law, court process, order, or decree. All participant information shall be made available upon request to parties having responsibilities for monitoring or evaluating the services and performances under the contract, and to governmental authorities to the extent necessary for the proper contract administration. The Contractor agrees to otherwise maintain the confidentiality of participant information to the extent allowed by law.

U. INFORMATION TECHNOLOGY RESOURCES

The Contractor must conform to Washington State WIA Policy #3460 and Employment Security Department (ESD) Policy and Procedure #2016 when using ESD-provided state-owned information technology resources. Contractor staff shall conform to WorkSource Columbia Basin policy regarding computer and e-mail usage.

V. TAXES

It is mutually agreed and understood that all payroll taxes, unemployment contributions, and other taxes, insurance or other expenses for the Contractor's staff, shall be the sole liability of the Contractor.

W. USE OF NAME PROHIBITED

The Contractor shall not in any way contract on behalf of or in the name of the BF-WDC.

X. WAIVER

A failure by the BF-WDC to exercise its rights shall not constitute a waiver of any rights under this Contract unless stated to be such in writing signed by an authorized representative of the BF-WDC and attached to the original contract.

Y. ENERGY POLICY AND CONSERVATION ACT

The Contractor shall comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub.L. 94-163, 89 Stat. 871).

Z. CLEAN AIR ACT

The Contractor shall comply with all applicable standards. Orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857 (h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (Contracts, subcontracts, and subgrants of amounts in excess of \$100,000).

AA. DAVIS-BACON ACT

The Contractor shall comply with the Davis-Bacon Act (40 U.S.C. 276a to 276a-7) as supplemented by Department of Labor regulations (29 CFR Part 5).

BB. COPELAND ANTI-KICKBACK ACT

The Contractor shall comply with the Copeland Anti-Kickback Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3).

CC. PAYMENTS AND CLOSEOUT

1. Payment Requests

All payments to the Contractor shall be for reimbursement of costs incurred by the Contractor and shall not exceed the total amount set forth in the Budget attached as Exhibit C. All payment requests shall be submitted in a timely manner and in accordance with BF-WDC requirements and procedures governing reimbursements. The BF-WDC has the right to require submission of supporting documentation, including invoices and proof of payment, prior to processing a Contractor's reimbursement request.

2. Contract Closeout

Upon expiration or termination of this contract, the Contractor shall provide the BF-WDC with a complete closeout package within 30 calendar days. A closeout accomplishes the financial end of the contract services and should include appropriate accruals. Closeout packages must comply with BF-WDC requirements and must follow the prescribed formats.

DD. ACCOUNTING AND AUDIT PROVISIONS

1. Generally Accepted Accounting Principles

The Contractor must establish and continually maintain an adequate accounting system in accordance with generally accepted accounting principles and standards as required by Federal, State and local laws, regulations, and policies, including, but not limited to, Section 136(f) of WIA and 20 CFR 629.35. This system shall include, but not be limited to: maintenance of a system of cross checks on receipts, deposits, account balances, payments and withdrawals and a prohibition against co-mingling of funds.

2. Cost Allocation Plan

The Contractor must maintain a Cost Allocation Plan (CAP) to support the distribution of any costs attributable to programs and/or activities under more than one contract. All costs included in the CAP will be supported by accounting records that will substantiate the propriety of charges. Budget allocations alone are not adequate allocation documentation. The Contractor will retain on file documentation supporting the methodology utilized to determine the reasonableness of allocated costs. Failure to comply may result in no payment, or a reduced payment, until the Contractor is in compliance. In addition, failure to comply may result in contract termination.

3. Program Income

Program income means income received by the Contractor that has been generated by contract supported activity, or earned as a result of the contract as defined in Federal and State regulations. If the Contractor is a public or private non-profit entity, all revenues in excess of costs for each separate program are to be treated as program income. Program income retained by the Contractor must be expended for additional training or training related services for WDC approved job training programs operated consistent with the WIA. The Contractor will be responsible for tracking contract revenues and expenditures separately for each program in accordance with Federal, State and WDC policies and procedures.

4. Stand-In Costs

Stand-in costs allowed under WIA may be reimbursed in lieu of reimbursement for costs disallowed under WIA. To obtain any reimbursement for stand-in costs under this provision, all stand-in costs must be reported by cost category on the WIA Monthly Fiscal Report submitted to the WDC; must be supported with back-up documentation; and, included within the scope of the Contractor's audit and accounted for in the Contractor's financial system. In order to get reimbursement for a stand-in cost, it shall be from the same title and program year as the costs that it is proposed to replace, and shall not result in a violation of the applicable cost limitations.

5. Indirect Cost Rate

Any indirect cost rates must be approved by a cognizant federal agency.

6. Payment Denial

The BF-WDC has the right to deny all or a portion of any payment request based upon any of the following: a) failure to comply with any contract provision, all of which are deemed to be material; b) failure to comply with any BF-WDC policy, or contractual terms and conditions; c) allegations of fraud or abuse as defined in federal/state regulations (see Section EE below); d) recoupment of costs disallowed under this or a previous BF-WDC contract; e) recoupment of amounts otherwise

owed to the BF-WDC; or, f) failure to receive federal funds, upon which funding for this contract is based.

7. Single Audit Act Requirement

As a subrecipient of federal awards as defined by the Office of Management and Budget (OMB) Circular A-133, the Contractor shall maintain records that identify all federal funds received and expended. Such funds shall be identified by the appropriate OMB Catalog of Federal Domestic Assistance Numbers. The Contractor shall make records available for review or audit by officials or representatives of the BF-WDC, the General Accounting Office, the State Employment Security Department, the Comptroller General of the United States, and the Washington State Auditor's Office. The Contractor shall incorporate OMB Circular A-133 audit requirements into all subcontracts. The Contractor shall comply with any future amendments to OMB Circular A-133 and any successor or replacement Circular or regulation.

If the Contractor expends \$500,000 or more in federal awards from any and/or all sources in any fiscal year, the Contractor shall procure a single or program-specific audit for that year. Upon completion of each audit, the Contractor and/or subcontractors shall submit, to the BF-WDC, the appropriate documentation as required in OMB Circular A-133 and State WIA Audit Policy.

Failure by the Contractor to comply with this section shall constitute a material breach of contract upon which the BF-WDC may cancel, terminate, or suspend this contract, or disallow payment previously received or requested by the Contractor.

EE. FRAUD OR ABUSE

The Contractor will administer its programs with safeguards, including proper internal controls necessary to reasonably prevent fraud and abuse. In the event of allegations of fraud or abuse as defined in federal and state regulations, the BF-WDC reserves the right to withhold contract payments in whole or in part until a determination on the merits of the allegation is made. Such a determination shall not supersede or replace final disallowed cost resolution procedures.

FF. GRIEVANCES & DISPUTES

The Contractor will develop and maintain a system for resolving applicant and client grievances. A copy shall be made available to clients and applicants for contracted services. Such procedures shall include time frames for filing a grievance and provide opportunities for informal and formal resolution. For grievances arising from the delivery of contracted services, the grievance procedures must include the right of the grievant to appeal to the BF-WDC Executive Director. Applicants shall be advised of the grievance procedures and their right to due process if they feel they have been wrongfully denied or terminated from services.

Any dispute regarding a question of fact, a term, or a responsibility arising under this Contract shall be resolved as follows:

A written description of the problem will be forwarded to the BF-WDC Executive Director for consideration by the Executive Director or the Executive Director's appointed representative. The Executive Director or the Executive Director's appointed representative will make a recommendation for resolution of the dispute with 14 working days after receipt of the written description. Neither party shall have recourse to the courts unless this procedure has been utilized.

GG. DELIVERY OF SERVICES

The Contractor agrees to deliver the quality, quantity and type of services as specified in Exhibit B, the Statement of Work. Any deviation from the Statement of Work shall be approved in writing by the BF-WDC. All Contractor staff performing direct services under this contract shall meet minimum qualifications for the positions they hold as identified by the WorkKeys® position skills profile they are assigned.

The Contractor agrees to provide services associated with this contract in a manner that supports the vision of the one-stop service delivery system.

HH. NOTICE OF CLAIMS

Notice shall be promptly submitted to the BF-WDC of any action or claim being brought against the Contractor resulting from this contract.

II. DISALLOWED COSTS

In the event of disallowed contract costs, each party agrees to bear its own litigation costs.

JJ. LITIGATION COSTS

The Contractor agrees that WIA funds cannot be used to litigate against the BF-WDC, or against the federal, state, or county governments.

KK. NEPOTISM

The Contractor shall not hire nor permit the hiring of any person in a position funded under this contract if the Contractor employs a member of the person's immediate family in an administrative capacity. For the purposes of this section, the term "immediate family" means spouse, child, mother, father, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, step-parent, and step-child. The term "administrative capacity" means persons who have overall administrative responsibility for a program, including selection, hiring or supervisory responsibilities.

LL. SECTION 1512 OF THE RECOVERY ACT: REGISTRATION WITH CENTRAL CONTRACTOR REGISTRATION (CCR)

Contractor is receiving funds under the Recovery Act and shall register with the Central Contractor Registration (CCR) database at www.ccr.gov. This ensures consistent reporting of data about each entity and thereby makes data more useful to the public. In order to register in CCR, a valid Data Universal Numbering System (DUNS) Number is required and should be e-mailed to the WDC once obtained.

MM. SECTION 1604 OF THE RECOVERY ACT: LIMIT OF FUNDS

None of the funds appropriated or otherwise made available in the Recovery Act may be used by any Contractor for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

NN. NON-SUPPLANTING OF STATE AND LOCAL FUNDS

The Contractor must use federal funds to supplement existing State and local funds for program activities and must not replace (supplant) State or local funds that they have appropriated or allocated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations may result in a range of penalties, including suspension of current and future funds under this program, suspension or debarment from federal grants, recoupment of monies provided under a grant, and civil and/or provided at <http://www.ojp.usdoj.gov/recovery/supplantingguidance.htm>.

OO. PROTECTION OF WHISTLEBLOWERS

Contractor's employees may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing, including a disclosure made in the ordinary course of an employee's duties, to the Accountability and Transparency Board, an inspector general, the Comptroller General, a member of Congress, a State or Federal regulatory or law enforcement agency, a person with supervisory authority over the employee (or other person working for the employer who has the authority to investigate, discover or terminate misconduct), a court or grant jury, the head of a Federal agency, or their representatives information that the employee believes is evidence of; Gross mismanagement of an agency contract or grant relating to covered funds, Gross waste of covered funds, Substantial and specific danger to public

health or safety related to the implementation or use of covered funds, Abuse of authority related to the implementation or use of covered funds and Violation of law, rule, or regulation related to an agency contract (including the competition for or negotiation of a contract) or grant, awarded or issued relating to covered funds.

PP. LISTING RECOVERY ACT JOBS WITH THE TmpLOYMENT SECURITY DEPARTMENT

This Contract is funded with federal stimulus funds (under the American Recovery & Reinvestment Act), which has strict reporting requirements for funds spent and jobs created or retained. All job openings created by the Contractor for this project must be listed with the WorkSource system before hiring; all hiring decisions also must be reported to WorkSource. In addition, all sub-contractors hired by the Contractor also must be required to list jobs and report hiring results to WorkSource. Existing Contractor employees who are retained using funds from this project also must be reported to WorkSource. WorkSource will pre-screen and refer qualified job candidates for the Contractors consideration. The Contractor also has the discretion to use other, additional recruitment systems and retains the right to make all hiring decisions. To begin the listing and reporting process, contact the ARRA Business Unit at 877-453-5906 (toll-free), 360-438-4849 or ARRA@esd.wa.gov.

QQ. RECOVERY ACT REPORTING REQUIREMENTS, SECTION 151(c) of the Recovery Act

The Contractor acknowledges and agrees that the American Recovery and Reinvestment Act of 2009, places great emphasis on accountability and transparency in the use of taxpayer dollars. Among other things, it creates a new Recovery Accountability and Transparency Board and a new website (Recovery.gov) to provide information to the public, including access to detailed information on grants and contracts made with Recovery Act funds. The Contractor must comply with the Recovery Act's extensive reporting requirements, including quarterly financial and programmatic reporting. The WDC will require periodic reports from the Contractor in order to fulfill its reporting obligations. The Contractor agrees to provide to the WDC all reports, documentation, or other information, as may be required by the WDC to meet reporting obligations under the Recovery Act. The Contractor receipt of funds is contingent on the WDC meeting the reporting requirements of Recovery Act Section 1512 (c).

RR. PUBLIC STATEMENTS, CORRESPONDENCE MATERIAL AND MARKETING PUBLICATIONS

The Contractor shall indicate in any press release or statement to the public related to the program that it is funded by the BF-WDC and from funds made available under WIA. The Contractor shall identify the BF-WDC on all WIA funded correspondence material and marketing publications.

SS. REPORTS, MANAGEMENT INFORMATION SYSTEMS, EVALUATIONS, MONITORING, RECORDS

1. REPORTS

The Contractor shall submit all financial and other reports required by the BF-WDC, and shall provide access to staff and copies of all records and data necessary to verify or clarify information requested or provided in such reports.

2. PARTICIPANT RECORDS

WIA participant records must be created and maintained in accordance with WIA, state, and local guidelines. All participant records and Work Readiness (summer youth only May 1, 2009-September 30, 2009) must be entered into the Services Knowledge and Information Exchange System (SKIES).

3. EVALUATIONS AND MONITORING

The BF-WDC will conduct ongoing evaluation and monitoring of the Contractor's program. Evaluation and monitoring will include, but may not be limited to, contract compliance and effectiveness of the program contracted. The Contractor shall monitor its own program inclusive

of any subcontracts and shall establish sufficient internal controls necessary to safeguard against non-compliance, fraud or abuse, and to regularly assess and evaluate program effectiveness.

TT. NOTICES

Notices, reports and payments shall be sent to the following individuals and addresses.

BF-WDC

Michelle Mann, Executive Director
Benton-Franklin Workforce Development Council
815 N. Kellogg, Suite C
Kennewick, WA 99336

CONTRACTOR

George Iranon, Executive Director
Career Path Services
10 N. Post St., Suite 200
Spokane, WA 99201

The individuals and addresses listed above may be changed by written notice to the parties.

EQUAL OPPORTUNITY IS THE LAW
29 CFR Part 37.30

“It is against the law for this recipient of Federal financial assistance to discriminate on the following basis:

Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and

Against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary’s citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas: Deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program activity.

If you think that you have been subjected to discrimination under a WIA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either: the recipient’s Equal Opportunity Officer (or person whom the recipient has designated for this purpose); or the Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210.

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.”

Exhibit B

STATEMENT OF WORK

Description of WIA Services for ARRA Youth

WIA funds for Youth program activities will be directed toward comprehensive services to help low income and at risk youth increase their chances for success academically and in the workplace, learn positive work skills and habits, and develop plans for further education and employment.

Special Conditions for Summer Youth Employment Program

The American Recovery and Reinvestment Act of 2009 (Recovery Act of 2009) funds must be used to create summer employment opportunities to youth through 24 years of age from May 1, 2009 to September 30, 2009. Work Readiness is the only performance indicator to summer jobs as a measure.

If Recovery Act of 2009 funds are not entirely used for summer employment opportunities, then year-round youth activities may be funded. This provision is designed to allow the Contractor to reach young adults who have become disconnected from both education and the labor market. Those participants that are entered into the year-round youth activities will be reported under regular performance measures.

The Contractor will use a significant portion of Recovery Act funds to operate expanded summer youth employment opportunities during the summer of 2009, and to provide as many youth as possible with summer employment opportunities and work experiences outside of the summer months, while still ensuring that these summer employment opportunities and work experiences are of high quality.

A. Target Population and Geographic Areas to be Served

All participants to be served will be low income as defined in WIA Section 101(25) and between the ages of 16-24 at the time of registration, be a legal citizen or resident of the United States, reside in Benton or Franklin counties, and be within one or more of the following categories:

- Deficient in basic literacy skills;
- School dropout;
- Homeless, runaway, or foster child;
- Pregnant or parenting;
- Offender; or
- Is an individual (including a youth with a disability) who requires additional assistance to complete an educational program, or to secure and hold employment (WIA sec.101).

Priority access to services will be given to eligible youth in Benton and Franklin Counties who require additional assistance as a result of having one or more of the following barriers:

- At risk of dropping out of school
- Limited English proficiency
- Immigrant or refugee
- Migrant family or migrant/seasonal farm worker status
- Gang involved
- Involved with the Juvenile Justice system
- Substance abuse
- Care-giver status
- Domestic abuse
- Lack of stable/affordable housing
- Reside in areas with high rates of poverty, crime, and/or unemployment
- Family history of chronic unemployment
- Single-parent household
- Deficient in occupational skills
- Disability (including learning disability)

The Contractor's service level to youth with disabilities will be proportionate with the bi-county population.

B. Youth Not Selected for Enrollment

Contractor Employment Representatives will inform all youth, not selected for enrollment, of other community resources available to help meet their needs. All eligible youth who are not immediately

enrolled into the Youth program would be highly encouraged to become engaged in the universal services available at WorkSource Columbia Basin.

C. Client Services

The Contractor will deliver client services in a manner that supports the WIA-IB services through the WorkSource Columbia Basin (WSCB) one-stop delivery system and the Benton-Franklin Workforce Development Strategic Plan. These services will be delivered through trained, competent staff with the skills, knowledge, and attitudes that are foundational to all levels of case management. Contractor staff shall perform the following critical functions and key activities surrounding WIA case management activities, policies, and procedures including but not limited to:

- **Work Readiness;** facilitate vocational challenges and work ready workshops.
- **Work Experience (WEX);** paid work experience in a private for profit, nonprofit or public work sector site available to all eligible youth who successfully complete the work readiness component. If a participant works less than 30 hours per week, participation will be combined with summer school classes for credit retrieval/repair, GED preparation classes, or vocational skills training. If a participant has a workplace accommodation request with the permission of an attending physician, they may also work at a number of hours per week that meets their abilities. The Contractor will serve a minimum of 150 participants in individual or group WEX employment opportunities. WorkSource Columbia Basin (WSCB) Business Services Team (BST) will develop the worksites for the Summer Youth Program. BST will develop high quality sites in industries that are recession proof or are directly impacted by the Recovery and Reinvestment Act such as medical and health care, transportation, construction and green jobs. The Contractor will work with the BST to match participants with work sites that compliment their stated career goals.
- **Occupational Skills Training;** The Contractor will offer training opportunities to participants interested in improving their vocational skills or in gaining occupational certifications. Training opportunities will be targeted in growth industries and demand occupations. This includes the Integrated Basic Education and Skills Training (I-BEST) Medical Secretary, Nursing Assistant Certification, Phlebotomy, and Lube Technician. Other training options include welding and forklift operation. Upon successful completion of training, participants will work with their Employment Advisor to move to the next steps of their Individual Service Strategy.
- **Basic Education;** When a dropout is served the Contractor will place the participant into at least a 16hrs/wk GED preparation schedule in conjunction with working 20 hrs/wk at a WEX site. The Contractor will plan for educational gains using the Individual Service Strategy. The Contractor will provide one-on-one and small group instruction for participants in need of a GED, as well as remedial instruction for those who test as basic skills deficient. The Contractor will provide services to those participants on a post secondary track who want to prepare for post secondary placement testing.
- **Leadership Development/Career Exploration;** The Contractor will assure that participants have the opportunity to develop leadership skills through many avenues. Participants will choose a minimum 24 hours over the summer from occupation exploration, college tours, apprenticeship exploration, employer tours and community service projects.

D. Customer Recruiting and Outreach

- In partnership with WorkSource Columbia Basin (WSCB), youth who come to the WSCB will receive a thorough introduction to WIA 1B services.
- Target registrants to meet low-income guidelines and be residents of Benton and Franklin Counties.
- Target ages 16-24 with 60% of contract resources going to serve Out of School Youth and 40% of contract resources going to serve In School Youth.
- Partner with other agencies serving youth in the Benton and Franklin Counties for referrals and training placement coordination.

E. Program Service Components for ARRA Youth

The Contractor shall:

- Work with WorkSource Columbia Basin Business Services to place program participants on Work Experience sites throughout the community.
- Follow and document participant's progress during Work Experience Activity.
- Collaborate with partners, including WorkSource Columbia Basin Business Services, local labor representatives, school districts, and community-based organizations.
- Provide job search skills training such as interviewing techniques, resume writing, and keys to a successful employment experience.
- Provide support services as needed, according to WIA Title 1B guidelines to remove barriers.
- Provide other required Youth Program Elements.

F. Staffing Levels

The Contractor shall maintain staff levels for the identified activities and services consistent with the funding levels identified in the contract budget attached as Exhibit C and more specifically outlined in the budget detail document submitted by the Contractor to the WDC as part of the Contractor's contract budget proposal.

G. Quality Assurance

The Contractor is expected to quality check files; assure appropriate training of staff; communicate effectively with other supervisors and managers to assure that communication and coordination of the program activities is achieved.

H. Creative Thinking and Problem Solving

Creative thinking and problem solving by the Contractor that leads to new ideas and processes for service delivery is expected and supported by the WDC. New ideas and processes should be tested through "pilot programs" or a "beta test group" to assure success and limit exposure. Problem solving at the supervisor and/or management level is expected and supported by the WDC on case management and WorkSource team issues. If problems are program related, assistance is available from the WDC project coordinators.

I. WorkSource Columbia Basin Operations

Contractor staff stationed at WorkSource Columbia Basin (WSCB) will work within established policies and procedures of the One Stop Center to ensure quality services to its customers.

J. Minimum Spending Levels

The Contractor shall expend a minimum of 85% of the contract budget submitted to the WDC by the Contractor and attached as Exhibit C.

K. WIA Performance Measurement

The Contractor is responsible to meet the one mandated performance measure associated with ARRA Youth. A minimum of 85% of program participants must attain the Work Readiness performance measure.

L. Enrollments and Exits

The Contractor is required to meet the following enrollment and exit goals for the contract period. The desired outcome is to meet these totals on a monthly basis. The Contractor shall provide a monthly performance report on an approved WDC format, which identifies monthly progress toward attainment of

	May 2009	June 2009	July 2009	August 2009	September 2009
ARRA OSY Enrollments	30	60	90	90	90
ARRA ISY Enrollments	20	40	60	60	60
Total ARRA Enrollments	150	150	150	150	150
ARRA OSY Exits	0	0	0	36	90
ARRA ISY Exits	0	0	0	24	60
Total ARRA Exits	0	0	0	60	150

performance measures as they relate to negotiated enrollments and exits.

EXHIBIT C - BUDGET

CONTRACTOR: CPS
PROGRAM TITLE: ISY/OSY ARRA Youth
PROGRAM YEAR: PY08 & 09

EFFECTIVE DATE: 4/15/2009

ISY

Budget Line Item	Total
Salaries & Benefits	\$ 53,316
Other Direct Costs	\$ 8,000
Direct Participant Costs	\$ 134,840
Indirect Costs	\$ 24,244
Total	\$ 220,400

OSY

Budget Line Item	Total
Salaries & Benefits	\$ 79,974
Other Direct Costs	\$ 12,000
Direct Participant Costs	\$ 202,260
Indirect Costs	\$ 36,366
Total	\$ 330,600

CERTIFICATION REGARDING LOBBYING

**CERTIFICATION FOR CONTRACTS, GRANTS, LOANS
AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all* sub-awards at all tiers (including subcontracts, sub-grants and contracts and contracts under grants, loans, and cooperative agreements) and that all* subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Authorized Certifying Official

Title

Date

Certification Regarding Debarment and Suspension

APPENDIX A TO TITLE 29, PART 98 - CERTIFICATION REGARDING DEBARMENT AND SUSPENSION - *Certification for Contracts, Grants, Loans, and Cooperative Agreements*

1. The undersigned (i.e., the Contractor signatory) certifies, to the best of his or her knowledge and belief, that it and its principals:
 - A. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - B. Have not within a three-year period preceding this proposal been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - C. Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(B) of this certification; and,
 - D. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation of this proposal (or plan).

Signature of Authorized Certifying Official

Title

Date

Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

9:05

NOTICE OF PUBLIC HEARINGS BENTON COUNTY BOARD OF COMMISSIONERS

NOTICE OF HEARINGS before the Board of County Commissioners, in the matter of proposed 2009 annual amendments to the Benton County Comprehensive Plan; pursuant to Washington State Planning Law RCW 36.70A.130.

The Planning Commission has forwarded its recommendations on the 2009 Comprehensive Plan Amendment proposals to the Board of County Commissioners (Board), who will conduct a public hearing to consider and act upon the Planning Commission recommendations.

NOTICE IS HEREBY GIVEN that public comment will be taken on proposed amendments to the Benton County Comprehensive Plan on Monday, September 28, 2009 beginning at 9:05 a.m., Commissioner's Meeting Room, Third Floor, Courthouse, Prosser WA. Proposed amendments are as follows:

File CPA 09-01, A proposal by William and Nancy Pace to change the land use designation from Heavy Industrial to Rural Lands Five on an 11 acre parcel in the Northeast Quarter of Section 12 Township 5 North, Range 27 East, W.M., lying north of Christie Road approximately one mile west of Plymouth, WA.

File CPA 09-04, a proposal by Harold and Susan Bond to change of land use designation from Rural Lands Five to General Commercial on a 6.37 acre parcel in the Southwest Quarter of Section 15, Township 9 North, Range 27 East, W.M., lying south of the I-82 freeway on Jacobs Road.

File CPA 09-05, a proposal by Chuck Barnes of Kennewick General Hospital #116 and an inclusion by the planning staff of 2.32 acres owned by Paul Meier, to change the land use designation from Heavy Industrial to Rural Lands 5 Acre on parcels in the West Half of Section 6, Township 7 North, Range 31 East, W.M., consisting of approximately 55 acres in south Finley known as part of the Hover Industrial Park located on both sides of Toothacker Road.

File CPA 09-06, a staff housekeeping proposal to update text in the Rural Element, Chapter 5, and maps in The Transportation Element, Chapter Eight, regarding the completion of the Finley Intertie.

URBAN GROWTH AREA AMENDMENT PROPOSALS:

Urban Growth Area boundary modifications have been proposed by the following cities in Benton County:

File CPA 09-02 a request by the City of Richland to expand its Urban Growth Area to include nine parcels for 178.36 additional acres located Southwest of the I-82 Badger Road Interchange in Section 11, Township 8 North, Range 28 East, W.M.

File CPA 09-03 a request by the City of Benton City to expand its Urban Growth Area to include approximately 1,545 additional acres located south and east of the City Limits in Section 24, Township 9 North, Range 26 East, W.M., and Sections 9, 10, 15, 16, 17, 19, 20 & 21 in Township 9 North, Range 27 East, W.M.

SAID PROPOSALS have been reviewed under the requirements of SEPA (RCW 43.21C), and evaluated for Comprehensive Plan compliance using the Comprehensive Plan Amendment Evaluation Criteria. Benton County Planning Department has issued a Determination of Non Significance (DNS) on these proposals dated January 20, 2009 (CPA 09-01 and 05) and January 21, 2009 (CPA 09-02 & 04). The City of Benton City issued a Determination of Non Significance (DNS) on CPA 09-03 on November 7, 2008.

Comments regarding the proposed amendments or SEPA determination of the proposals may be made at the above-mentioned hearing, submitted in writing to the Benton County Planning Department; P.O. Box 910, Prosser, WA., 99350; Faxed to (509) 786-5629; or sent via the County website at <http://www.co.benton.wa.us/update1.htm> using the "Resident Feedback" link. Written, faxed, or website comments must be received by 5:00 p.m., on September 25, 2009. Information regarding the amendment proposals or a copy of the DNS may be obtained free of charge by calling the Benton County Planning Department at (509) 736-3086 (from Tri Cities) or 786-5612 (Prosser).

Benton County welcomes full participation in public meetings by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact the Benton County Planning Department at the above address at least ten days prior to the meeting date to make arrangements for special needs.

Dated this 9th day of September 2009

Mike Shuttleworth, Planning Manager
Benton County Planning Department

Max Benitz, Jr., Chairman
Benton County Planning Commission

PUBLISH Thursday September 17, 2009

10:05

AGENDA ITEM: MTG. DATE: September 14, 2009 MEMO. DATE: September 4, 2009 SUBJECT: Zone Change Request – ZC 09-01 Unclassified to Light Industrial by Marnie Gibbs Prepared By: Donna Hutchinson Reviewed By: Michael Shuttleworth	TYPE OF ACTION NEEDED Execute Contract Pass Resolution X Pass Ordinance Pass Motion X Other	Consent Agenda Closed Record Meeting X 1st Discussion 2nd Discussion Other
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BACKGROUND INFORMATION

On August 11, 2009, the Benton County Planning Commission conducted an open record hearing on the request by Marnie Gibbs to change the zoning classification for a 135-acre portion of the south half of the Northwest Quarter, the North Half of the Southwest Quarter, and the Northwest Quarter of the Southeast Quarter of Section 28, Township 9 North, Range 24 East, W.M. lying South of County Route 12, North of the Sunnyside Canal, and East of the Wilgus Road. After closing the Open Record Hearing and discussing the proposed change of zoning, the Planning Commission made a recommendation to approve Zone Change Request ZC 09-01. The Planning Commission's record and recommendation is being submitted for the Board's review and decision. A public meeting has been set for September 14, 2009 at 10:05 a.m. to review the record and recommendation of the Planning Commission.

The Board of County Commissioners must make a final decision on the zone change application based on the Planning Commission's Open Record Hearing held on August 11, 2009. The Board of County Commissioners cannot consider any testimony other than that testimony that was presented to the Planning Commission at their Open Record Hearings. The only information the Board can consider is the clarification of statements made at the Open Record Hearing with reference to testimony and information submitted to the Planning Commission in their record prepared for this application. Attached for the Board's review is a audio CD and all information presented at the Planning Commission Open Record Hearing. Also attached is the signed Planning Commission Recommendation, Findings and Conclusions.

SUMMARY

The Benton County Planning Commission has completed the open record hearing for the Zone Change application ZC 09-01 to change the zoning classification for a 135-acre portion of the south half of the Northwest Quarter, the North Half of the Southwest Quarter, and the Northwest Quarter of the Southeast Quarter of Section 28, Township 9 North, Range 24 East, W.M. lying South of County Route 12, North of the Sunnyside Canal, and East of the Wilgus Road. The Board of County Commissioners will consider the application and recommendation of the Planning Commission at a public meeting on September 14, 2009.

RECOMMENDATION

After closing the Open Record Hearing and discussing the issue, the Planning Commission voted to recommend approval of the zone change application. After reviewing the information presented, the Planning staff recommends that the Board adopt the Planning Commission's recommendation, Findings and Conclusions and approve the proposed zone change.

MOTION

If the Board agrees with the Planning Commission and Planning Department, the Board can adopt the Planning Commission recommendation, Findings and Conclusions as their own and approve the zone change application ZC 09-01. If however, the Board disagrees with the

Planning Commission and Planning Department's recommendation then the Board will have to complete your own Findings and either approve or deny the rezone application. If based on the Planning Commission's record, you wish to complete your own findings, the Planning Department could draft the Boards findings and conclusions for the Board's approval.

EXHIBITS:

The following are attached to this report (Exhibit A):

Exhibit B Planning Commission Findings & Recommendation dated August 19, 2009

Exhibit C The Planning Commission Record consisting of:

- Exhibit No. 1 Staff Memo dated July 22, 2009
- Exhibit No. 2 ZC 09-01 Application and site information
- Exhibit No. 3 Environmental checklist
- Exhibit No. 4 Notice of Application published July 07, 2009
- Exhibit No. 5 Comments from the Benton County Fire Marshal dated July 3, 2009
- Exhibit No. 6 Comments from Benton County Building Department dated July 3, 2009
- Exhibit No. 7 Comments from Sunnyside Irrigation District dated July 15, 2009
- Exhibit No. 8 Comments from Benton County Public Works dated July 24, 2009
- Exhibit No. 9 Environmental Determination for ZC 09-01 made on July 22, 2009
- Exhibit No. 10 Notice of Open Record Hearing, published July 30, 2009
- Exhibit No.11 Benton County Code Section 11.52.110-Amendments
- Exhibit No.12 Benton County Code Section 11.51.120-Petitions for change of Classification
- Exhibit No.13 Benton County Code Section 11.28 (Light Industrial Zoning District)
- Exhibit No.14 Benton County Code Section 11.48 (Unclassified Zoning District)
- Exhibit No.15 Benton County Comprehensive Plan, Chapters 4-43 and 4-44 (Light Industrial Designation)
- Exhibit No.16 Aerial Photo of the Site taken in 2008

RECOMMENDATION OF THE
BENTON COUNTY PLANNING COMMISSION

RE: Zone Change Request from
Unclassified to Light Industrial for
135.01 acres located in a portion
of Section 28, Township 9
North, Range 24 East, W.M.

File No. ZC 09-1

RECOMMENDATION, FINDINGS OF FACT
AND CONCLUSIONS

RECOMMENDATION

ZC 09-1: A proposal by Marnie Gibbs to change the zoning classification of 135 acres from Unclassified to Light Industrial is hereby recommended to be APPROVED. This action is based upon the following findings pursuant to RCW 36.70.600.

LEGAL DESCRIPTION

The site is located South of County Route 12, North of the Sunnyside Canal and East of Wilgus Road in a portion of the Northeast and Northwest Quarters of Section 28, Township 9 North, Range 24 East, W.M.

RESOLUTION

WHEREAS, the Legal notification pursuant to RCW 36.70.590 was given on July 7, 2009; and,

WHEREAS, public notice procedures were carried out including: notice to affected jurisdictions, (July 2, 2009); publication of legal notices in the Tri-City Herald (July 7, 2009); adjacent landowners (July 2, 2009); and,

WHEREAS, the public hearing was held on August 11, 2009 at 7:00 p.m. in the Planning Annex, 1002 Dudley Avenue, Prosser, WA 99350; and,

WHEREAS, the following members were present, James Wetzel, Martin Sheeran, Faye Nelson, Lloyd Coughlin, and Rick Giberson; and,

WHEREAS, all those who testified and those public hearing exhibits that were received into evidence are identified in the minutes for the hearing on August 11, 2009; and,

WHEREAS, the Planning Commission considered all testimony and, after questions to those giving testimony, closed the public hearing; and,

WHEREAS, the Planning Commission at an open record public hearing held on August 11, 2009 considered the evidence submitted and voted five in favor with two members absent to recommend **approval** of the proposal; and,

WHEREAS, the Planning Commission is entering its written findings, conclusions and recommendations concerning this matter, and is forwarding the same to the Board of County Commissioners.

FINDINGS AND CONCLUSIONS

A. A majority of the Planning Commission members find based on the evidence presented that the property subject to the zone change request is currently zoned Unclassified with parcels in the immediate vicinity also zoned Unclassified.

B. A majority of the Planning Commission members find based on the evidence presented that the neighboring property is currently a mixture of agricultural, residential, wrecking yard, and manufacturing.

C. A majority of the Planning Commission members find that there has been substantial changes in circumstances since the original zoning or amendment to the subject property and/or surrounding area (i.e. changes in land use patterns in the relevant areas; changes in the property at issue or changes in public opinion relevant to the zoning) and based on the following facts they believe to be true as a result of the evidence submitted, the subject property is suitable for use as currently zoned.

1. Some of the surrounding area have light industrial type of uses already on them.
2. The Benton County Comprehensive Plan shows this area designated as Light Industrial and adjacent properties are Light Industrial, Commercial, and Rural Lands 5.
3. The original zoning of the parcel was placed on the site prior to 1951.
4. I-82, which is located to the North of the parcel, was constructed in 1982.

D. A majority of the Planning Commission members find that the requested zone change would be consistent with the intent of the Benton County Comprehensive Plan based on the following facts that they believe to be true as a result of the evidence submitted:

1. The site is designated within the Comprehensive Plan as Light Industrial.
2. There are residential uses within the general vicinity of the site.
3. This area is bordered by County Route 12 to the North, the Sunnyside Valley Irrigation Canal to the South and East, and Wilgus Road to the West.

E. A majority of the Planning Commission members find that the uses allowed as a result of the requested zone change would be consistent with the uses allowed under the zoning classification in effect at the time of application submittal for the surrounding area based on the following facts that they believe to be true as a result of the evidence submitted:

1. The planning staff memo indicated that this proposed zone change

designation would be consistent with the preferred land use designation contained in the Benton County Comprehensive Plan.

F. A majority of the Planning Commission members find that one or more of the uses allowed as a result of the requested zone change would not be detrimental to the owners of the neighboring properties based on the following facts that they believe to be true as a result of the evidence submitted:

1. The zone change is consistent with growth and development in the area.
2. The Light Industrial zoning designation would not be detrimental to the existing development in the area as there are several light industrial type of uses in the general vicinity.

G. Based on our conclusions with respect to issues E and F, a majority of the Planning Commission members find that approval of the requested zone change would be in the best interest of the public health, safety and welfare.

H. A majority of the Planning Commission concludes that the requirements of the State Environmental Policy Act have been met based on the following facts that they believe to be true based on the testimony:

1. A Environmental Checklist was prepared and a Determination of Non Significance was issued on July 22, 2009.
2. The staff memo indicated that the requirements of the State Environmental Policy Act have been met.

I. The Planning Commission finds that the following described property is to be included in the Zone Change:

That portion of Section 29, Township 9 North, Range 24 East, W.M., Benton County Washington, south of the southerly right-of-way of highway CR 12, described as follows, being:

The Northwest Quarter, South of North Coast right of way, less Beginning at the intersection of South right of way line of Highway # 3 and West of the East one/half of the Southwest Quarter of the Northwest Quarter: Thence South-Easterly along said right of way 209 feet, thence South parallel with the East line 418 feet, thence Northwesterly parallel with said South right of way line 209 feet to the West line of the East Half of the Southwest Quarter of the Northwest Quarter, thence North 418 feet to the point of beginning, and except the West Half of the West Half of the Northwest Quarter lying South of the highway, the North half of the Southwest Quarter, lying North of Sunnyside Canal. The Northwest Quarter of the southeast Quarter, Northwesterly of the Canal less the North 3 acres of that portion of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter lying North of the Sunnyside Canal, and South of the State Highway.

The Southwest Quarter of the Northeast Quarter, South of Highway right of way, all in Section 28 Township 9 North, Range 24 East W.M.

Subject to any road rights-of-way, easements, reservations, covenants, and restrictions of record.

A majority of the Planning Commission members find that all of the facts set forth in the attached Planning Department Staff Report are accurate.

THEREFORE BE IT RESOLVED THAT THE BENTON COUNTY PLANNING COMMISSION, through its chairman as authorized by motion, adopts these findings and conclusions with respect to File No. ZC 09-1, and the Zone Change Request proposed by Marnie Gibbs is hereby recommended for APPROVAL to the Board of County Commissioners.


MARTIN SHEERAN, Chairman 8-19-07
DATE
BENTON COUNTY PLANNING COMMISSION

Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

File No. ZC09-01
Date 7-29-09
Exhibit No. 1
Received by djh

DATE: JULY 22, 2009
TO: BENTON COUNTY PLANNING COMMISSION
FROM: BENTON COUNTY PLANNING DEPARTMENT
RE: PETITION FOR ZONE RECLASSIFICATION APPLICATION ZC 09-01
APPLICANT: MARNIE GIBBS, P.O. BOX 1250. PROSSER, WA 99350
PROPERTY OWNER: MARNIE GIBBS, P.O. BOX 1250. PROSSER, WA 99350

SPECIFIC REQUEST:

The applicant, Marnie Gibbs, is requesting that the zoning classification of the property described herein be changed from Unclassified to Light Industrial.

ATTACHMENTS:

The following are attached to this report:

- Exhibit No. 1 Staff Memo dated July 22, 2009
- Exhibit No. 2 ZC 09-01 Application and site information
- Exhibit No. 3 Environmental checklist
- Exhibit No. 4 Notice of Application published July 07, 2009
- Exhibit No. 5 Comments from the Benton County Fire Marshal dated July 3, 2009
- Exhibit No. 6 Comments from Benton County Building Department dated July 3, 2009
- Exhibit No. 7 Comments from Sunnyside Irrigation District dated July 15, 2009
- Exhibit No. 8 Comments from Benton County Public Works dated July 24, 2009
- Exhibit No. 9 Environmental Determination for ZC 09-01 made on July 22, 2009
- Exhibit No. 10 Notice of Open Record Hearing, published July 30, 2009
- Exhibit No.11 Benton County Code Section 11.52.110-Amendments
- Exhibit No.12 Benton County Code Section 11.51.120-Petitions for change of Classification
- Exhibit No.13 Benton County Code Section 11.28 (Light Industrial Zoning District)
- Exhibit No.14 Benton County Code Section 11.48 (Unclassified Zoning District)
- Exhibit No.15 Benton County Comprehensive Plan, Chapters 4-43 and 4-44 (Light Industrial Designation)
- Exhibit No.16 Aerial Photo of the Site taken in 2008

LEGAL NOTICE PUBLISHED:

The Notice of Application was published in the Tri-City Herald on July 7, 2009. The legal notice for the Planning Commission's Open Record Hearing on the Petition for Zone Reclassification ZC 09-01 was published in the Tri-City Herald on Thursday, July 30, 2009. Legal notices were also sent to the property owners within 300 feet of the boundaries of the property for this application.

LOCATION:

The subject property for this application is located in a 135.01-acre portion of the South half of the

Northwest Quarter, the North Half of the Southwest Quarter, and the Northwest Quarter of the Southeast Quarter of Section 28, Township 9 North, Range 24 East, W.M. lying South of County Route 12, North of the Sunnyside Canal, and East of the Wilgus Road.

LAND USE:

The subject property is currently developed with residential structures and agricultural uses. The properties in the surrounding area are a mixture of developed land with commercial, industrial and residential uses.

ZONING:

The subject property in this application is currently zoned Unclassified.

COMPREHENSIVE PLAN:

The Benton County Comprehensive Plan designates the site and surrounding parcels as Light Industrial. Parcels to the south are designated Unclassified and parcels located north of Interstate 82 are also Unclassified. The areas East of the subject property are designated as Unclassified and Urban Growth Area.

TABLE 1

Direction	Land Use	Zoning	Comprehensive Plan
North	Residential and Vacant	Unclassified	Rural Lands 5
Northwest	Manufacturing, Junk/Salvage Yard	Unclassified	Light Industrial - Commercial
West	Agricultural & Residential	Unclassified	Rural Lands 5
Southwest	Agricultural, Residential & Vacant	Unclassified	Rural Lands 5
South	Residential and Vacant	Unclassified	Light Industrial
Southeast	Residential and Vacant	Unclassified	Rural Lands 5 and Urban Growth Area -
East	Residential and Vacant	Unclassified	Rural Lands 5 and Urban Growth Area
Northeast	Residential and Vacant	Unclassified	Rural Lands 5

STATE ENVIRONMENTAL POLICY ACT:

The application for zone reclassification, ZC 09-01 has been reviewed under the requirements of the State Environmental Policy Act, as amended and a Determination of Non-Significance (DNS) was issued on July 22, 2009. Copies of the Environmental Checklist, the Determination of Non-Significance, and the comments received from reviewing agencies are attached to this memorandum.

APPLICABLE DEVELOPMENT REGULATIONS:

1. Benton County Code Section 11.52.110 states the following for changes in zone classification and development regulations:

"AMENDMENTS. The Board of Commissioners may, upon recommendation of the County Planning Commission, change by resolution the district boundary lines or zone classification as shown on the use district maps, and or amend, supplement or

change by resolution the regulations herein contained. When said recommendation is made by the County Planning Commission, said commission shall cause a survey of the existing land uses and resources of such subdivision of the County to be made as expediently as funds and circumstances permit; and shall prepare a preliminary classification of all property within such subdivision of the county in one or more of the use districts provided in this title. After holding at least one open record hearing, the County Planning Commission shall transmit to the Board of County Commissioners its recommendations for the classification of all property in the proposed district. The Board of County Commissioners, upon receipt from the Planning Commission of the said recommendation for change, may adopt, alter or reject by resolution the recommended change in the district boundary lines, zone classifications or regulations. The Board of County Commissioners may conduct public hearings involving recommendations of the Planning Commission on amendments to the text of this title or area wide zone changes, but with respect to site specific zone change requests, the Board of County Commissioners must consider the issue in a closed record appeal hearing, as outlined in BCC 11.52.130."

2. Benton County Code Section 11.52.120 states the following for changes in zone classification petitions for change:

11.52.120 PETITIONS FOR CHANGE OF CLASSIFICATION.

(a) A petition for a change in classification shall be signed by all persons with an ownership interest in the property to be reclassified, as shown in the records of the Benton County Assessor, and all persons, if any, with separate ownership of the mineral rights in such property. Notwithstanding BCC 17.10.090(b)(2), a petition for a change in classification shall not be deemed complete without a representation that the petition has been signed by all such persons.

(b) The signatures of all person or persons having a contract right, as purchaser to receive title to any lot or parcel of property upon completion of the purchase price thereof, shall, for the purpose of this title, be deemed the signature of all persons with an ownership interest in the property; provided that the said person or persons state in writing over their signature that they are purchasing the property in question under contract. Nothing in this subsection eliminates the requirement that all persons, if any, with separate ownership of the mineral rights in such property must also sign said petition.

(c) All petitions requesting classification or change in classification of property must state the address of each signer and the legal description of the property owned by him.

(d) The county planning commission shall hold not less than one public hearing on all valid petitions for change of classification, and shall transmit, thereafter, the petition with their findings and recommendations to the board of county commissioners, who may adopt or reject by resolution such proposed zone change.

(e) A non-refundable fee as established by resolution of the Board of Benton County Commissioners shall be submitted with the petition.

3. The following goals and policies of the Benton County Comprehensive Plan would be applicable to this application:

GOAL 50

Expand employment opportunities.

POLICIES:

- A. That economic growth and diversification in the County shall be planned for and encouraged.
- B. That the agricultural economic base of Benton County shall be maintained and protected.
- C. That locations for commercial retail and service activities serving urban and regional markets shall be made exclusively within Urban Growth Areas. Commercial development serving rural communities is appropriate on commercially designated lands within or adjacent to the communities of Finley, Plymouth, Paterson, Whitstran, and Kiona. Highway commercial development is appropriate for areas designated for such at highway interchanges. Master planned resorts and tourist oriented visitor destinations are appropriate countywide.
- D. That commercial activities develop in "nodes" or clusters as opposed to strip-type configurations.
- E. That where practical, commercial development utilize a frontage road or a circulation system that will prevent the occurrence of numerous driveways opening onto arterial roadways.
- F. That uses locating within areas designated "Interchange Commercial" be those which serve interstate freeway traffic.
- G. That commercial developments be planned, constructed and landscaped so as to be visually and physically compatible with surrounding areas and uses.

GOAL 51

To provide areas for the location of light and environmentally acceptable heavy industrial uses, while minimizing impacts on surrounding rural uses.

POLICIES:

- A. That established industrial sites in compliance with the Plan and on lands designated for industrial use be protected from being compromised by the encroachment of incompatible uses through the use of performance and/or site design criteria on adjacent lands not designated Industrial.
- B. That non-agricultural related industry be located on sites not designated as "GMA Agriculture".
- C. That map designations be made for the location of a diversity of light and heavy industrial uses consistent with maintaining environmental quality and infilling or building out rural community core areas, or taking advantage of locational opportunities such as shoreline and rail assets.

That light and heavy industrial uses be encouraged to locate in areas where: Access can be provided by major transportation networks such as road, rail,

air and water; Existing development is characterized by and/or compatible with industrial activity; Utilities; including electric, gas water and sewer, can be adequately provided, either as extensions of municipal facilities (e.g. by service contract) or by on-site facilities.

All lands designated heavy industrial be governed by performance standards set forth within the zoning ordinance and by the following restrictions:

1. Compliance with all State, local and Federal laws and regulations with regard to the disposal of pollutants of any nature into the water or the reservoirs.
2. A maximum decibel level of 65 beyond the boundary of the industrially used property, except where levels exceeding 65 decibels are only occasional and incidental as opposed to constant or frequent.
3. That no activity or use shall be carried on, or permitted, which would generate obnoxious odors, fumes, dust or create other conditions in violation of local, State or Federal air pollution laws and regulations.
4. No use shall be permitted that will result in the disposal of pollutants of any nature, floatable or nonfloatable, into water courses, watersheds, reservoirs, by stream, floods, or otherwise which could be detrimental to public health, safety, and welfare, including the degradation of the functions and values of natural resources.
5. Service infrastructure and capacities necessary to support such industrial uses shall be limited to those necessary to serve build-out of the industrial designation and shall not permit low density sprawl in rural areas.

STAFF'S FINDINGS OF FACT:

Based on the application and information received as of the date of this memo, the planning staff makes the following findings:

1. The Applicant and Owner of the property for ZC 09-01 is Marnie Gibbs, P.O. Box 1250, Prosser, WA 99350.
2. Petition for Zone Reclassification ZC 09-01 is requesting approval for a change of zoning classification of three parcels totaling 135.01-acres from Unclassified to Light Industrial.
3. Petition for Zone Reclassification ZC 09-01 was submitted on June 24, 2009, and determined to be a complete application on June 30, 2009. The Notice of Application required by BCC 17.10.100 was published on July 7, 2009 and sent to the property owners with 300 feet of the applicant's property.
4. The affected agencies review letter was sent on July 2, 2009. The comments of those agencies that responded are attached to this staff memo.
5. The notice for the Benton County Planning Commission's Open Record Hearing for application ZC 09-01 was published on Thursday, July 30, 2009 in the Tri-City Herald and

mailed to property owners of record within 300 feet of the outer boundaries of the parcel. The Open Record Hearing is scheduled for Tuesday, August 11, 2009.

6. The Petition for Zone Reclassification ZC 09-01 has been reviewed under the requirements of the State Environmental Policy Act and a Determination of Non-Significance (DNS) was issued on July 22, 2009.
7. The Petition for Zone Change ZC 09-01 was sent to, but did not receive comments from, the following agencies: Benton County Fire District No.1, and the Benton-Franklin Health District.
8. The responding agencies of the Benton County Fire Marshal, Benton County Building Department, Benton County Department of Public Works, and Sunnyside Irrigation District are not opposed to the zone change. Their comments are attached to this memo as exhibits.
9. The surrounding properties are largely developed with single-family residences, commercial and light industrial uses. The nearest residential development, is east of the subject property across the canal.
10. The site and surrounding parcels are zoned Unclassified, the future land use designation in the 1998 Benton County Comprehensive Plan shows this area designated as Light Industrial.
11. The application for ZC 09-01 is in compliance with the Benton County Comprehensive Plan.
12. Also attached are those portions of the Benton County Comprehensive Plan- Chapter Four - Land Use Element pages 4-43 and 4-44 regarding the Light Industrial Designation.

DISPOSITION OF THE APPLICANT'S REQUEST:

The subject property has been zoned Unclassified for approximately 50 years. In that time many changes have taken place. In 1982, Interstate 82 was constructed north of the parcel. Several industrial/commercial type businesses are located north and west of the subject property. The uses directly adjacent to the site are a small manufacturing business and wrecking yard. These uses are compatible with the uses allowed in the light industrial zone designation. The property has defined boundaries such as the irrigation canal along the south and east sides, Wilgus road on the west side and County Route 12 on the north side. The site is mostly flat with frontage on both CR 12 and Wilgus Roads.

If the Planning Commission finds that the applicant's request is in compliance with the intent of the Benton County Comprehensive Plan and approval of the change of zone is in the public interest, it would appear that grounds exist for approving the zone change. If such findings cannot be made, it would appear that the zone change should be denied.

If the Planning Commission finds that the application from Marnie Gibbs, requesting that the zoning classification of their property be changed from Unclassified to Light Industrial is in compliance with the intent of the Benton County Comprehensive Plan and approval of the change of zone is in the public interest and the Planning Commission decides to approve the request, Planning Staff recommends that the following described property be included in the approval:

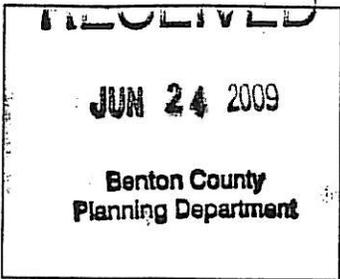
That portion of Section 29, Township 9 North, Range 24 East, W.M., Benton County Washington, south of the southerly right-of-way of highway CR 12, described as follows, being:

The Northwest Quarter, South of North Coast right of way, less Beginning at the intersection of South right of way line of Highway # 3 and West of the East one-half of the Southwest Quarter of the Northwest Quarter: Thence South-Easterly along said right of way 209 feet, thence South parallel with the East line 418 feet, thence Northwesterly parallel with said South right of way line 209 feet to the West line of the East Half of the Southwest Quarter of the Northwest Quarter, thence North 418 feet to the point of beginning, and except the West Half of the West Half of the Northwest Quarter lying South of the highway, the North half of the Southwest Quarter, lying North of Sunnyside Canal. The Northwest Quarter of the southeast Quarter, Northwesterly of the Canal less the North 3 acres of that portion of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter lying North of the Sunnyside Canal, and South of the State Highway.

The Southwest Quarter of the Northeast Quarter, South of Highway right of way, all in Section 28 Township 9 North, Range 24 East W.M.

Subject to any road rights-of-way, easements, reservations, covenants, and restrictions of record.

BENTON COUNTY PLANNING DEPARTMENT
APPLICATION FOR ZONE RECLASSIFICATION



FILE NO: 2C 09-01

The petitioner(s) MARNIE GIBBS #371 who is/are the owner(s)/ contract purchaser(s) of Parcel # See Below and do hereby petition the Benton County Planning Commission to have the real property described as (parcel Number/legal description):

3 PARCEL NUMBERS: 128944000010000, 128941000008000, 128942000008000

also known as 12011 N. Wilgus Rd, PROSSER to be changed from the zoning classification of unclassified to the zoning classification of light industrial.

I hereby state that I/we am/are the applicant(s) of this application and that all owners of the property hereby approve this application. I/we also certify that the information given in this application is true and complete to the best of my/our knowledge. I also hereby state that if the signature line for all owners of mineral rights is not completed, there is no separate ownership of mineral rights for the property listed above.

Marnie C. Gibbs
Signature of Legal Owner

MARNIE GIBBS
Printed Name

Signature of Person with additional ownership interest

Printed Name

Applicant's Signature

Printed Name

Mineral Owner's Signature
(If different from property owner)

Printed Name

P.O. Box 1250
PROSSER, WA 99350
Address

Address
File No. 2C 09-01
Date 7-29-09
Exhibit No. 2
Received by djh

Address

Address

1. Comprehensive Plan designation LIGHT INDUSTRIAL

2. The change in classification for the above-described property is requested for the purpose of conducting the following described use(s) which is/are known to be consistent with the classification requested:

Light industrial activities. NO SPECIFIC PROJECT
AT THIS TIME

3. The property will be served by:

WATER: Well Private System City System
SEWER: Septic Tank City Sewer Private System
POWER: PUD REA PROPERTY IS SERVED BY BOTH
PHONE: Yes No Name of Utility Embarque
GAS: Yes No Name of Utility UNKNOWN
CABLE: Yes No Name of Utility UNKNOWN
IRRIG.: Yes No Name of Utility GRANDVIEW IRRIGATION
PRIVATE IRR. Yes No

4. Time schedule for re-development: NONE AT THIS TIME

Facts to justify the change on the basis of advancing the public health, safety and general welfare:

the property is proposed as light industrial under the comprehensive plan and the time line for ratifying that plan is unknown. I would like the zoning change to take affect now giving me more options as a land owner.

6. Effect the proposed change will have on adjacent property and on the comprehensive plan:

None to my knowledge.

7. Effect on the property owner(s) if the request is not granted: CAN If not approved

it would not be consistent with Benton City Comprehensive Plan.

Any information submitted to the Benton County Planning/Building Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

FEE: \$400.00 submitted with the application. Checks are to be made payable to the Benton County Treasurer. THERE ARE NO GUARANTEES THAT YOUR APPLICATION WILL BE APPROVED. THIS FEE IS NON-REFUNDABLE.

ENVIRONMENTAL CHECKLIST

EA 09-30

File No. ZC 09-01
Date 7-29-09
Exhibit No. 3
Received by dfh

A. BACKGROUND

1. Name of proposed project, if applicable:

N/A

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JUN 24 2009

Benton County
Planning Department

2. Name of applicant:

MARNIE GIBBS #371

3. Address and phone number of applicant and contact person:

P.O. Box 1250 (509) 882-2802 hm
PROSSER, WA 99350 901-1570 cell.

4. Date checklist prepared:

6/24/09

5. Agency requesting checklist:

BENTON COUNTY PLANNING DEPT.

6. Proposed timing or schedule (including phasing, if applicable):

N/A.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal?

N/A

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

N/A

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

N/A

10. List any government approvals or permits that will be needed for your proposal, if known.

N/A

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Change in zoning request to be in line w/ comp plan of light industrial.

12. Location of the proposal: Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

12011 N. Wilgus Rd. PROSSER.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other:

b. What is the steepest slope on the site (approximate percent slope)?

27%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

DIRT + ROCK

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

NO

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

N/A

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A

2. **Air**

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if know.

N/A

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

3. **Water**

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

IRRIGATION CANAL

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water, or wetlands, and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

4) Will the proposal require surface water withdrawals or diversions? Give

N/A

general description, purpose, and approximate quantities if know.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

N/A

6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A

b. Ground:

1) Will ground water be withdrawn, or will water be discharge to ground water? Give general description, purpose, and approximate quantities if know.

N/A

2) Describe waster material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage, industrial, containing the following chemicals. . . , agricultural, etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A

c. Water Runoff (including storm water):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A

2) Could waste materials enter ground or surface waters? If so, generally describe.

N/A

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

N/A

4. Plants

a. Circle types of vegetation found on the site: deciduous tree: alder, maple, aspen, other; evergreen tree: fir, cedar, pine, other; shrubs grass; pasture' crop or grain; wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other; water plants: water lily, eelgrass, milfoil, other; other types of vegetation.

b. What kind and amount of vegetation will be removed or altered?

N/A

c. List threatened or endangered species known to be on or near the site.

N/A

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A

5. **Animals**

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site: birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other: _____

fish: bass, salmon, trout, herring, shellfish, other: _____

NONE OF THE ABOVE

b. List any threatened or endangered species known to be on or near the site.

N/A

c. Is the site part of a migration route? If so, explain.

N/A

d. Proposed measures to preserve or enhance wildlife, if any:

N/A

6. **Energy and Natural Resources**

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A

- c. What kinds of energy conservation feature are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A

7. **Environmental Health**

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

N/A

- 1) Describe special emergency services that might be required.

- 2) Proposed measures to reduce or control environmental health hazards, if any:

b. **Noise**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

N/A

- 2) What types and levels of noise would be created by or associate with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A

- 3) Proposed measures to reduce or control noise impacts, if any:

N/A

8. **Land and Shoreline Use**

- a. What is the current use of the site and adjacent properties?

PASTURE LAND

- b. Has the site been used for agriculture? If so, describe.

PASTURE LAND

- c. Describe any structures on the site.
Mobile Home + Shop Bldg.
- d. Will any structures be demolished? If so, what?
NO
- e. What is the current zoning classification of the site?
UNCLASSIFIED
- f. What is the current comprehensive plan designation for the site?
LIGHT INDUSTRIAL
- g. If applicable, what is the current shoreline master program designation of the site?
N/A
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
NO
- i. Approximately how many people would reside or work in the completed project?
N/A
- j. Approximately how many people would the completed project displace?
N/A
- k. Proposed measures to avoid or reduce displacement impacts, if any:
N/A
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
N/A
9. **Housing**
- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
N/A
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
N/A

c. Proposed measures to reduce or control housing impacts, if any:

N/A

10. **Aesthetics**

a. What is the tallest height of any proposed structures(s) not including antennas; what is the principal exterior building material(s) proposed?

N/A

b. What views in the immediate vicinity would be altered or obstructed?

N/A

c. Proposed measures to reduce or control aesthetic impacts, if any:

N/A

11. **Lights and Glare**

a. What type of light or glare will be the proposal produce? What time of day would it mainly occur?

N/A

b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A

c. What existing off-site sources of light or glare may affect your proposal?

N/A

d. Proposed measures to reduce or control light and glare impacts, if any:

N/A

12. **Recreation**

a. What designated and informal recreational opportunities are in the immediate vicinity?

N/A - UNKNOWN

b. Would the proposed project displace any existing recreational uses? If so, describe.

NO

c. Proposed measures to reduce or control impacts or recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A

13. Historic and Cultural Preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

NO

b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site.

NONE

c. Proposed measures to reduce or control impacts, if any:

NONE

14. Transportation

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plan, if any.

Wilgus Rd & City Rt 12/Wine Country Rd.

b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

UNKNOWN

c. How many parking spaces would the completed project have? How many would the project eliminate?

NONE

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

None

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

None

f. How many vehicular trips per day would be generated by the completed project? If know, indicate when peak volumes would occur.

NONE

g. Proposed measures to reduce or control transportation impacts, if any:

NONE

15. **Public Services**

a. Would the project result in an increased need for public services (for example, fire protection, police protection, health care, schools, etc.)? If so, generally describe.

No

b. Proposed measures to reduce or control direct impacts on public services, if any.

NONE

16. **Utilities**

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service telephone, sanitary sewer, septic system, other.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

NONE

ESA LISTED SALMONIDS CHECKLIST

The Listed Salmonids Checklist is provided in order that the county may initially identify a project's potential impacts (if any) on salmonids that have been listed as "threatened" or "endangered" under the Federal Endangered Species Act (ESA). A salmonid is any fish species that spends part of its life cycle in the ocean and returns to fresh water. Potential project impacts that may result in a "taking" of listed salmonids must be avoided, or mitigated to insignificant levels. Generally, under ESA, a "taking" is broadly defined as any action that causes the death of, or harm to, the listed species. Such actions include those that affect the environmental in ways that interfere with or reduce the level of reproduction of the species.

If ESA listed species are present or ever were present in the watershed where your project will be located, your project has the potential for affecting them, and you need to comply with the ESA. The questions in this section will help determine if the ESA listing will impact your project. The Fish Program Manager at the appropriate Department of Fish and Wildlife (DFW) regional office can provide information for the following two questions. Please contact the Dept. of Fish and Wildlife at 1701 S. 24th, Yakima WA 98902-5720, Phone No. 509-575-2740.

1. Are ESA listed salmonids currently present in the watershed in which your project will be? YES ___ NO X
Please Describe.

2. Has there ever been an ESA listed salmonid stock present in this watershed?
YES ___ NO X
Please Describe.

If you answered "yes" to either of the above questions, you should complete the remainder of this checklist.

PROJECT SPECIFIC: The questions in this section are specific to the project and vicinity.

A1. Name of watershed _____

A2. Name of nearest waterbody _____

A3. What is the distance from this project to the nearest body of water? _____

Often a buffer between the project and a stream can reduce the chance of a negative impact to fish.

A4. What is the current land use between the project and the potentially affected water body (parking lots, farmland, etc.)

A5. Is the project above a:
 Natural permanent barrier (waterfall) YES _____ NO _____
 Natural temporary barrier (beaver pond) YES _____ NO _____
 Man-made barrier (culvert, dam) YES _____ NO _____
 Other (explain) _____

A6 If yes, are there any resident salmonid populations above the blockage? YES _____
 NO _____ Don't Know _____

A7. What percentage of the project will be impervious surface (including pavement & roof area)?

FISH MIGRATION: The following questions will help determine if this project could interfere with migration of adult and juvenile fish. Both increases and decreases in water flows can affect fish migration.

B1. Does the project require the withdrawal of
 a. Surface water? Yes _____ No _____
 Amount _____
 Name of surface water body _____
 b. Ground water? Yes _____ No _____
 Amount _____
 From Where _____
 Depth of well _____

B2. Will any water be rerouted? YES _____ NO _____
 If yes, will this require a channel change?

B3. Will there be retention ponds? YES _____ NO _____
 If yes, will this be an infiltration pond or a surface discharge to either a municipal storm water system or a surface water body?

If to a surface water discharge, please give the name of the waterbody.

B4. Will this project require the building of new roads? Increased road mileage may affect the timing of water reaching a stream and may, thus, impact fish habitat.

B5. Are culverts proposed as part of this project?

Yes _____ No _____

B6. Will topography changes affect the duration/direction of runoff flows?
Yes _____ No _____

If yes describe the changes.

B7. Will the project involve any reduction of the floodway or floodplain by filling or other partial blockage of flows? Yes _____ No _____

If yes, how will the loss of flood storage be mitigated by your project?

WATER QUALITY: The following questions will help determine if this project could adversely impact water quality. Such impacts can cause problems for listed species. Water quality can be made worse by runoff from impervious surfaces, altering water temperature, discharging contaminants, etc.

C1. Do you know of any problems with water quality in any of the streams within this watershed? YES _____ NO _____

If yes please describe.

C2. Will your project either reduce or increase shade along or over a waterbody?
YES _____ NO _____ Removal of shading vegetation or the building of structures such as docks or floats often result in a change in shade.

C3. Will the project increase nutrient loading or have the potential to increase nutrient loading or contaminants (fertilizers, other waste discharges, or runoff) to the waterbody?
YES _____ NO _____

C4. Will turbidity be increased because of construction of the project or during operation of the project? In-water or near water work will often increase turbidity.

YES ___ NO ___

C5. Will your project require long term maintenance, i.e., bridge cleaning, highway salting, chemical sprays for vegetation management, clearing of parking lots?

YES ___ NO ___

Please Describe.

Vegetation: The following questions are designed to determine if the project will affect riparian vegetation, thereby, adversely impacting salmon.

D1. Will the project involve the removal of any vegetation from the stream banks?

YES ___ NO ___

If yes, please describe the existing conditions and the amount and type of vegetation to be removed.

D2. If any vegetation is removed, do you plan to re-plant? YES ___ NO ___

If yes, what types of plants will you use?

SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Marnie Gibbas

Print Name- MARNIE GIBBAS

Date Submitted: 6/24/09

C. SUPPLEMENTAL SHEET FOR NON PROJECT ACTIONS
(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

N/A

Proposed measures to avoid or reduce such increases are:

N/A

2. How would the proposal be likely to affect plants, animals, fish or marine life?

N/A

Proposed measures to protect or conserve plants, animals, fish or marine life are:

N/A

3. How would the proposal be likely to deplete energy or natural resources?

N/A

Proposed measures to protect or conserve energy and natural resources are:

N/A

4. How would the proposal be likely to use or affect environmentally sensitive areas or

areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains, or prime farmlands?

N/A

Proposed measures to protect such resources or to avoid or reduce impacts are:

N/A

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

N/A

Proposed measures to avoid or reduce shoreline and land use impacts are:

N/A

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

N/A

Proposed measures to reduce or respond to such demands(s) are:

N/A

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment

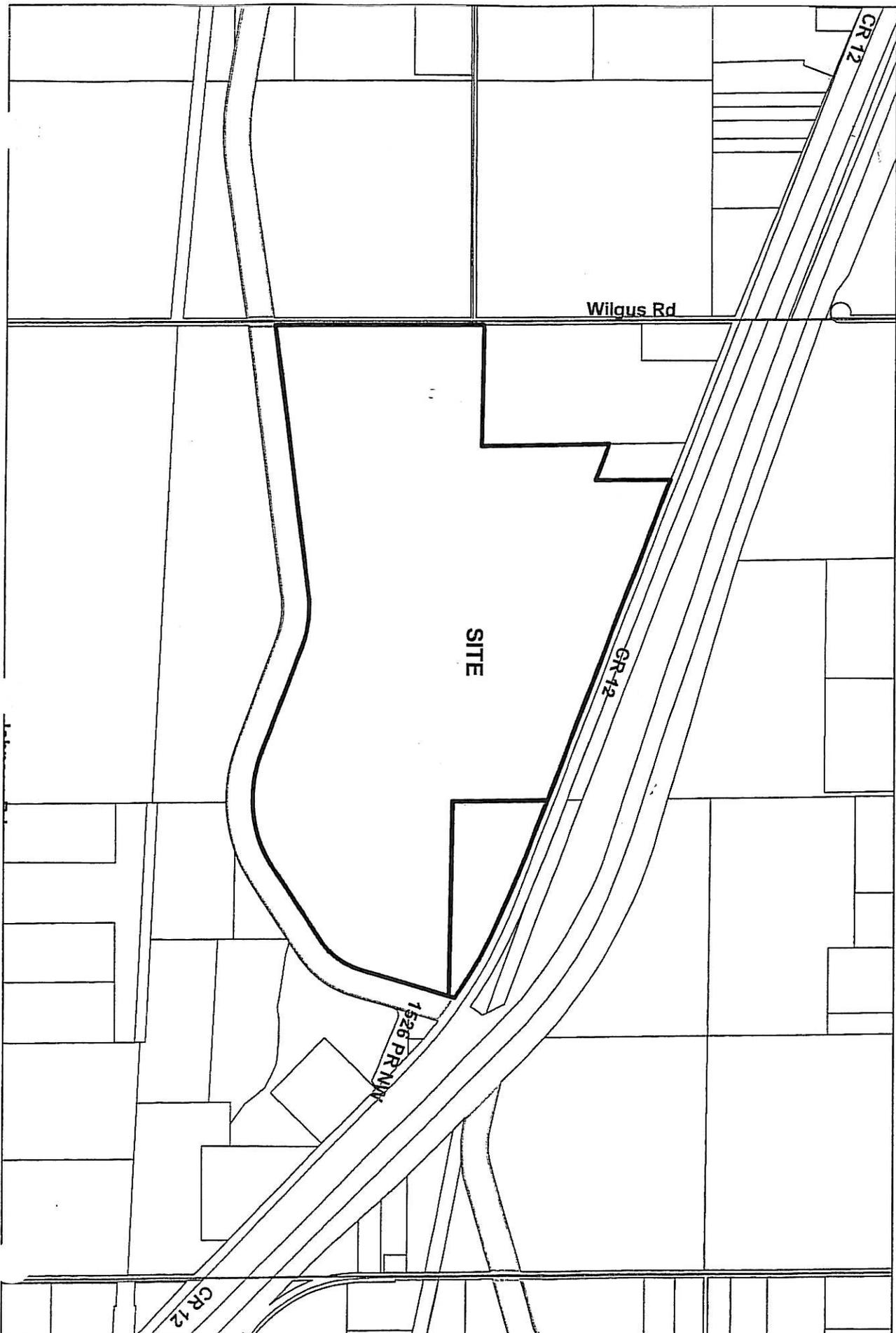
N/A



BENTON COUNTY
PLANNING
DEPARTMENT

SECTION 29 TOWNSHIP 9 NORTH, RANGE 24 EAST
ZC 09-01
PRINTED 07/01/09

Benton County does not warrant, guarantee, or accept any liability for accuracy, precision or completeness of any information shown hereon or for any inferences made therefrom. Any use made of this information is solely at the risk of the user. Benton County makes no warranty, expressed or implied, and any oral or written statement by any employee of Benton County or agents thereof to the contrary. The information shown hereon is a preliminary product of the Benton County Geographic Information Systems, and is prepared for presentation purposes only.



Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

NOTICE OF APPLICATION

File No. ZC 09-01
Date 7/29/09
Exhibit No. 4
Received by dth

NOTICE IS HEREBY GIVEN that there has been proposed to the Benton County Planning Department, an application (File No. ZC 09-01/EA 09-30) dated June 24, 2009 for a change in the zoning classification from Unclassified to Light Industrial by Marnie Gibbs, P.O. Box 1250, Prosser WA 99350. The site is located South of County Route 12, North of the Sunnyside Canal and East of Wilgus Road in a portion of the Northeast and Northwest Quarters of Section 28, Township 9 North, Range 24 East, W.M.

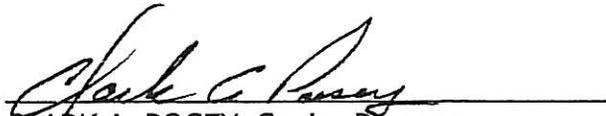
NOTICE IS FURTHER GIVEN that the Benton County Planning Department will review said application and a public hearing will be scheduled at a later date. When the public hearing is scheduled, property owners within 300 feet of the boundaries of the project site will receive a public hearing notice.

NOTICE IS GIVEN that said proposal will be reviewed under the requirements of the State Environmental Policy Act. The Benton County Planning Department expects to issue a Determination of Non-Significance (DNS) with respect to this proposal and its environmental impacts utilizing the optional DNS process set forth in WAC 197-11-355. A copy of the subsequent threshold determination for this proposal may be obtained from the Benton County Planning Department.

NOTICE IS GIVEN that all concerned persons will have fourteen (14) days from the date of publication of this notice to comment in writing on this action. This comment period may be the only opportunity to comment on the environmental impacts of this proposal. Comments should be submitted to the Benton County Planning Department, P.O. Box 910, Prosser, WA 99350.

More information concerning this action can be obtained by contacting Michael Shuttleworth, at the Benton County Planning Dept. P.O. Box 910, Prosser, WA, or by calling Prosser - 786-5612 or Tri-Cities - 736-3086.

Dated at Prosser, Washington on this 2nd day of July 2009



CLARK A. POSEY, Senior Planner
PLANNING DEPARTMENT

PUBLISH ON: July 30, 2009
9

**Benton County Fire Marshal's
Review of Proposed Planning Applications**

TO: Mike Shuttleworth

Zone Change 09-01

Date Received 7-3-09

Date Returned 7-6-09

File No. 2009-01

Date 7-29-09

Exhibit No. 5

Received by djh

Applicant's Comments: Marie Gibbs, PO Box 1250, Prosser, 882-2802, cell 961-1570, Proposes to change three parcels at 12011 Wilgus from Ag to Light Industrial.

Fire Marshal's Comments:

Developments will need to meet the commercial requirements for fire flow, occupancy and construction.

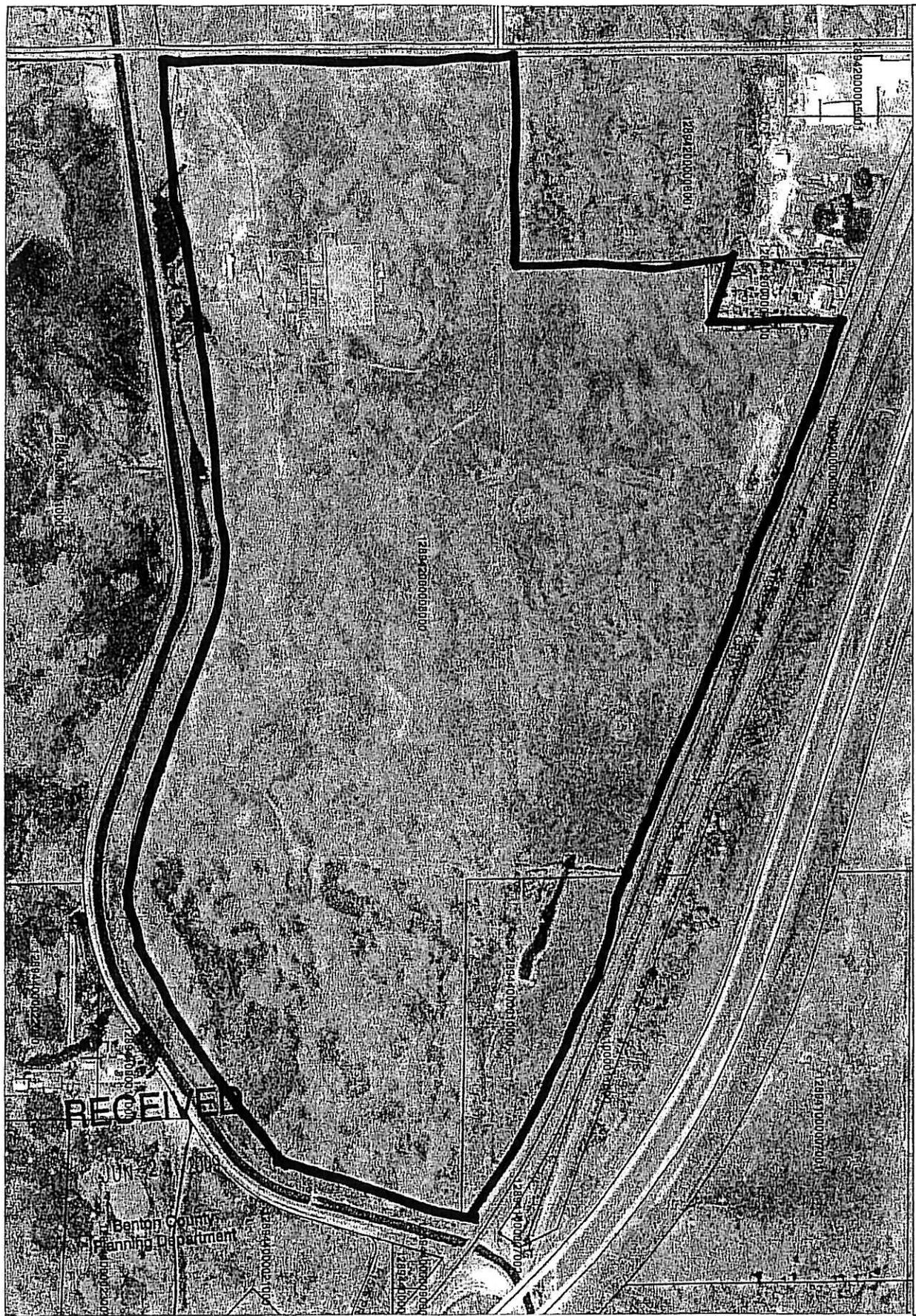
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JUL - 3 2009

**Benton County
Planning Department**

Scale: 1" = 400'
Date Printed: 05/4/09
Orthophoto: 2004

This is a reproduction of an aerial photograph. It is not a map. It is not intended to be used as a map. It is not intended to be used for any purpose other than for general information. It is not intended to be used for any purpose other than for general information.



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Benton County
Planning Department

From: Steve Brown
To: Planning Department
Date: 7/2/2009 4:53 PM
Subject: Re: Notice of Application for ZC 09-01

File No. ZC 09-01
Date 7-29-09
Exhibit No. 6
Received by djn

No comments- SB

>>> Planning Department 7/2/2009 3:24 PM >>>

Attached please find a Notice of Application, SEPA Document and Zone Change for ZC 09-01, Marnie Gibbs. Please provide comments via email to the address below.

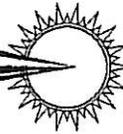
Benton County Planning Department
P.O. Box 910
1002 Dudley Avenue
Prosser WA 99350
786-5612-Prosser
736-3086-Tri-Cities
786-5629-Fax

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JUL - 3 2009

**Benton County
Planning Department**

**SUNNYSIDE
VALLEY
IRRIGATION
DISTRICT**



SERVING AGRICULTURE SINCE 1908

File No. ZC09-01
Date 7-29-09
Exhibit No. 7
Received by djh

July 15, 2009

Michael E. Shuttleworth, Senior Planner
Benton County Planning/Building Department
Planning Annex
P.O. Box 910
Prosser, WA 99350

RECEIVED

JUL 15 2009

**Benton County
Planning Department**

Re: Zoning Reclassification – ZC-09-01 – Marnie Gibbs
Parcels – 1-2894-400-0010-000 & 1-2894-200-0008-000

Dear Mr. ^{Mike} Shuttleworth:

This office has reviewed the proposed project. Sunnyside Valley Irrigation District (SVID) has the following comments:

1. SVID does have facilities, the Sunnyside Main Canal, within the parcels for development. The location of the facilities may hinder proposed development. Please contact the District for specific details and location of facilities.
2. Runoff and/or crossings into or across any SVID facility will not be allowed unless it is approved through the permitting process.
3. Buildings and/or obstructions will not be allowed within SVID easement or right-of-way without permits.
4. These parcels fall within the Grandview Irrigation District which may have irrigation and/or drainage facilities within the area for development.

Thank you for the opportunity to comment on this proposed project. If you have any questions, please feel free to contact Tinker Kouyian or Ron Cowin at (509) 837-6980.

Sincerely,

Don Schramm, P.E.
Assistant Manager – Engineering

N:\WORD\SHARE\Engineering Standard Letters\Benton County\Gibbs 1-2894-400-0010-000,1-2894-200-0008-000 Zoning Reclassification-.doc

From: Sue Schuetze
To: Clark Posey
Date: 7/24/2009 9:16 AM
Subject: ZC 09-01 and EA 09-30 Gibbs

File No. ZC 09-01
Date 7-29-09
Exhibit No. 8
Received by cyh

RECEIVED

JUL 24 2009

**Benton County
Planning Department**

We have no comments on this.

Sue Schuetze, Engineer II
Benton County Public Works
P. O. Box 1001
Prosser, WA 99350
509.786.5611 office
509.786.5627 FAX

Sue Schuetze, Engineer II
Benton County Public Works
P. O. Box 1001
Prosser, WA 99350
509.786.5611 office
509.786.5627 FAX

DETERMINATION OF NONSIGNIFICANCE

Description of proposal: A change in the Zoning Classification from Unclassified to Light Industrial.

Proponent Marnie Gibbs
P.O. Box 1250
Prosser WA 99350

File No. ZC09-01
Date 7-29-09
Exhibit No. 9
Received by djh

File No. **EA 09-30**

Location of proposal, including street address, if any: The site is located South of County Route 12, North of the Sunnyside Canal and East of Wilgus Road in a portion of the Northeast and Northwest Quarters of Section 28, Township 9 North, Range 24 East, W.M.

Lead agency **BENTON COUNTY**

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

THERE IS NO COMMENT PERIOD FOR THIS DNS.

Responsible Official

Michael Shuttleworth, Planning Manager
Benton County Planning Dept.
Post Office Box 910 PHONE: (509) 786-5612
Prosser, WA 99350-0910 (509) 736-3086

Date **July 22, 2009**

Signature


Michael Shuttleworth

THERE IS NO AGENCY APPEAL.

DISTRIBUTION:

- Applicant
- News Media (Encl. map or plot plan)
- Benton County Building Office
- Department of Natural Resources-Olympia
- Department of Natural Resources -Ellensburg
- Benton Clean Air Authority
- Bureau of Reclamation
- Benton County Public Works
- City of Prosser
- Benton-Franklin Dist. Health Department
- Grandview Irrigation District
- Sunnyside Valley Irrigation District
- Department of Transportation
- Washington State Department of Health
- Department of Ecology - Olympia
- Dept. of Ecology - Yakima

- Fire District 3
- Fire Marshal
- Bureau of Land Management
- Department of Fish and Wildlife
- Dept. of Archaeology & Historic Preservation
- Futurewise

Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

NOTICE OF PUBLIC HEARINGS

NOTICE IS GIVEN that the following applications will be considered by the Planning Commission of Benton County, Washington, at public hearings on August 11, 2009 at the hour of 7:00 p.m. in the Hearing Room, Benton County Planning Annex, 1002 Dudley Avenue, Prosser, WA 99350. At this hearing, the Planning Commission may recommend approval, conditional approval or disapproval of the applications to the Benton County Board of Commissioners. All parties concerned may appear and present any support or objections for the applications. It is suggested that if you plan on attending the hearing that you call the Benton County Planning Department the afternoon of the hearing by 4 p.m. to confirm that the hearing will be conducted as scheduled. Information concerning the application can be obtained at the Benton County Planning Department, P.O. Box 910, 1002 Dudley Avenue, Prosser, Washington 99350 or by calling 736-3086 (Tri-Cities) or 786-5612 (Prosser).

* **ZC 09-01/EA 09-30** - an application dated June 24, 2009 for a change in the zoning classification from Unclassified to Light Industrial by Marnie Gibbs, P.O. Box 1250, Prosser WA 99350. The site is located South of County Route 12, North of the Sunnyside Canal and East of Wilgus Road in a portion of the Northeast and Northwest Quarters of Section 28, Township 9 North, Range 24 East, W.M. *

Ordinance Amendment to BCC 3.26 - Relating to the flood damage prevention, amending Ordinance 419, Section 2, and BCC 3.26.040; amending Ordinance 224, Section 2, Ordinance 230, Section 3, Ordinance 419, Section 4 and BCC 3.26.080; and amending Ordinance 208, Section 15, Ordinance 419, Section 7 and BCC 3.26.150. Amending the definition for "Substantial Improvement" to include wording regarding safety code specification that has been previously identified by a local code enforcement official. Adding wording to require nonresidential construction be elevated to one foot or more above the base flood elevation or be floodproofed so that one foot or more above the base flood level the structure is watertight.... Amending BCC 3.26.150 - Review of Construction or Development Projects, to add the words "through the Flood Insurance Study, FIRM or BCC 3.26.150" in regards to information that must be obtained and adding wording relating to verifying and recording the actual elevation to which the structure was floodproofed.

NOTICE IS FURTHER GIVEN that said proposals have been reviewed under the requirements of the State Environmental Policy Act, as amended, along with the Environmental Checklist and other information. Determination have been made as to the environmental impacts of the proposals and Determinations of Non-Significance have been issued. Accordingly, an Environmental Impact Statement is not required. These determinations were made on July 22, 2009.

Benton County welcomes full participation in public meetings by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or required assistance to comment at this public meeting, please contact the Benton County Building Department at the above stated phone numbers or address at least ten days prior to the date of the meeting to make arrangements for special needs.

DATED at Prosser, Washington on this 24th day of July 2009.

File No. 2C 09-01
Date 7-29-09
Exhibit No. 10
Received by djh

MARTIN SHEERAN, Chairman
BENTON COUNTY PLANNING COMMISSION


MICHAEL SHUTTLEWORTH, Planning Manager
BENTON COUNTY PLANNING DEPT.

PUBLISH: July 30, 2009

File No. ZC 09-01
Date 7-29-09
Exhibit No. 11
Received by djn

11.52.110

11.52.110 AMENDMENTS. The board of commissioners may, upon recommendation of the county planning commission, change by resolution the district boundary lines or zone classification as shown on the use district maps, and, or amend, supplement or change by resolution the regulations herein contained. After holding at least one open record hearing, the county planning commission shall transmit to the board of county commissioners its recommendations for the classification of all property in the proposed district. The board of county commissioners, upon receipt from the planning commission of the said recommendations for change, may adopt, alter or reject by resolution the recommended change in district boundary lines, zone classifications, or regulations. The board of county commissioners may conduct public hearings involving recommendations of the planning commission on amendments to the text of this title or area wide zone changes, but with respect to site specific zone change requests, the board of county commissioners must consider the issue in a closed record appeal hearing, as outlined in BCC 11.52.130.

[Ord. 62 (1960) § 1; Ord. 290 (1996) § 3; Ord. 389 (2003) § 1]

[NOTE: This chapter is continued on the following page.]

11-49.02

File No. ZC 09-01
Date 7-29-09
Exhibit No. 12
Received by djh

11.52.130

11.52.120 PETITIONS FOR CHANGE OF CLASSIFICATION. (a) A petition for a change in classification shall be signed by all persons with an ownership interest in the property to be reclassified, as shown in the records of the Benton County Assessor, and all persons, if any, with separate ownership of the mineral rights in such property. Notwithstanding BCC 17.10.090(b)(2), a petition for a change in classification shall not be deemed complete without a representation that the petition has been signed by all such persons.

(b) The signatures of all person or persons having a contract right, as purchaser to receive title to any lot or parcel of property upon completion of the purchase price thereof, shall, for the purpose of this title, be deemed the signature of all persons with an ownership interest in the property; provided that the said person or persons state in writing over their signature that they are purchasing the property in question under contract. Nothing in this subsection eliminates the requirement that all persons, if any, with separate ownership of the mineral rights in such property must also sign said petition.

(c) All petitions requesting classification or change in classification of property must state the address of each signer and the legal description of the property owned by him.

(d) The county planning commission shall hold not less than one public hearing on all valid petitions for change of classification, and shall transmit, thereafter, the petition with their findings and recommendations to the board of county commissioners, who may adopt or reject by resolution such proposed zone change.

(e) A non-refundable fee as established by resolution of the Board of Benton County Commissioners shall be submitted with the petition.

[Ord. 62 (1960) § 1; Ord. 185 (1985) § 14; Ord. 389 (2003) § 2]

11.52.130 APPEALS. Any interested citizen or administrative official may appeal to the board of county commissioners from any recommendation of the county planning commission adverse to his interest, by filing with the secretary of the planning commission within fourteen (14) days from such recommendation, a written notice of appeal. Thereupon the secretary of the planning commission shall transmit to the board of county commissioners all papers constituting the record upon which the action appealed from was taken. The board of county commissioners shall then conduct a

CHAPTER 11.28
INDUSTRIAL DISTRICT (I-1)

File No. 2C09-01
Date 7-29-09
Exhibit No. 13
Received by djh

SECTIONS:

11.28.010 Permissible Use of Buildings
11.28.020 Building Site
11.28.030 Front, Side and Rear Yards

11.28.010 PERMISSIBLE USE OF BUILDINGS. In the industrial district I-1, no building or premises shall be used nor shall any building or structure be hereafter erected or altered, unless otherwise provided in this title except for one or more of the following uses:

(a) Any use permitted in the residential district, agricultural district or commercial district provided that the "building site" and "yard" requirements of the suburban district shall apply to all single family dwellings, manufactured homes (mobile homes), and multiple family dwellings as if such single family dwellings, manufactured homes, or multiple family dwellings were, in fact, located within the suburban district.

(b) Any use, trade, or industry not otherwise prohibited by law except the following:

- (1) Abattoirs
- (2) Acetylene gas manufacture or storage
- (3) Acid manufacturers
- (4) Ammonia, bleaching powder, or chlorine manufacture
- (5) Arsenal
- (6) Asphalt manufacture or refining
- (7) Blast furnace
- (8) Boiler works
- (9) Brick, tile, terra cotta manufacture
- (10) Candle manufacture
- (11) Bag cleaning
- (12) Celluloid manufacture
- (13) Coke ovens
- (14) Crematory
- (15) Creosote treatment or manufacture
- (16) Disinfectant manufacture

- (17) Distillation of bones, coal or wood
- (18) Dyestuff manufacture
- (19) Exterminator and insect poison manufacture
- (20) Emery cloth and sand paper manufacture
- (21) Fat rendering
- (22) Fertilizer manufacture
- (23) Fireworks or explosive manufacture or storage
- (24) Fish smoking and curing
- (25) Forge plant
- (26) Gas (illuminating or heating) manufacture
- (27) Glue, size or gelatin manufacture
- (28) Gunpowder manufacture or storage
- (29) Incineration or reduction of garbage, dead animals,
offal or refuse
- (30) Iron, steel, brass or copper factory
- (31) Lamp black manufacture
- (32) Oilcloth or linoleum manufacture
- (33) Oiled, rubber or leather goods manufacture
- (34) Ore reduction
- (35) Paint, oil, shellac, turpentine, or varnish
manufacture
- (36) Paper and pulp manufacture
- (37) Perfume manufacture
- (38) Petroleum product, refining, or wholesale storage of
petroleum
- (39) Plating works
- (40) Potash works
- (41) Printing ink manufacture
- (42) Pyroxlin manufacture
- (43) Rock crusher
- (44) Rolling mill
- (45) Rubber or Gutta Procha manufacture or treatment
- (46) Salt works
- (47) Sauerkraut manufacture
- (48) Shoe blacking manufacture
- (49) Smelters
- (50) Soap manufacture
- (51) Soda and compound manufacture
- (52) Stockyards
- (53) Stone mill or quarry
- (54) Storage or boiling of scrap paper, bottles, iron,
rags, or junk
- (55) Stove polish manufacture
- (56) Sulphuric, nitric, or hydrochloric acid manufacture

11.28.020 BUILDING SITE. No site area is required except that all single family dwellings, manufactured (mobile) homes, multiple family dwellings, manufactured (mobile) home parks and recreational vehicle parks, when permitted, shall conform to the building site regulations for such buildings required in the suburban district and/or chapter 3.22 BCC (manufactured home park ordinance) or the recreational vehicle park ordinance. [Ord. 62 (1960) ••1; Ord. 133 (1979) ••10; Ord. 167 (1983) ••10]

11.28.030 FRONT, SIDE AND REAR YARDS. (a) No front yard is required for any property fronting upon a street or highway having a width of one hundred (100) feet or more except as required for all single family dwellings, manufactured homes (mobile homes) or multiple family dwellings by BCC 11.28.010(a).

(b) For any property fronting upon a street or highway having a width of less than one hundred (100) feet there shall be a front yard having a depth of not less than that determined by the following formula:

$$50 - \frac{W}{2} = \text{Depth of front yard}$$

W = Width of the highway or street upon which the property fronts

(c) No side or rear yard is required except as required for all single family dwellings; manufactured homes (mobile homes) or multiple family dwellings by BCC 11.28.010(a). [Ord. 62 (1960) ••1; Ord. 133 (1979) ••11]

CHAPTER 11.48
UNCLASSIFIED DISTRICT (U)

File No. ZC 09-01
Date 7-29-09
Exhibit No. 14
Received by djh

SECTIONS:

11.48.010	Permissible Use of Buildings
11.48.020	Building Site
11.48.030	Front Yard
11.48.040	Side Yard
11.48.050	Rear Yard

11.48.010 PERMISSIBLE USE OF BUILDINGS. In the unclassified district, no buildings or premises shall be used nor shall any building or structure be hereafter erected, except for one or more of the following uses:

- (a) Any use permitted outright in the agricultural district.
- (b) Manufactured home (mobile home) on individual lot.
- (c) All current and energy related uses on the Hanford site shall be permitted.
- (d) Two, three and four manufactured (mobile) homes on an individual lot; provided, the use is approved pursuant to BCC 11.52.065.
- (e) Offsite hazardous waste treatment and storage facilities may be allowed by special permit issued by the Benton County Board of Adjustment after notice and public hearing, as provided in BCC 11.52.090, provided that such facilities must comply with the state siting criteria adopted in accordance with RCW 70.105.210.
- (f) Communication facilities; provided, the use complies with and is approved pursuant to the provisions of Chapter 11.65 BCC or is exempt therefrom pursuant to BCC 11.65.030(b), BCC 11.65.030(c), BCC 11.65.030(d), or BCC 11.65.030(e).

(g) Any of the following uses may be allowed; provided, the use is approved pursuant to BCC 11.52.067:

- (1) Adult family homes.
- (2) Mini-day care homes/centers.
- (3) Family day care homes.

(h) All other uses of property not otherwise prohibited by laws of Benton County or the State of Washington, in addition to those listed below, may be allowed only by special permit issued by the Benton County Board of Adjustment after notice and public hearing as provided in BCC 11.52.090.

- (1) Day care centers.
- (2) Day care homes.
- (3) Residential care facilities.

[Ord. 62 (1960) § 1; Ord. 123 (1977) § 6; Ord. 135 (1979) § 2; Ord. 167 (1983) § 11; Ord. 222 (1988) § 6; Ord. 235 (1991) § 8; Ord. 371 (2001) § 11]

11.48.020 BUILDING SITE. No site area is required except that all single family dwellings, manufactured (mobile) homes, multiple family dwellings, manufactured (mobile) home parks and recreational vehicle parks, when permitted, shall conform to the building site regulations required for such buildings in the suburban district and/or chapter 3.22 BCC (manufactured home park ordinance) or the recreational vehicle park ordinance.
[Ord. 62 (1960) § 1; Ord. 110 (1975) § 2; Ord. 135 (1979) § 3; Ord. 167 (1983) § 12]

[NOTE: Chapter 11.48 BCC is continued on the following page.]

11.48.030 FRONT YARD. (a) There shall be front yard setback of at least fifty-five (55) feet from the centerline of any city, county or state road right-of-way of sixty (60) feet or less in width. If the right-of-way width exceeds sixty (60) feet, the setback then shall be at least twenty-five (25) feet from the property line.

(b) No building shall be hereafter erected or altered so any portion thereof shall be nearer to the front property line than the distance indicated in the preceding subparagraph, EXCEPT eaves, cornices, belt course, and similar ornamentations may project over a front yard not more than two (2) feet. Steps, terraces, platforms, and porches having no roof covering and being not over forty-two (42) inches in height may extend into a front yard.

(c) There shall be a front yard setback of at least twenty-five (25) feet from any access and/or combined access and utility easement adjacent to or within the property.
[Ord. 62 (1960) § 1; Ord. 110 (1975) § 2; Ord. 135 (1979) § 4; Ord. 146 (1981) § 5]

11.48.040 SIDE YARD. (a) There shall be a side yard of at least ten (10) feet on each side of any dwelling, multiple family dwelling, manufactured home (mobile home) or accessory structure, provided that on a corner lot the side yard on the street side shall be at least fifty-five (55) feet from the centerline of any city, county, or state road right-of-way sixty (60) feet or less in width. If the right-of-way width exceeds sixty (60) feet, the setback then shall be at least twenty-five (25) feet from the property line.

(b) No building shall be hereafter erected or altered so that any portion thereof shall be nearer to the side lot line than the distance indicated by the width of the required side yard, EXCEPT:

(1) Eaves, cornices, belt courses, and similar ornamentations may extend over a side yard for a distance of not more than two (2) feet.

(2) Platforms, terraces, and steps, not over forty-two (42) inches in height may extend into the side yard.

(3) Fireplaces may extend into a side yard a distance of not more than eighteen (18) inches.

(c) There shall be a side yard setback of at least twenty-five (25) feet from any access and/or combined access and utility easement adjacent to or within the property.
[Ord. 62 (1960) § 1; Ord. 110 (1975) § 2; Ord. 135 (1979) § 5; Ord. 146 (1981) § 5]

11.48.050 REAR YARD. (a) There shall be a rear yard of at least twenty-five (25) feet.

(b) No dwelling, multiple family dwelling or manufactured home (mobile home) shall be hereafter erected or altered so that any portion thereof may be nearer to the rear lot line than the distance indicated by the depth of the required rear yard, EXCEPT eaves, cornices, steps, platforms, and open porches may extend into the rear yard.

(c) An accessory structure may be located within the required rear yard but no closer than ten (10) feet to the property line provided that no more than forty (40) percentum of the rear yard is occupied by the accessory building.

(d) There shall be a rear yard setback of not less than twenty-five (25) feet from any access and/or combined access and utility easement adjacent to or within the property. (Applies to all buildings including accessory structures.)

(e) For property that has the rear yard adjacent to a street (double frontage lots) all buildings or accessory structures shall be at least fifty-five (55) feet from the centerline of any city, county, or state road right-of-way sixty (60) feet or less in width. If the right-of-way width exceeds sixty (60) feet, the setback shall be at least twenty-five (25) feet from the property line.

[Ord. 146 (1981) § 5]

FILE NO. LC 0701
Date 7-29-09
Exhibit No. 15
Received by djh

Chapter Four - Land Use Element

acres, thereby leaving 42.5 acres of the 50 acres to be farmed, or for another open space use.

Any combination of site plans and parcel sizes is possible under the "average" density provision. The "averaging" provision originates with the perception of rural residents involved in the planning process, that it is the amount of "open space" and low "overall densities" which are the basis of rural character, not lot sizes per se.

Light Industrial Designation (LI)

Location

Light Industrial designations on the Land Use Map are applied to suitable lands wherever they have, or are in reach of attributes essential to industrial activities, and where they will not present unmanageable conflicts with other land uses. Essential site characteristics include:

- large undeveloped or underdeveloped acreages in uncomplicated ownerships;
- relatively flat terrain;
- direct access to multi-modal transportation facilities;
- access to power/utilities;
- a suitable labor force within relatively close proximity;
- within the region, other industries and businesses which are traditionally linked; and,
- relatively free of environmental and other (e.g., citizen opposition) constraints.

Lands included within the Light Industrial classification in unincorporated county are:

- in the vicinities of Paterson and Plymouth;
- west of the city of Richland in the SW corner of the Badger Road and I-82 Interchange;
- east of the City of Prosser on County Route 12;
- within the Community Center of Whitstran;
- in the SW of Benton City;
- west of the city of West Richland along SR-224; and,
- on the Hanford site.

The county's supply of Industrial designated lands is augmented by similar designations within cities in the county. For example, the City of Richland has in excess of 7000 acres within and adjacent to south border of the Hanford Reservation so designated; the City of Prosser, in excess of 200 acres; the City of Benton City 30 acres; the City of Kennewick, approximately 100 acres.

Definition and Purpose

Lands designated Light Industrial are intended for use by a wide range of land uses within the category of industrial, but the designation is not intended for heavy, hazardous or obnoxious activity (i.e., unsightly, emissions of noise, smoke, fumes, pollutants, odor, glare). Light industry includes uses such as computer component manufacture, storage and warehousing, finished product

assembly, etc.

The primary purposes of this designation are to:

- provide employment and a payroll;
- expand the tax base, in order to fund the planning, capital, operations, and service responsibilities of government and special districts (e.g., schools);
- sustain the local and regional economy.

Heavy Industrial Designation (HI)

Location

Lands designated Heavy Industry on the Land Use Map are lands for activities that require the same locational and site essentials as Light Industrial plus a few things more: rail and water borne transportation access are critical; isolation from high density residential and commercial uses; large acreages for outside storage and maneuvering of trucks and rail equipment.

Heavy Industrial lands are designated in Paterson-Plymouth of the south county, in the south Finley area, north of Prosser, and on the Hanford Site.

Definition and Purpose

Heavy industries are by definition those that in the normal course of activity transport, store or produce emissions, smoke, glare, noise, odor, dust and hazardous materials as products or byproducts. Typically they function at the fundamental economic level: rail transport and facilities operations, chemical products manufacturing and shipment for agriculture, sand and

gravel operations for construction, raw products processing, waste products recycling, etc.

Currently, the combined Light and Heavy Industrially designated land resources of the cities, the counties and the Port Districts are sufficient to meet foreseeable demands. However, not all sites have been prepared with infrastructure or infrastructure plans sufficient to provide a competitive edge to businesses looking for such sites.

Public Lands Designation (PR)

The PR designation is found throughout the county, but most generally along the Columbia River corridor.

Definition and Purpose

Lands designated PR are intended for public uses such as parks, playgrounds, greenways, open spaces and wildlife habitats owned and operated by a governmental agency.

The general locations and owners of lands designated as Public are listed below. Refer to Maps 4.0 through 4.6 for specific locations.

- Parklands owned by the county or leased from the Army Corps of Engineers by the county (see Park and Recreation Element, Chapter 6);
- Waste Treatment Site of approximately 90 acres for future municipal use including community waste in the Plymouth vicinity;

10:15 am

Executive Session - Potential Litigation

K Galoto

10:25

<u>AGENDA ITEM</u>	<u>ACTION NEEDED</u>	<u>DISCUSSION TYPE</u>
Meeting Date: 14 Sep 2009 Subject: Benton City EDC Memo Date: 04 Sep 2009 Prepared By: AJF Reviewed By: LSK	Execute Contract Pass Resolution Pass Ordinance Pass Motion Other	Consent Agenda Public Hearing 1st Discussion X 2nd Discussion Other

SUMMARY & BACKGROUND

The Benton City Economic Development Council (EDC) will be making a short presentation to the Board, featuring their recently-completed *Economic Development Strategic Plan* that was done with the assistance of a consultant (Barney & Worth), and their own *2009 Economic Development Plan*. They will be going through a short PowerPoint presentation talking about how they are implementing both plans and what kinds of projects and developments are going on in Benton City. While the *Economic Development Plan* is dated for 2009, much of it also carries over into 2010. I will be asking them for a revised copy to append to our own *Overall Economic Development Plan*. Both of the documents are attached here for you to review.

FISCAL IMPACT

It is staff's expectation that the EDC will be requesting a contractual relationship for assistance with funding the activities, projects, and programs they are presenting to you.

#

BCEDC

Benton City Economic Development Council

"YOUR PARTNERS IN PROGRESS & PROSPERITY"

2009 Economic Development Plan

Benton City Economic Development Council

P.O. Box 1038 · 812 Della Ave. · Benton City, WA 99320
509-588-6481 · bcedc@bentonrea.com
www.bentoncityedc.org

BCEDC

Benton City Economic Development Council

"YOUR PARTNERS IN PROGRESS & PROSPERITY"

Partners

City of Benton City
Benton City Chamber of Commerce

Port of Benton
Port of Kennewick
Benton County

Benton REA
Benton PUD

Coordinator

Randy Rutledge

2009 Officers

Heather Duncan, President
John Haakenson, Vice President
Jessie Petsch, Secretary
Richard Delorme, Treasurer

2009 Board of Directors

Bea Baker
Lorna Deckert
Richard Delorme
Heather Duncan

John Haakenson
Richard Helland
Robbin Hall
Linda Lehman

Craig Petsch
Jessie Petsch
Peter Smit

2009 Work Plan

The 2009 Work Plan serves to advance the Benton City Economic Development Council's mission of working to expand existing and recruit new businesses to enhance employment opportunities, diversify the local tax base, and create a self-reliant service sector while maintaining Benton City's unique country atmosphere. BCEDC's successes contribute to the overall economic development of our program area and the region, and improve the quality of life of area residents. This mission is accomplished through community partnerships with government, business, industry, and individuals who commit time and resources to the cause.

In 2008, completing our 2020 Vision for Greater Benton City 99320 workshop process, and successfully obtaining a \$25,000 CTED economic planning grant and being accepted into the Horizons Program for rural community development represent major steps forward. BCEDC continued to build on the successes of the past two years, with the Third Annual Spring Opener Car & Bike Show raising over \$2800 for local youth activities, and an estimated overall economic impact of \$100,000 from the second season of the Benton City Community Market. BCEDC was instrumental in continuing to coordinate volunteers to work on various community cleanup and beautification projects including promotion and implementation of Earth Month activities. Publication of the greater Benton City area road map showing businesses, wineries, and points of interest with assistance from the Port of Benton, Port of Kennewick, and Benton City Chamber of Commerce was another major accomplishment this year. BCEDC also worked with a number of entrepreneurs and business owners to assist them in making decisions and obtaining financing for business startup and expansion.

In 2009, BCEDC will continue to build upon past successes while looking to the future and working to establish Benton City's place in a competitive economic climate. The 2009 Work Plan will focus on five key areas:

1. Business Retention and Expansion
2. Business Recruitment and Development
3. Community Development and Promotion
4. Project Development
5. Organizational Development and Administration

The following sections of this work plan will briefly outline each of these key areas including tasks necessary to accomplish identified objectives.

Business Retention and Expansion

GOAL:

Build a unified, healthy business community offering a good consumer-driven mix of goods and services in Benton City and central Benton County.

BENEFIT:

Encourages residents and visitors to make more local purchases, thereby supporting local merchants and boosting sales tax revenue. Recruitment of new businesses while encouraging retention and growth of existing businesses is vital to fostering vitality in Benton City's core business districts.

TASKS:

A. Information, Referral, and Business Assistance Program

- Provide basic business workshops and seminars to assist current and potential business owners with relevant issues.
- Work more closely with potential funding sources.
 - Benton-Franklin Governmental Council – Rural Revolving Loan Fund
 - SBA Micro-loan program
 - Others
- Promote and support proactive beautification efforts such as painting and updating of buildings, landscaping, and use of uniform design elements.

B. Business Incentive Program

- Investigate public/private resources for businesses such as Business Incentive Districts, Tax Increment Financing, and B&O Tax Credits.

C. Land Use Planning

- Land use planning for revisions to comprehensive plan for City, County, and Red Mountain AVA.
- Partner with County and City for strategy in Urban Growth Area and annexation plan.
- Identify potential land purchases for Port of Benton and Port of Kennewick.
- Work with City government to develop a master plan for the I-82 commercial/industrial area.
- Coordinate with the Department of Natural Resources, Kennewick Irrigation District, Bureau of Land Management, and other stakeholders for the sale, lease, and development of the I-82 commercial/industrial area.

D. Workforce development

- Identify specific issues related to job recruitment and retention.
- Work to enhance job skills and training by identifying resource availability.

E. Enhancement and expansion of infrastructure

- Continue coordination with Benton City, West Richland, Benton County, Benton REA, Washington State Department of Transportation and others to secure funding and support for the Benton City-Red Mountain-West Richland interchanges and other road projects including Webber Canyon Road reconstruction.
- Work with the City of Benton City to plan for expansion of water and sewer services to areas of anticipated growth.
- Work with Benton PUD for extension of fiber optic cable to the I-82 Interchange area and Benton City to encourage growth of technology-reliant industry in the City and central Benton County.
- Explore options for development of rail spur to serve the I-82 business/industrial area.
- Re-address the gateway signage issue; work with Red Mountain wine industry stakeholders to produce quality signage for both Benton City and Red Mountain.

Business Recruitment and Development

GOAL:

New or expanded businesses providing 20 new jobs within BCEDC's service area. Seek companies that offer good family wage jobs with benefits which fit in with the character of the Benton City area and which are respectful to local environmental concerns.

BENEFIT:

Targeted recruitment of businesses which fit in with the character of Benton City will strengthen the draw of our market area. This will translate into more residents working in BCEDC's service area and paying local taxes to support schools and essential services. Availability of more family wage jobs within the community strengthens the social bonds which define a community and contribute to a higher quality of life for residents.

TASKS:

A. Targeted Recruitment

- Conduct focus groups to identify spending leakage and potential new business start-ups
- Identify and recruit:
 - Overnight accommodations – B&Bs, hotel/motel
 - Value-added agricultural businesses, warehousing, and distribution centers
 - Low environmental impact light industry including manufacturing and technology services
 - Retail businesses to serve the tourism and hospitality industries
 - Retail and service businesses to enhance the quality of life and community attractiveness for local residents and potential residents

B. Information, Referral, and Business Assistance:

- Serve as a source of information for inquiries on business-related aspects
- Provide confidential expertise to businesses potentially starting, purchasing, relocating, or expanding operations:
 - Siting considerations and location of potential commercial real estate
 - Advocacy and assistance with business plan development
 - Permitting, regulatory, and zoning issues
 - Identification of potential funding sources
 - continued partnership with the Columbia Basin College Small Business Development Center
- Assist our partnering jurisdictional entities with business leads within our service area.

C. Recruitment Marketing

- Team with our strategic partners for representation at industry trade shows.
- Build relationships with businesses in the region and encourage expansion for additional location within County.
- Market City, County, and Port properties.

Community Development and Promotion

GOAL:

Benton City and the central Benton County area will be known as a recreational and tourism destination and a desirable location for business start-up, expansion, and relocation.

BENEFITS:

The rapidly growing wine tourism industry affords our community an opportunity to grow and enhance our retail and service sectors. Capturing a greater share of these visitors as well as attracting regional commerce and retaining a larger portion of consumer spending by local residents will increase the creation of jobs while fostering new commercial and tourism development. Our objectives include the creation of a wholesome image for Benton City, increasing community pride, and developing youth employment opportunities.

TASKS:

- Promote and support special events
 - Partner with the Benton City Chamber of Commerce, Benton City Lions Club, Spring Opener board, and other community organizations.
 - Participate production of major community events including the Spring Opener Car & Bike Show, Benton City Daze, and WinterFest.
 - Identify opportunities for events to showcase our community and attract visitors.
 - Sponsor the Benton City Community Market.
 - Serve as liaison to local and regional media representatives.
- Communicate our story
 - Produce brochures highlighting Benton City business and events.
 - Deploy press releases to announce significant events or developments.
 - Continue ongoing enhancement of the bentoncitydc.org website.
 - Place advertisements in select media.
- Facilitate effective representation of our community by elected officials.
 - With the Benton City Chamber of Commerce, co-sponsor voters forums prior to primary and general elections.
 - Sponsor town hall meetings and other opportunities for elected officials to meet with citizens and communicate on issues.
 - Participate in the Tri-Cities Legislative Council, including taking part in delegation to Olympia.

Project Development

GOAL:

Identify and assist accomplishment of specific projects advancing our overall mission.

BENEFIT:

When finished, these projects will encourage growth and retention of commercial, agricultural, and tourism-related enterprises, bringing new start-up businesses along with additional job creation and residential growth.

TASKS:

A. Economic Development Planning Study

- Develop strategy for downtown revitalization, I-82 development, and targeted business recruitment.

B. Maps of Benton City and central Benton County

- Assist residents and visitors in locating businesses and services in the area.
- Showcase amenities, tourism, and recreational opportunities in the area.

C. Horizons Program

- Expand community volunteer base and provide leadership training to volunteers.
- Encourage community “ownership” of vision for economic development.
- Facilitate specific (yet to be determined) projects to promote economic development.

D. Benton City Community Market

- Provide outlet for area residents and farm families to direct sell their locally produced products and to provide farm-fresh food for consumers.
- Management of Market to promote community participation and ensure varied offering of products.
- Increase foot traffic in the downtown core.

Organizational Development and Administration

GOAL:

Backed by solid funding sources, a strong BCEDC is actively engaged in promoting greater Benton City and central Benton County.

BENEFIT:

BCEDC will continue to proactively work to identify and follow up on issues and opportunities for economic development in our service area. BCEDC's continually strengthening relations with our funding partners enables providing outstanding return on their investment.

TASKS:

A. Funding

- Continue building relationships to develop a balanced approach with strategic funding partners.

B. Organizational Marketing and Public Relations

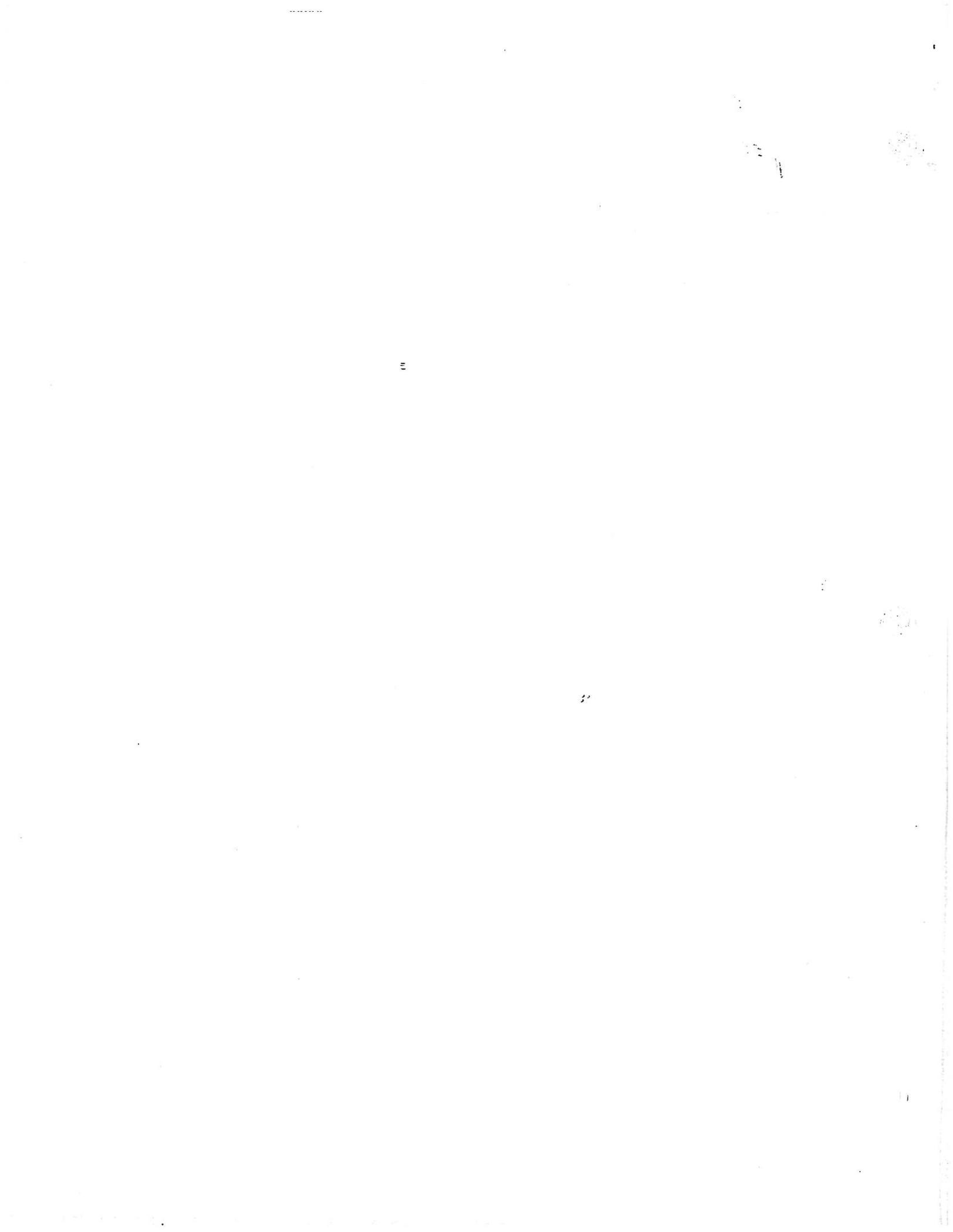
- Press releases and media engagement on new business, expansions, special events, etc.
- Economic development communication link to both public and private entities.

C. Comprehensive Planning

- Identify potential economic development opportunities in central Benton County/BCEDC service district.
- Ascertain the highest and best use for future land development and infrastructure needs

D. Planning with Partners

- Benton-Franklin Council of Governments Small Cities monthly meeting



CITY OF
BENTON CITY



ECONOMIC DEVELOPMENT STRATEGIC PLAN

Prepared for:

**THE CITY OF BENTON CITY &
BENTON CITY ECONOMIC DEVELOPMENT COUNCIL**

Prepared by:

BARNEY & WORTH, INC.

Jason Robertson

In association with:

E.D. HOVEE & CO.

Eric Hovee & Andrea Logue

June 2009

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I. INTRODUCTION

Benton City is a small but growing community with a high (and potentially increasing) proportion of young working families making below-average incomes – lower than wage and income levels experienced more generally throughout the Benton-Franklin County metro region.

Benton City currently maintains a limited retail base that does not capture potentially-available resident generated demand – let alone broader metro area consumer and rapidly expanding visitor potentials. The city is also under-represented by major employers relative to the rest of the Benton-Franklin County metro region. However, it appears to be well-situated to capture a larger share of the region's, and particularly Benton County's, growing visitor market.

Several emerging opportunities, if realized, could significantly expand Benton City's residential, economic and cultural landscape. These include:

- **Annexation of lands totaling more than 1,500 acres.** Proposed Annexation Area A would encompass 238 acres of agricultural and commercial-retail land, and position Benton City to expand its capacity to generate tax revenue and employment along both sides of I-82. The much larger "Harrison Water District" (Area B) is served by an existing water system, and could add new residential, commercial and retail opportunities as well.
- **Continued growth and development at the Red Mountain AVA and surrounding wine region.** As wineries proliferate, so do ancillary service needs. As the foot and gateway to Red Mountain, Benton City is uniquely positioned to benefit from increasing visitation and demand for support services. Over the long-term, Benton City could see a steady maturing of its emergent wine-services and tourism clusters.
- **Increasing investment.** Over the past several years, Benton City has benefitted from a surge in business development (see Appendix A), and despite the recent economic downturn, is one of only a handful of cities in the region to actually experience revenue *growth*. New businesses have opened downtown, while others have located in the city's business/industrial park. The Port of Benton has purchased buildings, the Benton PUD has committed to expanding high-speed communications networks through Benton City, and the Washington Department of Natural Resources is creating economic opportunity at the intersection of I-82 and Benton City.

What is most noteworthy, however, is the diverse *nature* and *sources* of recent investments. The Benton City Economic Development Strategic Plan outlines two overarching investment strategies for building on this momentum and capitalizing on emerging opportunities. Each initiative proposes a series of specific actions the City and its partners can take to organize economic development efforts and achieve short- and long-term success. Strategies are derived from several key information sources summarized in the report and appendices. They include community stakeholder interviews and focus groups, previous city plans and documents, and a community data analysis profiling demographic and business trends over time.

II. CORE INVESTMENT STRATEGIES

INVESTMENT STRATEGY 1

I-82 COMMERCIAL CORRIDOR AND BENTON CITY GATEWAY

Opportunity Assessment

A confluence of events have created a timely and potentially powerful opportunity for Benton City to create a first-rate commercial corridor at and around the State Route (SR) 224/225 interchange. The primary catalysts in this opportunity include:

- Subdivision and proposed mixed use development of the "Goose Gap," or "Benton 20" property owned by the Washington State Department of Natural Resources.
- City purchase and control of a keystone parcel adjacent to the DNR property.
- Potential release of portions of the "Smith Ranch" for agriculture or potentially destination development use.
- Installation of a roundabout and other intersection enhancements on the north side of I-82.
- Broad interest (State of Washington, wineries, other investors) in creating a safe and recognizable gateway to the Red Mountain AVA.



If the City is able to successfully capitalize on these opportunities and establish a vibrant commercial corridor along Interstate-82, essentially the "gateway" to Benton City, it will be much easier to accomplish the other investment strategies outlined in this report. The corridor will also provide a much needed center for business development and job creation.

Action Framework

The following is offered as a framework for maximizing current and planned investments in and around the I-82 Benton City interchange and establishing a functioning commercial corridor.

ORGANIZING

1. Establish an I-82 Commercial Corridor Stakeholders Group.

The City has already assumed a leadership role in corridor development, by purchasing the keystone parcel adjacent to the DNR property, promoting intersection improvements,



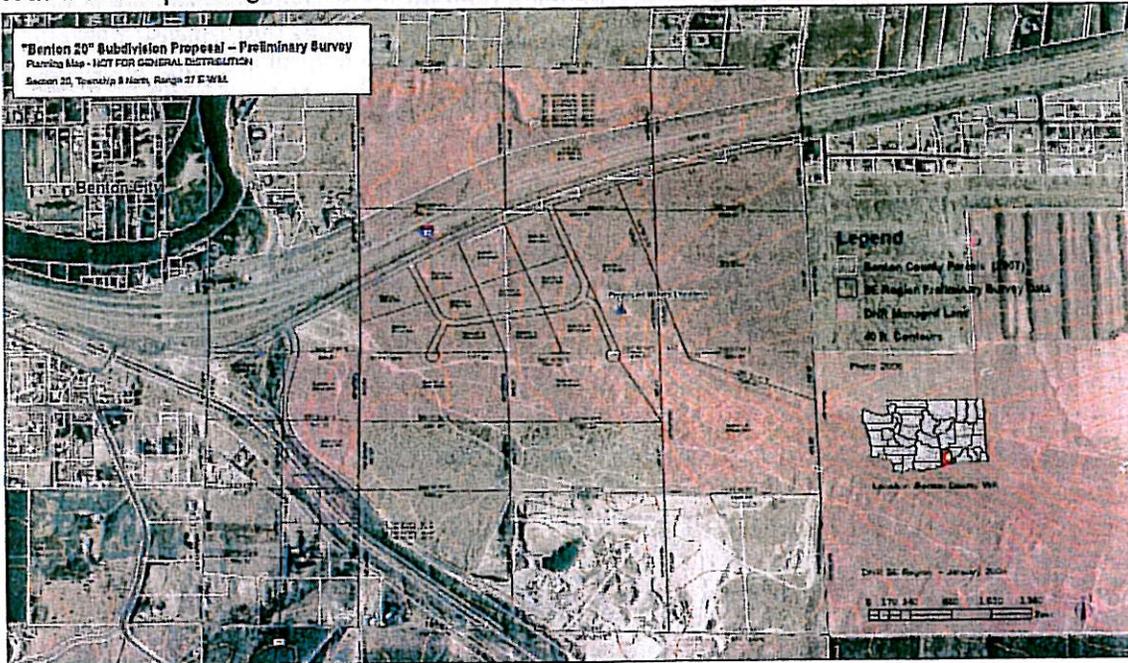
implementing critical infrastructure upgrades and maintaining regular contact with key players through the Benton City Economic Development Council. However, a formal networking group – comprised of leaders from each of the various initiatives outlined above – will allow the exchange of ideas and identification of value-added opportunities. It will also create a “one-stop-shopping” opportunity for grant agencies and potential investors. The stakeholders group could meet occasionally, and also stay connected through e-mail.

2. **Invite the Washington Department of Commerce to Conduct a Benton City Commercial Corridor Symposium.** Many communities across Washington State have benefitted from DOC (formerly, CTED) symposia, where the state brings together key agencies and other players to map out a work program and funding plan for major initiatives like the Benton City Commercial Corridor. The symposium could be organized by DOC and TRIDEC, which share regional offices in Kennewick. Some advance work would be helpful in setting the stage for success. Key questions to be asked of partners (with some suggested answers supplied below in “Seeding Success”) include:

- a. What is the preferred vision for the DNR parcel?
 - i. Should uses be 100% in support of wine industry?
 - ii. If not, what impacts would non-wine related uses have on winery, tasting rooms, future lodging facilities or other uses?
- b. Who is the ideal master lessee, or group of lessees for remaining parcels?
- c. What infrastructure can/will be provided by DNR?
- d. What infrastructure gaps exist?
- e. Who are the appropriate entities to pay for or support engineering and infrastructure installation?
- f. Will there be a common design element or branding / signage plan for all corridor developments?
 - i. Will brand promote greater “AVA gateway” or “commercial corridor?”
 - ii. Who will coordinate this effort, given multiple property owners?
 - iii. How will developments generate more visits to downtown Benton City?
- g. How can development at the DNR parcel leverage or be leveraged by adjacent development at:
 - i. Smith Farm
 - ii. Adjacent City-owned commercial parcel
 - iii. Nearby KID-owned parcels
 - iv. Commercial area surrounding future roundabout
- h. How will potentially-competing land use at gravel mine be mitigated?

SEEDING SUCCESS

3. **Complete “Benton 20” Master Plan.** The Washington Department of Natural Resources (DNR) has identified a preliminary vision for future use at its 200+ acre property south of I-82. At present, agency staff have platted 18 parcels. The easternmost parcel (61 acres) has been leased as a vineyard. An adjacent 22-acre parcel is the subject of negotiations between DNR and a prominent Red Mountain vintner for potential use as a winery and/or tasting room. A number of local jurisdictions are contemplating development of wine “villages” or “working wine centers.” The Benton 20 property could also be a good option for such a development given it’s location on the interstate, visibility, size and flexible zoning.



While these pre-determined uses might suggest an overall pattern for development at the Benton 20 property, there remains considerable flexibility given that DNR is currently open to commercial, retail or even light industrial uses. The ultimate vision for this site could be the subject of the Washington State Department of Commerce symposium described above. Regardless, there appears to be a fairly clear path forward:

- a. Secure grant funding to complete a master site plan. The plan should be conducted in phases. Phase I will bring together all key players and potentially interested investors to shape an overall development plan for the site – in essence, the “product” stakeholders hope to see. The second phase will focus on infrastructure needs, specific to intended outcomes or uses.
- b. Upon completing the site plan, solicit assistance from the US Economic Development Administration (EDA), Community Economic Revitalization Board (CERB) and other appropriate funding and technical assistance sources to design and install critical infrastructure. Water and sewer can be extended per the final parcel configuration, but depending on the nature of the stakeholder vision, it may also be necessary to install lighting, sidewalks, curbs and gutters, sound and sight buffers and other secondary

infrastructure required to attract desired private-side investment. (Note: the "vision" may also raise the question of design standards, as the development will be located within the "gateway" to downtown Benton City and the Red Mountain AVA).

- c. Market the site (or sites) through a mixed use development request for proposals. A successful RFP outcome will require advance outreach to prospective investors and developers – essentially a "truth testing" effort to determine what aspects of the site to promote most heavily, what incentives or inducements will be required to attract desired development and who is likely to be interested in submitting a proposal for future use. This effort may, in turn, require the City of Benton City to evaluate what incentives – financial or land use-related – it might or might not be willing to extend to development interests. The City-owned parcel could be marketed as part of the DNR opportunity, or separately as is the case at present. (Note: DNR will not sell the land, but can offer leases up to 45 years for commercial use / 25 for vineyards)

If key partners opt to pursue an ag-industrial / ag-tourism approach, the group should consider partnering with TRIDEC to refine and target potential users from the following "wine-support industries" list:

- Comprehensive wine service center (or incubator)
 - Educational facility or vocational school (wine industry-related)
 - Wine supply store
 - Testing labs, dealcoholization
 - Labels (continuous roll label printing capacity)
 - Mobile bottling
 - Controlled storage
 - Bonded warehousing
 - Wood barrel assembly
 - Glass bottle production / recycling
 - Centralized wine waste treatment plant
 - Energy production pilot project (using wine waste)
 - Farmers market/farmers exchange
 - Cold storage facility
 - Packing and sorting facility
 - Organic juices
 - Regional center for clean/secure energy training (per TRIDEC inquiries)
- d. Market the site through TRIDEC and on the TRIDEC page at the Washington Prospector site. This will be particularly useful if the resulting vision calls for manufacturing or other light industrial uses. The existing rail spur may be viewed as a particularly valuable asset by some

potential users. By the time the site is ready to market, Benton PUD should have completed installation of high speed communications (internet) along I-82, providing another feature to promote. (Note: Uses not sited here can locate elsewhere in the City. See "Infill" strategy.)

These recommendations are predicated on DNR's willingness to partner with multiple stakeholders. The actions outlined above should enable DNR to retain all decision-making authority related to future site use, while also bringing in resources and technical advisors who can help navigate land use and infrastructure issues beyond the agency's traditional scope of land development.

It is also important to note this proposed scenario offers a potentially more-rewarding, yet more cumbersome and expensive approach to simply letting the property develop parcel by parcel, over time and as various interests come forward with individual proposals. The Master Plan alternative is recommended as a way to ensure revenue- and job-creating uses are given preference, and to proactively integrate this signature parcel into the overall Benton City gateway concept.

4. **Secure available parcels at Smith Farm.** The "Smith Farm" offers some of the best views of Red Mountain, Benton City and surrounding scenery of any property in the area. It also happens to be one of the most prominent land features one notices when approaching Benton City from the east or west on I-82. More importantly, the land is in active agricultural use – with approximately 36.5 of 175 acres supporting wine grapes, cherries and prunes, up for sale. The City may want to consider directly purchasing these properties, or cultivating a private sector partner who can preserve and eventually put those parcels into a use or uses compatible with the broader commercial corridor / gateway strategy. Agriculture, destination lodging, and a variety of winery support uses would be appropriate.



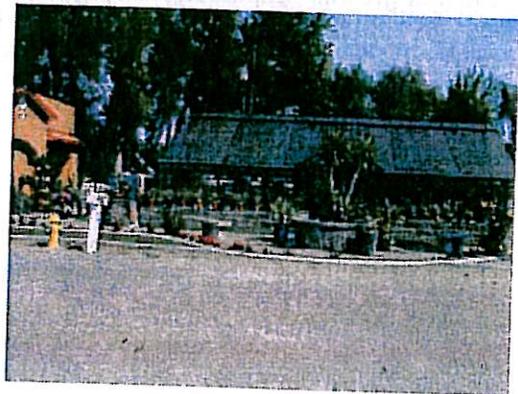
5. **Capitalize on interchange improvements to establish a grand entrance and drive traffic downtown.** The recently-completed SR 224/225/I-82 Intersection Planning Study suggests there is sufficient demand (assuming a 5,000-person stationary market and projected traffic volumes on I-82) to support 1-2 additional gas stations, a convenience store, 1-2 fast food restaurants and perhaps a small hotel and/or winery at the entrance to Benton City. Some of these uses may be incorporated in development on the south side of the interstate. Others may be better suited for the north side. Regardless of what commercial uses are sited on the north side of the freeway, it is imperative the City take advantage of upcoming road improvements to establish a formal gateway into the downtown area.

As configured in preliminary drawings, the roundabout will enable travelers to either enter downtown Benton City, or, bypass it on the way to Red Mountain AVA or West Richland. How the City presents itself at the roundabout will likely influence the amount of discretionary travel it is able to pull into the downtown core. Focus groups, much like those held to determine traffic handling, could be held to identify an appropriate look and feel for the gateway. A professional architect could be retained to develop a series of renderings to bring several options to life, with a preferred option identified through a visual-preference survey or workshop. This effort would be coordinated with local wineries and the stakeholder group formed to master plan the DNR parcel and surrounding commercial corridor.



While community priorities will ultimately determine gateway design, several key building blocks can serve as the planning foundation. They include:

- a. **Cornerstone Flower & Gift** – this recently expanded visitor attraction/nursery is an excellent ambassador for Benton City. It will pull visitors in, and can potentially drive them to the downtown core (e.g., “if you like this, you should see what else we have downtown!”).
- b. **Yakima River and Riverside Park** – if properly marketed from the gateway, this attraction will help pull people to the other side of the bridge and one step closer to downtown (with additional downtown promotion at the park itself).
- c. **Freeway Signage** – how will travelers know what’s downtown, let alone that there is a downtown?
- d. **Downtown Product** – what is most special or unique about downtown? Rather than trying to promote everything, choose 2-3 highlights to advertise at the intersection that will draw people into the core.
- e. **Visitor Center** – whether a visitor center is established at the gateway, or downtown, it should be prominently featured at the intersection.
- f. **Red Mountain Interchange Study** – an economic impact assessment is being conducted in association with a proposed Red Mountain interchange that would effectively create a loop between West Richland, the Red Mountain AVA and Benton City. The findings from that study may influence the type and volume of development Benton City chooses to pursue within the commercial corridor or elsewhere in the city.



INVESTMENT STRATEGY 2 DESTINATION DOWNTOWN

Opportunity Assessment

As one stakeholder put it, downtown Benton City has “great bones.” Benton City is one of the few cities in the Tri-City region to have a traditional downtown framework – with clustered businesses and street grid. It’s location in the central portion of the community enables it to serve as the true “heart” of the community. And while a number of recent investments suggest downtown may be undergoing a renaissance, it remains largely underdeveloped for all its potential.

In the near-term, visitor counts at Red Mountain are not sufficient to drive large-scale business development. Over the long-term, that external visitor traffic will likely be required to sustain the economic well being of downtown businesses, unless Benton City experiences a larger than forecast residential growth. Ultimately, turning downtown into a destination will be a phased effort, with the goal of attracting visitors, investment and revenue on increasing scales over time.



Action Framework

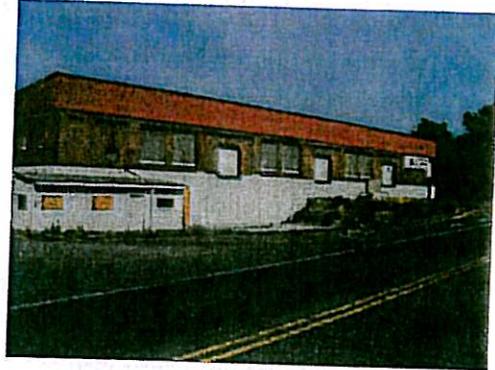
For the purposes of this strategic initiative, downtown is assumed to extend north to the KIBE High School and south to the Yakima River bridge (for gateway connection). It is also assumed that downtown generally extends 1-2 blocks (over time) to the east and west of Hwy SR 225. The following initiatives are offered as foundational steps in making downtown Benton City a destination, for regional residents and travelers alike.

ORGANIZING

- 6. Establish a Downtown Redevelopment Team.** Whether through the Washington State Main Street™ Program, or some other mechanism, downtown merchants and other key stakeholders (e.g., City, School District, Port of Benton, others) should establish a formal downtown association to craft and oversee downtown improvements. Ideally, the association would have at least one half-time paid coordinator, accountable for moving plans forward, securing grants, establishing a communications network and program for merchants, and other tasks as assigned. This organization could also coordinate “downtown clean-up” days and bring people together to help businesses with repairs, painting and other improvement projects. The association could also execute or commission a survey of the local market to determine what goods and services existing residents would most like to have available locally.
- 7. Create a Dedicated Downtown Redevelopment Revenue Source.** While many future downtown improvements will be funded by private investors, public partners, grants and loans, the City’s ability to attract all of the above will be greatly aided through creation of a dedicated downtown funding source. There are dozens of potential tools available to the City to assist in this effort, from the issuance of General Obligation bonds, to creation of a

Public Development Authority and beyond. Perhaps the simplest way to support on-going downtown improvement is through a direct city contribution for express purposes such as:

- a. Matching dollars for state, federal and private grants
- b. Seed money for a building façade improvement program
- c. Salary for downtown program coordinator
- d. Bringing in specialized training for existing merchants (merchandising, web presence, customer development, etc.)
- e. Creation of a downtown association/visitor center in the heart of downtown



SEEDING SUCCESS

8. **Establish a downtown design motif and brand identity.** As noted earlier, if downtown is going to move from good to great, it will most likely do so by attracting an ever-increasing number of Red Mountain visitors and regional residents looking for a unique experience. If Benton City can provide that experience, as other towns have done in more mature wine regions (e.g., Napa, Sonoma), it will build more prosperous businesses, attract new investment and see an increase in retail (and possibly lodging) revenues to fund City services. This retail growth is particularly important because, while property taxes are “capped,” retail sales are “elastic” – with the amount of revenue the city collects limited only by the volume of product going out of businesses’ doors.

The first step in creating a special experience is making sure you *look* special. Stakeholder comments suggest people may be more supportive of a general streetscape approach for downtown than a rigid design theme (e.g., Sisters, Oregon or Leavenworth, Washington). Some note that downtown Benton City is not precisely “historic” given most development occurred in the 1960s. Others are less than inspired by a “Tuscany” brand. On the other hand, there appears to be at least preliminary support for an “agriculture” theme or brand. This would allow Benton City the flexibility to link and market new ag (wine) with more traditional crops (orchards) and even the treasured rural lifestyle (equestrian).

Ultimately, the City or future downtown association, will be best served to conduct a public design charette (workshop) to ensure community support for the downtown streetscape plan. Because downtown is anchored by SR 225, it may be possible to secure funding for this effort, and perhaps technical assistance, through the Washington State Department of Transportation (WSDOT). At a minimum, the plan will require the agency's input and buyoff.

Whichever brand is selected, the City should address the following:

- a. **Signage** – all building blade signs, way-finding signage, banners and other types of signage should have a consistent look and feel. Even if not an “exact” match, downtown signage should incorporate at least some elements (font, materials, colors) of Red Mountain AVA signage to build a cohesive brand.

b. **Gateways** – the City should establish formal gateways on SR 225 at the intersection of I-82 (near bridge) and on the north end of downtown near Corral Creek Road. The gateways should incorporate arches or similarly significant physical landmarks to establish a clear sense of place and identity. In addition, the roadway from the bridge into downtown can be landscaped with trees to screen non-commercial uses (e.g., residences) and create a “boulevard” effect leading into downtown.

c. **Streetscapes** – all downtown streets should be pedestrian-friendly, beginning with the installation of sidewalks (stamped concrete, pavers or other unique design) with bulb-outs and other simple, affordable traffic calming measures at key vehicle-pedestrian intersections. Furnishings, such as public benches, fountains, umbrellas, aesthetically-pleasing street lighting and awnings will add to the charm and encourage people to come more often and stay longer. Street trees and hanging flower baskets require some minor maintenance, but add significantly to the visitor experience. In the future, the City may also consider “undergrounding” utility lines.



d. **Building Façades** – building façades should have a consistent look and feel. This may require a formal building façade improvement program to retrofit existing buildings and assist property owners with unplanned expenses. It will also require clear guidelines for all new construction. The Port of Benton recently purchased property downtown and will soon be remodeling at least one building for destination retail. The Port’s design might provide a keystone for future design guidelines.

e. **Configuration** – currently, downtown is comprised primarily of one-story buildings, with commercial uses periodically “interrupted” by single story residential clusters. In the future, the City should encourage multi-story mixed use development, with retail, commercial and other public service functions on the ground floor, and residential uses upstairs. This will serve several key purposes, including:

- i. Focusing population growth near transit nodes and multi-modal access points;
- ii. Providing a built-in permanent market for downtown goods and services;
- iii. Creating a continuous commercial front; and
- iv. In the future, creating shared-lodging opportunities for wine visitors.

f. **Public Spaces** – the City already operates several pocket parks in and around the downtown area. Over time, these parks can be enhanced to make them greater draws. The City might consider directing new downtown construction around the parks, to create a plaza effect. The City can encourage additional public-place development by allowing indoor-outdoor seating for cafes and providing tax incentives for specific types of public uses (e.g., galleries, performance/community centers, etc.).

- g. **Parking** – currently, parking appears to be more than sufficient to accommodate demand, and several “centralized” parking lots exist near retail opportunities. In the future, those spaces may be better utilized for housing structures. In that case, the City may need to revise its parking plan. Often more spaces can be accommodated on-street by requiring diagonal parking.
9. **Populate downtown with businesses and attractions that draw visitors.** While the above strategy addresses the downtown design *framework* – essential to attracting future investment, additional focus will need to be placed on creating or recruiting the unique retail offerings and attractions that elevate downtown to “destination” status. Presumably, the core audience Benton City is positioned to draw are Red Mountain visitors looking for a “value-added” wine country experience. Wine visitor profiles can vary. However, there are several overarching services and activities Benton City can build on to capture those on their way to and from the vineyards:
- a. **Fine dining** – a positive culinary experience can go a long way to generating repeat business, good reviews and word of mouth marketing. The recently-opened Bella Italian Deli offers proof positive in this vein. The eatery and wine bar has been cited in numerous news reviews and wine industry journals. It attracts not only the wine country visitor, but regional residents, interstate travelers and the Hanford lunch crowd among others. As the Red Mountain AVA grows, additional fine dining opportunities can be recruited or incentivized to meet growing demand. If the AVA is slow to develop, fine dining will still be able to draw regional visitors to Benton City as part of the overall “downtown experience.”
- b. **Recreation** – the creation of unique recreational opportunities is another way to benefit local residents while also attracting visitors. Here, again, Benton City has a few anchors to build on (e.g., Waterfront Park and boat ramp, City Park). Additional opportunities include:
- i. Extending the existing bike-pedestrian trail so that it begins at Waterfront Park and continues to Horn Rapids Park, through downtown.
 1. A spur could be established to connect Benton City to the Red Mountain AVA via the abandoned (and converted) Yakima River Railroad Bridge.
 - ii. Establishing “Conoco Corner” as the launching point for a variety of water-based recreational activities including fishing, kayaking, tubing, rafting and bird-watching.
 - iii. Promoting a range of farm and equestrian opportunities, from “horse rides” to “u-pick” orchards, organic farmers market and craft fair, and more. Downtown could become the gateway to “ag-tourism” opportunities in the surrounding vicinity.
- c. **Specialty services** – the Port of Benton recently purchased two downtown buildings, at least one for wine-related uses (e.g., tasting room, gift shop). Together, with Bella and nearby ornamental nurseries, the City has a nucleus in place for a broader wine-based services cluster downtown.



Additional services that will contribute to the value-added experience include:

- Spa or “wellness” center
- Recreational “headquarters” with info on opportunities, access to gear
 - And, possibly transportation service to and from wineries
- Specialty retail that serves both local and visitor clientele – e.g., antiques store, pharmacy, auto mechanic, theater (movie, musical and/or performance)

10. Prioritize the in-fill of vacant or underdeveloped commercial and retail parcels. This initiative might be a good first-step for the City. By actively working to site revenue-generating users on development-ready sites, the City can expand its tax base and generate momentum for larger projects (e.g., commercial corridor, downtown redevelopment). Stakeholders have identified a number of potential in-fill sites, both in and outside of the downtown area. Specific priorities appear to include:

- “Mud Bog” parcel (16 acres)
- “Parker” parcel (3.5 acres)
- “Cherry Orchard” parcel (30 acres)

Depending on the size, location and nature of the site, the City may consider locating one or more of the specialty services described earlier at the in-fill locations. Alternatively, stakeholders have identified a number of other potential options worth considering. They include:

- a. **Ornamental nursery** – ornamental nurseries, as a whole, have been outperforming most other agriculture sub-sectors. Such a use would also be consistent with the rural, agrarian feel many stakeholders enjoy and hope to protect as the community grows.
- b. **Wine incubator** – if not located in the Commercial Corridor, all of the sites listed above could provide a suitable location for a wine incubator. Such a project could be approached as a partnership endeavor between the City, landowner and one or both Port Districts.
- c. **Light manufacturing** – whether wine-related or not, light manufacturing (low impact with regard to noise, emissions, traffic) is also a priority for many stakeholders, given its ability to generate jobs that fit with existing workforce skill sets.

Depending on the use sought, the City may need to amend its zoning code. If the City chooses to position itself as a wine services support center, or create – as some have suggested – a “wine village” – it may want to consider establishing a “wine overlay” in its comprehensive plan, which would allow for wine-related non-conforming uses in designated parts of the city. Overlay zoning has been used effectively by other cities to encourage specific kinds of development (as opposed to spot zoning where some have attempted, unsuccessfully, to exclude a specific type of development).

III. NEXT STEPS

This Strategic Economic Development Plan (Plan) outlines a vision for Benton City's economic evolution, provides a series of focused investment strategies and enumerates specific steps for bringing those investments to life. While not unrealistic, the plan is ambitious and will require significant resources and broad participation from a wide range of partners.

Implementation should be organized into clear phases. As a next step, the City should work with the Economic Development Council, other stakeholder groups and the general public to begin prioritizing the actions they believe are most critical to the City's economic future, and supported by existing residents. Early steps can be taken in each of the core investment strategies, or focused exclusively in one to expedite implementation. The City may also want to consider converting the action ideas proposed here into an action list, identifying proposed implementation timelines and appropriate "lead partners" who agree to spearhead action for one or more items.

TRIDEC and local Washington State Department of Commerce personnel are highly-seasoned economic development practitioners, and will be able to provide helpful insight regarding potential grant, loan and technical resources that "match up" with many of the Plan recommendations. Private investors may also be interested in assuming ownership of actions once they see the broader vision for Benton City economic development.

APPENDIX A: RECENT DEVELOPMENTS

The following provides a summary of recent and planned investments in Benton City, as logged by the Benton City Economic Development Council between 2006 and present.

2006

- Benton City Library expansion
- Ki-Be Market – expanded product lines, now Ki-Be Market & Feed
- Carousel Daycare – new business, plans to build new larger facility
- Daddy O's – from street cart to small building to larger building & expanded product line
- Tumbleweed Cafe – new ownership, exterior cosmetic upgrades
- Pack's Auction House
- Bears Den Pizza – new business, new owner, expanded to include Video Store (2008)

2007

- CJ Plastics – from home-based to new industrial park building
- Sew-Me-Pretty – from home-based to downtown storefront, cosmetic upgrades
- Another One's Treasures – from small building to larger downtown storefront (2008)
- Carnecería Los Toreros Meat Market

2008

- Donut Shop
- Integrity Builders & Design SanLyn Estates subdivision (30 lots, 4 occupied plus model home/sales office)
- Botaka Estates subdivision (36 lots, 0 occupied)
- Red Mountain Building – former feed store available for lease
- Benton City Suds Car Wash – new ownership, refurbished
- Red Mountain Realty
- Bella An Italian Della
- Weather Master Heating and Air Conditioning

2009

- Victory Christian Center – new building
- Cornerstone Flower & Gift – new building, new name & expansion of Desert Palms Nursery
- Ninth Street Coffee
- Ki-Be High School renovation
- Red Mountain Snack Shack

In progress, coming soon

- Ripped Sheets – relocation from West Side, \$650K new construction, 13-16 FTEs
- 1st Baptist Church Daycare & School – 3-4 FTEs
- Foundry forms business – new 2,000 sq ft manufacturing facility, 1-2 FTEs
- New Benton City Food Bank – \$500K new construction, opens up retail space on main street
- Port of Benton building – former Small Town Video, \$150K acquisition, \$250-300K rehab
- Old Fire Station – Port of Benton acquisition, \$160K acquisition, \$250-300K rehab
- New car wash – \$400K new construction
- Ki-Be Market & Feed – additional expansion of feed and farm lines

In preliminary phases

- Medical/dental practices – proposed initial 1700 sq ft clinic, estimated turnkey cost \$500K
- Warehousing – anticipated initial 5-10 acres with expansion to ~20 acres

APPENDIX B: COMMUNITY PLANS SUMMARY

The consultant team reviewed more than a dozen existing community plans to identify past and present community goals, strategies and priorities. This assessment helped to frame opportunities, current interests, partnership opportunities and overlapping community goals. Summary findings from each reviewed plan are provided in the table below.

CITY OF BENTON CITY SUMMARY OF EXISTING ECONOMIC DEVELOPMENT-RELATED STRATEGIES

Year	Document Name	Organization	Key Strategies	Notes
2001	Benton City I-82 Commercial/Industrial Site Feasibility Study – Draft Phase II Report	Economic and Engineering Services, Inc.	<p>Early feasibility study examining feasibility of developing DNR/City of Benton City 106-acre commercial/industrial site on I-82. No major impediments to development identified, though some expense will be required to extend utilities. Identified development opportunities – serving demand from estimated 5,000 person market and interstate travelers:</p> <p>Commercial</p> <ul style="list-style-type: none"> ▪ 1-2 additional gas stations ▪ Convenience store ▪ 1-2 fast food restaurants ▪ Small hotel ▪ Winery <p>Ag-Industrial</p> <ul style="list-style-type: none"> ▪ Packing and sorting facility ▪ Cold storage facility ▪ Farmers market/farmers exchange <p>Report outlines a range of potential funding sources for implementation and site ownership options (city ownership preferred due to greater development flexibility).</p>	<p>Study notes city is underserved by commercial activity for its size.</p> <p>Notes there are 12,000 acres of wine grapes in Benton County (as of 2000).</p>
2005	Youth Community Assessment	KIBe High School	<p>Summary of KIBe high-school (3 classes) thoughts on school, family and community. Provides insight to perceived assets and negatives. Top identified needs: better role models and more places to hang out.</p> <p>The Red Mountain American Viticultural Area (AVA) Master Site Plan planning process was commissioned in 2005. The purpose was to develop a vision for the Red Mountain AVA that:</p> <ul style="list-style-type: none"> ▪ Enhances the region's economic opportunities for both the wine and visitor industries ▪ Manages the anticipated growth on Red Mountain ▪ Increases the visibility of the Red Mountain AVA <p>Master Site Plan elements include expansion of existing vineyard and winery operations, a number of new vineyards and wineries, new visitor-oriented facilities including a Wine Village, recreation and interpretative experiences as well as additional development on adjacent areas.</p>	<p>Kids also want access to a greater range of retail and entertainment options.</p> <p>Report includes an analysis of current conditions, evaluation of visions, site specific concepts and conceptual plans. Suggested next steps include:</p> <ul style="list-style-type: none"> ▪ Environmental impact study ▪ Site plan zoning requirements ▪ Design review process ▪ Install required infrastructure ▪ Pursue local priorities: <ul style="list-style-type: none"> ○ Sew more native plants ○ Integrated pest management ○ Create wine-village ○ Build interpretive center, trails ○ Establish mixed use area ○ Enhance adjacent lands
2007	Red Mountain AVA Master Site Plan – Draft	Benton County Office of Sustainable Development	<p>Master Site Plan elements include expansion of existing vineyard and winery operations, a number of new vineyards and wineries, new visitor-oriented facilities including a Wine Village, recreation and interpretative experiences as well as additional development on adjacent areas.</p>	<p>Kids also want access to a greater range of retail and entertainment options.</p> <p>Report includes an analysis of current conditions, evaluation of visions, site specific concepts and conceptual plans. Suggested next steps include:</p> <ul style="list-style-type: none"> ▪ Environmental impact study ▪ Site plan zoning requirements ▪ Design review process ▪ Install required infrastructure ▪ Pursue local priorities: <ul style="list-style-type: none"> ○ Sew more native plants ○ Integrated pest management ○ Create wine-village ○ Build interpretive center, trails ○ Establish mixed use area ○ Enhance adjacent lands

2007	City of Benton City Comprehensive Plan	Benton City	<p>An update of the City's 2003 Comp Plan. Goals, polices and strategies that might stimulate future economic development in some significant way:</p> <ul style="list-style-type: none"> ▪ Consider expanding design standards to include tree-planting program. ▪ Consider enhancing signage ordinance / community entrances. ▪ Locate new high-density residential to facilitate access to walking/bike trails, public transit. ▪ Encourage pursuit of "joint development standards" (with Benton County) to facilitate orderly annexation of UGA lands. ▪ Plan for adequate commercial and industrial lands to provide for...adequate tax base...to fund community services, facilities. ▪ Identify and encourage preservation of historical structures, etc. (e.g., railroad bridge across Yakima River) ▪ Consider encouraging the development of residences above businesses in commercial districts. ▪ Encourage higher density single-family neighborhoods near commercial centers...to encourage pedestrian circulation. ▪ Encourage the infill of existing commercial centers and strips before creating new ones. ▪ Encourage the development of open space framed by commercial or civic buildings. ▪ Develop and establish design and performance standards for new commercial and industrial districts. ▪ Improve the appearance of existing commercial areas. ▪ Develop a system of trails and paths that interconnect local and regional destinations. ▪ Acquire and protect key significant wildlife habitat areas. ▪ Develop new water sources, transmission and storage close to the areas of growth as the city expands. ▪ Form Local Improvement Districts (LID) to improve existing substandard streets, sidewalks, bike paths, etc. ▪ Preserve opportunities for industrial development that could be enhanced by accessibility to rail service. ▪ Coordinate with (partners) to provide transportation facilities of statewide, region-wide and national significance. 	<p>A review of land use map suggests there are approximately 370 acres zoned for traditional economic development use (commercial – including agriculture, office and business park, retail, manufacturing, light industrial, warehousing and other business uses).</p> <p>Comp Plan identifies USEDA, CERB, COG and CTED as potential partners on economic development actions.</p> <p>Major capital improvements will require external investment, as City funds (tax base) are not sufficient. On the other hand, expanding infrastructure capacity will facilitate economic development and expand the tax base to fund existing, and potentially, future services.</p> <p>Comp Plan notes that BNSF mainline (Chicago-Seattle) passes through Benton City – a potentially very valuable asset depending on the evolution of US Rail services.</p> <p>The "Transportation and Circulation" element of Comp Plan is covered in far greater detail than other elements.</p> <p>Comp Plan tangentially addresses impact fees. Evolution of this discussion could affect future development.</p> <p>Implementation of plan would be consistent with other community goals, including drawing I-82 traffic and creating recreation destination.</p>
2008	Benton City River Access Park Improvements	Spink Engineering	<p>Engineered concept for future improvements at River Park just off I-82. Outlines new walking paths, placement for large boulders, creation of new picnic areas, planting schedule, irrigation plan, and installation of public amenities – including restrooms, drinking fountain and handicap parking.</p>	

2008	Benton City Capital Facilities Plan for Proposed 2009 UGA Expansion	Benton City (Spink Engineering)	<p>CFP is required by GMA to show City can provide essential services to existing and future residents of proposed urban growth area over the next 20 years (2029). Key findings:</p> <ul style="list-style-type: none"> ▪ Transportation: All arterial streets projected to operate at Level of Service (LOS) A – the highest rating. ▪ Sewer: Wastewater treatment will be more than sufficient, sewer mains will have to be extended to UGA. ▪ Surface/Storm Water: More than adequate, with existing system of percolation, retention and ditches. ▪ Domestic Drinking Water: Somewhat more complex. Service capacity will require coordination with KID, purchase or other agreement with Harrison Water System and installation of new water lines, booster station and pressure reducing stations. ▪ Parks and Recreation: Several parks enhancements are underway or in planning stage. Significant additions (e.g., aquatic park) may be dependent upon property owner GO bond vote. 	<p>An earlier vote to establish a Metro Park District failed, making "parks" the only at-risk capital challenge. All other systems appear to have more than sufficient capacity to meet population demand over the next two decades.</p>
2008	Proposal for Phase II of the Benton City Library Project	Karolina Lorz Foundation	<p>Expansion of earlier investment. Overarching goal is to improve the lives of young people and create community gathering space. Proposed improvements:</p> <ul style="list-style-type: none"> ▪ More book stack space ▪ Space for more computers ▪ Community meeting space ▪ Area for historical displays ▪ Attractive landscaping/parking <p>13 questions posed to community members. Identified themes of note, from an economic development perspective:</p> <ul style="list-style-type: none"> ▪ Liabilities: entryway, lack of biz/tax base/accommodations ▪ Most important challenges to overcome all social in nature (drugs, activities for youth, image) ▪ Desired characteristics: quaint feel, quality education, accent on vineyards ▪ Top goals: jobs, retaining youth ▪ Design priorities: coordinated theme (downtown), better use of waterfront, location of future sports complex ▪ Jobs and tax base equally critical to participants ▪ Needs: design theme, community involvement, good media coverage 	<p>Implementation est. = \$2 million.</p>
2008	Vision 2020 for Benton City 99320	Benton City EDC	<p>Workshop attended by 30+ residents – findings derived from pre-structured questionnaire.</p>	
2009	Benton PUD Commission Meeting – Feb. 10, 2009	Benton PUD	<p>Overview of Interlocal Cooperation Agreement between Benton PUD and PNLI to expand fiber optic network from Richland to "some point" near Prosser. Signed in February 2009 and in effect for 15 years.</p>	<p>Supplemental service map shows transmission lines extended to major Benton City institutions (e.g., school).</p>

2009	SR 224/225/I-82 Intersection Planning Study (Benton City Vicinity)	Washington State Department of Transportation	<p>WSDOT study with goal of achieving local vision: "The intersection to Benton City and the Red Mountain AVA is a safe, easily maintainable gateway that serves transportation needs and addresses the cultural and economic needs of the unique areas it serves."</p> <p>Several alternatives were considered and analyzed, with the preferred option being installation of 5-legged single lane roundabout at the intersection of SR 224/SR 225. A slip ramp could be added in the future, but will depend on other transportation investments over the next 15-20 years. Would include a park and ride.</p> <p>Total estimated cost of \$4.5 million, though the price for phase I is presumably much less (without slip ramp).</p> <p>Successive versions of "plat maps" showing subdivision of a 200+ acre DNR owned property adjacent to I-82 (south side). Most recent version reviewed (January, 2009) shows a planned spur road connecting 14 individual parcels ranging in size from 2.72 acres to 35.97 acres. A proposed winery is shown on one of these connected parcels (21.57 acres).</p>	<p>Next steps include completion of an Interchange Justification Report and securing approval from FHWA.</p> <p>*Study indicates there are 40 businesses operating within Benton City limits, four of them adjacent to this intersection.</p>
2009	Goose Gap "Benton 20" Subdivision Proposal	Washington State Department of Natural Resources	<p>Proposal from WSU Horizons Program to make Benton City Community Park a more family friendly, child safe community gathering place, and spur increased visitation and commercial investment. Proposed improvements include:</p> <ul style="list-style-type: none"> ▪ Fencing on the alley and Della side of the park ▪ New playground equipment that meet current safety standards ▪ Benches around the rose garden ▪ Picnic tables throughout the park ▪ Repair of the water fountain ▪ Repair of the bathrooms with posted specific hours of use ▪ Fencing around stage / upgrades to wiring, lights, sound system ▪ Upgrading and open use of the Community Center <p>Offering indicates the Smith family is interested in selling up to 36.5 acres (27.2 of these acres are planted with wine grapes) of their 174 acre property south of I-82. The property is currently in farm (orchard) use, and presents majestic views of Red Mountain and Benton City. The site is zoned to accommodate a winery use. Residential uses are also allowed, at a minimum of 5 acres per lot. Application has been made to include the Smith property in Benton City UGA.</p>	<p>Site planning is ongoing, with additional changes likely as future uses and infrastructure needs are determined.</p>
2009	Proposal to Enhance Benton City Community Park	Benton City Horizons Program	<p>Overarching goal of Horizons program is to reduce poverty. Participants are awarded \$10,000 to invest in a special community improvement project. This is their choice, pending Council partnership.</p>	<p>Overarching goal of Horizons program is to reduce poverty. Participants are awarded \$10,000 to invest in a special community improvement project. This is their choice, pending Council partnership.</p>
2009	Smith Farm Offering Prospectus	Clark Jennings & Associates	<p>Asking price of \$625,000 as of early 2009.</p>	<p>Asking price of \$625,000 as of early 2009.</p>

Appendix C: Community Data Profile Information Sets and Analysis

The Benton City data profile provides an overview of key trends and forecasts related to socio-economic conditions in the City and greater Tri-City region. Data have been compiled from a number of sources including the U.S. Census, Washington Employment Security Department and Office of Financial Management, U.S. Bureau of Economic Analysis and private data providers including ESRI Business Information Solutions and Dean Runyan Associates. Each data set is presented in table or graphical form, followed by one or more summary bullets.

Note: Benton City data sets DO NOT include Kiona, or "greater Benton City 99320." In the future, the City may wish to collect information at the zip code level. For the purposes of this study, data was collected for Benton City proper only, to ascertain the actual direct revenue base available to the city for taxing purposes. A study focused on "market potential" would likely include Kiona and other unincorporated portions of Benton County.

- **Population by Jurisdiction** – ESRI data indicates that Benton City has just under 3,100 residents as of 2008. The community's population represents 1% of the metro area defined as Benton-Franklin Counties, with a total population of about 235,500. Between 2000 and 2008, population increased at an average annual rate of 2.0% in Benton City, below the growth rate of 2.8% for the two-county metro area. ESRI forecasts indicate some slowing of population growth through 2013 for Benton City, to about 1.8% per year. In contrast, growth across the Benton-Franklin metro area through 2013 is estimated to remain at about the same rate of 2.8%.
- **Regional Population Trends & Forecast** – Over a longer 2000-2030 time period, Washington's Office of Financial Management projects three rates of growth: low, intermediate and high. This information is available at a county level, not for individual cities. The growth scenarios forecast a slower annual population growth rate region-wide than occurred from 2000-2005 (of 2.6% per year), ranging from low growth at 1.2% per year to 2.8% in the high growth scenario. In effect, the ESRI scenario (noted above) is at the high end of the OFM forecast range.
- **Age of Population** – Median age of the Benton City population is 30.8 years, with a somewhat higher median age of residents region-wide at 33.9 years. When the population is segmented into age categories, more than half of the adult population both in the city and throughout the metro area is concentrated in a broad range of 25-64 year age categories. At 42%, Benton City is more heavily weighted with the younger portion of population aged 0-24 than the two-county metro area with 38%. In turn, the Benton-Franklin region has a higher proportion (11%) of adults age 64+ than the city (at 8%). The median age of the population in both geographies is forecast by ESRI to increase by 2013, consistent with anticipated aging of the population both nationally and regionally.
- **Race & Ethnicity** – Benton-Franklin Counties indicate a higher degree of racial and ethnic diversity than Benton City. The white alone proportion of the population stands at 76% of metro area residents compared to 81% of city residents.
- The proportion of Benton City's population identified as Hispanic (25%) is somewhat below the comparable 28% region-wide. Note: Hispanic population includes persons identified as white and/or another race. Both geographies' populations are forecast by ESRI to incrementally increase in racial and ethnic diversity by 2013 – with a decrease in the white alone and an increase in the Hispanic proportions.
- **Household Income** – Benton City's median household income is about 26% below the metro area's income. However, median incomes increased by an estimated 3.2% annually from 2000-2008, somewhat more rapidly than the 3.0% rate of annual increase experienced for the entire metro area.
- **Tapestry Segments** – The #1 tapestry segment for Benton City is described by ESRI as the Midland Crowd group (accounting for an estimated 57% of the population) comprised of married-couple families with slightly below median incomes living a traditional lifestyle in rural housing developments. In Benton-Franklin Counties, #1 are Up and Coming Families (9% of the population) characterized as young, affluent families.

Retail Sales & Leakage – an over-supply equal to an estimated 1% of locally generated spending potential is now indicated within the Benton-Franklin metro area, as actual sales of \$2.26 billion annually appears to exceed locally generated demand of \$2.23 billion. This means that the retailers in the metro area are also attracting significant customer clientele from outside the two-county metro area. Note: ESRI data indicates that the two-county retail oversupply has been diminished over the last year. (Note: Washington State does not release tax data for store types when the level of sales is such that an individual business could be identified. As a result, certain business “types” may be operating in Benton City, but won’t register in a sales leakage analysis due to scale.)

- General merchandise stores, motor vehicle and parts dealers, and building materials/ garden supply stores appear to be the most over-represented in the metro area – with sales exceeding locally generated demand by \$130 million in the general merchandise category, dropping to \$65 million for motor vehicles. While overall the metro area market is well-served, retail sales leakage is noted for some store categories. The greatest leakage indicated is for non-store retailers (electronic shopping, mail order houses, vending machine operators, direct selling establishments) followed by gasoline stations, apparel, then grocery stores.
- Retail building space supported by the metro area’s current and projected demand with population growth to 2013 equates to an estimated 1 million square feet (excluding land extensive commercial uses such as auto dealers and gasoline service stations). Of this amount, as much as 310,000 square feet of commercial space need would be accounted for by 100% recapture of existing retail sales leakage. More than one-half of this recapture potential is represented by apparel. Five-year population growth represents retail demand of another 692,000 square feet. The greatest retail space demand associated with anticipated growth is in grocery, followed by dining and general merchandise.
- Sales leakage estimated at \$15 million annually is occurring within Benton City. This represents retail demand generated by in-City residents that is being spent elsewhere – as local residents travel outside of town for a substantial portion of local retail purchases.
- With over \$7 million in retail sales, Benton City is capturing only 33% of local resident generated demand and only 0.3% of the region-wide demand. However, demand generated by in-city residents comprises about 1% of the consumer generated retail demand for the two-county metro area.
- Nearly all store types in Benton City are experiencing sales leakage, except gasoline stations. ESRI data indicates that eight store types have no retail sales identified as occurring within the city – furniture/home furnishings, electronics/appliances, health/personal care, apparel, sporting goods/books/music, general merchandise, miscellaneous store retailers (including florists, office supplies, stationery, gifts, and used merchandise), and non-store retailers.
- If existing sales leakage (from local residents) were to be fully recaptured, up to 38,000 square feet of retail building space would be supported in Benton City. Based on population growth projected to 2013, another 3,000 square feet could be supported over a five year projection period.
- On paper, the greatest future in-city residentially generated retail market need is grocery and general merchandise (each at up to 11,000 square feet), followed by dining (at up to 6,000 square feet).
- Added retail potential (above and beyond locally generated demand) may be associated with development that serves a larger metro area market and/or tourists to the region – predicated on suitably located and accessible retail sites.

- **Building Permits** – Limited records indicate building permits have remained fairly stable over the past four years: The majority of building permits issued appear to be for modest improvements, with only a handful of new construction permits exceeding a value of \$120,000 (Note: Building permit data is for Benton City only, and does not capture larger improvements/developments conducted in Benton County – i.e. Benton City UGA).
- **Sources of Personal Income*** – Benton-Franklin Counties wage and salary income accounts for 54% of total personal income, above the statewide average proportion of 49%. Statewide, the proportion of income generated via supplements to wages and salaries, proprietors and investments exceeds comparable proportions for the Benton-Franklin metro area.
- **Tourism Expenditures*** – the Benton-Franklin Counties regional direct travel spending increased by 52% from 2000-2007, a pace 11% faster than was experienced statewide. As of 2007, the two-county metro area accounted for just under \$348 million in visitor spending – representing 2.7% of visitor expenditures statewide (somewhat less than the region's 3.5% share of statewide population). Compared to the rest of the state, visitors to the Benton-Franklin region spend less of their travel dollars for lodging and more for dining, ground transportation, shopping, and arts, entertainment and recreation.
- **Covered Employment*** – agriculture, retail, and government account for almost 40% of all jobs in Benton-Franklin Counties. Average pay in the top sectors ranges from \$20,200 to \$47,600. The number of jobs region-wide increased at the relatively strong rate of about 2.3% per year from 2002-2007, but below Franklin County's 3.0% rate of increase. Wages for the two-county area increased by about 5.2% per year between 2002-2007, a rate slightly above Benton County's rate of 4.8% and well below Franklin County's rate of 7.0%.
- **Benton-Franklin Counties Major Employers*** – according to the Benton-Franklin Council of Governments, the largest major regional employers with over 2,000 employees are Battelle Pacific NW National Laboratory, Bechtel Hanford, Inc., and Fluor Government Group all located in Richland. The largest employer identified for Benton City is Kiona-Benton School District, with approximately 200 employees.
- **Industrial & Commercial Vacant/Developable Land*** – the state's Washington Prospector web site (maintained by the Department of Community, Trade and Economic Development) has 54 listings of properties for sale or lease throughout the Benton-Franklin region: 2 industrial buildings, 14 office buildings, one warehouse building, 28 land parcels, and 9 with a mixture of uses. All of the listed buildings/parcels are located in Kennewick. Note: this over-representation of sites listed may be more indicative of better reporting by Kennewick than as an actual indicator of relative site availability by jurisdiction. More specific data for Benton City may be appropriate by review of existing comprehensive plan and/or GIS information.
- **Labor Force Participation by Full and Part-time Status** – Census 2000 (the most recent sub-county information available) indicates that 72% of Benton City's population 16+ years worked in 1999, and 71% of this employed population worked full-time. Labor force participation city-wide appears to be equal to or below regional rates.
While post-2000 data is not readily available, it is possible that labor force participation has dropped in recent years due to higher median age of the population with more residents in retirement age categories. ESRI forecasts that Benton City median age may rise again by 2013, especially with an increased proportion of adults entering retirement aged 64+.
- **Commuting Patterns** – As of the 2000 U. S. Census, nearly 70% of workers in Benton City traveled more than 20 to minutes work, compared to the 42% of metro area workers with the same travel time. Benton City workers travel an average of 24 minutes to work, a somewhat longer commute compared to workers throughout the two-county area traveling an average of 21 minutes.

Note: Data for items indicated by an asterisk (*) is most readily available or compiled at a county or metro area level.

Demographics by Jurisdiction (2000-2013)

	Population			Households (HH)			Median Age		
	2000	2008	2013	2000	2008	2013	2000	2008	2013
Benton City	2,624	3,078	3,359	894	1,042	1,137	30.2	30.8	31.1
Benton-Franklin Counties	191,822	239,144	274,450	67,706	82,648	94,026	32.7	33.9	34.3
% Annual Growth (from Prior Period):									
Benton City	NA	2.0%	1.8%	NA	1.9%	1.8%	NA	0.2%	0.2%
Benton-Franklin Counties	NA	2.8%	2.8%	NA	2.5%	2.6%	NA	0.5%	0.2%

	Median HH Income			Per Capita Income		
	2000	2008	2013	2000	2008	2013
Benton City	\$34,053	\$43,679	\$54,044	\$13,971	\$18,082	\$20,999
Benton-Franklin Counties	\$44,895	\$56,819	\$65,670	\$19,798	\$23,955	\$27,934
% Annual Growth (from Prior Period):						
Benton City	NA	3.2%	4.4%	NA	3.3%	3.0%
Benton-Franklin Counties	NA	3.0%	2.9%	NA	2.4%	3.1%

Source: ESRI Business Information Solutions

- Benton City's population grew by 2% between 2000 and 2008, a rate considerably slower than the overall Benton-Franklin County average (2.8%). Benton City is projected to grow at an even slower rate over the next 5 years, approximately 1.8% between 2008 and 2013.
- The median age of Benton City residents is currently 30.8, with the population projected to age slightly over the next five years, with a median age of 31.1 in 2013 – more than three years younger than the average Benton-Franklin County resident.
- Per capita and median household income in Benton City are about twenty-five percent less than the two-county average. While per capita income is not currently forecast to make much ground over the next five years, household income is projected to reach 80% of the two-county average by 2013. Between 2000 and 2008, Benton City median household income grew by 3.2%, and is projected to grow by 4.4% between 2008 and 2013. The annual growth rate in Benton City exceeds the two-county average for both time spans.

2008 Population by Age

	Benton City	Benton-Franklin Counties
Total	3,078	239,144
0 - 4	9.1%	8.3%
5 - 9	7.8%	7.5%
10 - 14	7.8%	7.5%
15 - 19	8.6%	7.6%
20 - 24	8.3%	7.0%
25 - 34	13.2%	13.4%
35 - 44	14.1%	13.1%
45 - 54	12.9%	14.2%
55 - 64	9.9%	10.9%
65 - 74	5.2%	5.7%
75 - 84	2.3%	3.4%
85+	0.8%	1.4%
18+	70.1%	72.0%

Source: ESRI Business Information Solutions

- Benton City has a higher balance of residents aged 0-44, and less aged 45-85+ than the two-counties on whole.

2008 and 2013 (est.) Population by Race/Ethnicity

	2008		2013	
	Benton City	Benton-Franklin Counties	Benton City	Benton-Franklin Counties
Total	3,077	239,144	3,359	274,450
White Alone	81%	76%	78%	73%
Black Alone	0%	1%	0%	2%
American Indian Alone	1%	1%	1%	1%
Asian or Pacific Islander Alone	1%	2%	1%	3%
Some Other Race Alone	14%	16%	16%	19%
Two or More Races	4%	4%	4%	4%
Hispanic Origin	25%	28%	29%	32%

Source: ESRI Business Information Solutions

- Benton City's population is fairly consistent with the two-county racial profile, with a preponderance of "white alone" citizens, and a growing percentage of residents of "Hispanic origin." Currently, 25% of Benton City residents report being of Hispanic origin, compared to 7% in neighboring West Richland.

Benton-Franklin Counties Population Trends & Forecasts (2000-2030)

	Year	Low	Middle	High
Census	2000	142,475	142,475	142,475
Estimate	2005	158,100	158,100	158,100
Forecast	2010	154,488	168,839	188,931
	2015	157,842	176,854	203,736
	2020	160,693	184,704	218,874
	2025	162,831	192,131	234,015
	2030	163,785	198,528	248,358

Source: Washington Office of Financial Management, Washington State County Growth Management Population Projections: 2000-2030 developed 10/2007.

- The State produces population forecasts for all 39 Washington counties, using a low, middle and high range to account for unforeseen changes. Looking out just over a decade to the year 2020, the Benton-Franklin County region can expect to grow from an estimated 2005 population of approximately 218,000 to somewhere between 240,000 and 327,500. With added population comes an increased consumer market.

	Year	Low	Middle	High
Census	2000	49,347	49,347	49,347
Estimate	2005	60,500	60,500	60,500
Forecast	2010	64,786	70,038	79,843
	2015	72,514	80,348	93,947
	2020	79,776	90,654	108,649
	2025	86,321	100,666	123,593
	2030	91,733	109,861	138,096

Source: Washington Office of Financial Management, Washington State County Growth Management Population Projections: 2000-2030 developed 10/2007.

	Year	Low	Middle	High
Census	2000	191,822	191,822	191,822
Estimate	2005	218,600	218,600	218,600
Forecast	2010	219,274	238,877	268,774
	2015	230,356	257,202	297,683
	2020	240,469	275,358	327,523
	2025	249,152	292,797	357,608
	2030	255,518	308,389	386,454

Tapestry Segments by Jurisdiction

Tapestry Segment	Percent
Benton City	
Midland Crowd	56.5%
Crossroads	43.4%
Salt of the Earth	0.1%
Total	100%
Benton-Franklin Counties	
Up and Coming Families	9.4%
Midland Crowd	9.3%
Exurbanites	7.9%
Aspiring Young Families	6.2%
Industrious Urban Fringe	6.2%
Total	39.0%

Source: ESRI Business Information Solutions

- ESRI Business Information Solutions defines various population segments based on certain socio-economic characteristics. This and similarly comprised data sets are often used by businesses to identify preferred markets.
- Benton City's population falls almost entirely under two tapestry segments.
 - Midland Crowd is generally used to describe semi-rural residents earning slightly less than the average national household income, with a slightly higher than average percentage of self-employed workers.
 - Crossroads typically describes younger married-couple families who are, in part, attracted to an area for the affordable housing opportunities and who work in manufacturing, construction, retail trade and other service industry sectors.
- Definitions for all tapestry segments are included at the conclusion of this data profile.

Travel Time to Work

	Benton City	Benton- Franklin Counties
2000 Workers 16+ by Travel Time to Work		
Total	1,003	84,463
Did not Work at Home	94.7%	96.2%
Less than 10 minutes	12.4%	18.0%
10 to 19 minutes	12.5%	36.2%
20 minutes or more	69.9%	41.9%
Worked at Home	5.3%	3.8%
Average Travel Time to Work (in min)	24.2	21.4

	Benton City	Benton- Franklin Counties
2000 Workers 16+ by Travel Time to Work		
Total	1,003	84,463
Did not Work at Home	94.7%	96.2%
Less than 5 minutes	4.5%	3.9%
5 to 9 minutes	7.9%	14.1%
10 to 19 minutes	12.5%	36.2%
20 to 24 minutes	21.0%	14.0%
25 to 34 minutes	32.7%	13.8%
35 to 44 minutes	7.7%	4.0%
45 to 59 minutes	4.9%	5.7%
60 to 89 minutes	3.6%	2.8%
90 or more minutes	0.0%	1.6%
Worked at Home	5.3%	3.8%
Average Travel Time to Work (in min)	24.2	21.4

Source: ESRI Business Information Solutions based on Census 2000 data

- The most recent comprehensive look at commute times was conducted as part of Census 2000, based on 1999 reporting. While this data is somewhat dated, it does reveal a few important insights. First, unless the location of employment centers has changed drastically over the last decade, nearly 70% of Benton City workers commute more than 20 minutes to work each day, compared to just under 42% of workers in the metro region. On the other hand, only 16.2% of workers reported traveling more than 35 minutes to work. This information should be updated in 2011 upon release of new decennial census data.

Retail Sales and Leakage: Benton City (Benton-Franklin County Table on Following Page)

Retail Categories	Demand (Retail Potential)	Supply (Retail Sales)	Leakage (Demand-Supply)	Leakage % of Demand	# of Stores	% of Total Demand	Building Space Demand (sf)		
							Leakage Recapture	Future Growth	Leakage+ Growth
Motor Vehicle & Parts Dealers	\$5,010,028	\$1,263,915	\$3,746,113	75%	3	22%	-	-	-
Furniture & Home Furnishings	\$571,505	\$0	\$571,505	100%	0	3%	3,000	-	3,000
Electronics & Appliance	\$250,563	\$0	\$250,563	100%	0	1%	1,000	-	1,000
Bldg Materials, Garden Equip./Supply	\$728,792	\$103,875	\$624,917	86%	1	3%	2,000	-	2,000
Food & Beverage	\$4,084,382	\$678,891	\$3,405,491	83%	2	18%	10,000	1,000	11,000
Health & Personal Care	\$552,044	\$0	\$552,044	100%	0	2%	1,000	-	1,000
Gasoline Stations	\$2,833,002	\$3,831,551	-\$998,549	-35%	1	13%	-	-	-
Clothing and Accessories	\$832,010	\$0	\$832,010	100%	0	4%	4,000	-	4,000
Sporting Goods, Hobby, Book, Music	\$141,356	\$0	\$141,356	100%	0	1%	1,000	-	1,000
General Merchandise Stores	\$2,857,218	\$0	\$2,857,218	100%	0	13%	10,000	1,000	11,000
Miscellaneous Store Retailers	\$296,670	\$0	\$296,670	100%	0	1%	1,000	-	1,000
Nonstore Retailers	\$1,416,408	\$0	\$1,416,408	100%	0	6%	-	-	-
Food Services & Drinking Places	\$2,958,669	\$1,527,200	\$1,431,469	48%	8	13%	5,000	1,000	6,000
Total Retail Trade and Food & Drink	\$22,532,647	\$7,405,432	\$15,127,215	67%	15	100%	38,000	3,000	41,000

Note: Not included in building space calculations are motor vehicle/parts and gasoline stations which may have substantial land area but widely varying building requirements, and non-store retailers. Source: ESRI Business Information Solutions, Urban Land Institute. E. D. Hovee & Company, LLC.

- Sales leakage estimated at \$15 million annually is occurring within Benton City. This represents retail demand generated by in-city residents that is being spent elsewhere – as local residents travel outside of town for a substantial portion of local retail purchases. With over \$7 million in retail sales, Benton City is capturing only 33% of local resident generated demand and only 0.3% of the region-wide demand. However, demand generated by in-city residents comprises only about 1% of the consumer generated retail demand for the two-county metro area.
- Nearly all store types in Benton City are experiencing sales leakage, except gasoline stations. ESRI data indicates that eight store types have no retail sales identified as occurring within the city – furniture/home furnishings, electronics/appliances, health/personal care, apparel, sporting goods/books/music, general merchandise, miscellaneous store retailers (including florists, office supplies, stationery, gifts, and used merchandise), and non-store retailers.
- If existing sales leakage (from local residents) were to be fully recaptured, up to 38,000 square feet of retail building space would be supported in Benton City. Based on population growth projected to 2013, another 3,000 square feet could be supported over a five year projection period.
- On paper, the greatest future in-city residentially generated retail market need is grocery and general merchandise (each at up to 11,000 square feet), followed by dining (at up to 6,000 square feet).
- Added retail potential (above and beyond locally generated demand) may be associated with development that serves a larger metro area market and/or tourists to the region – predicated on suitably located and accessible retail sites.

Retail Sales and Leakage: Benton-Franklin Counties

Retail Categories	Demand (Retail Potential)	Supply (Retail Sales)	Leakage (Demand-Supply)	Leakage % of Demand	# of Stores	% Total Demand	Retail Sales/SF	Building Space Demand (sf)		
								Leakage Recapture	Future Growth	Leakage+ Growth
Motor Vehicle & Parts Dealers	\$487,630,373	\$552,313,654	-\$64,683,281	-13%	161	22%	NA	-	-	-
Furniture & Home Furnishings	\$68,595,673	\$56,906,623	\$11,689,050	17%	67	3%	\$225	52,000	45,000	97,000
Electronics & Appliance	\$37,176,416	\$33,726,522	\$3,449,894	9%	53	2%	\$275	13,000	20,000	33,000
Bldg Materials, Garden Equip./Supply	\$75,291,773	\$94,579,353	-\$19,287,580	-26%	108	3%	\$250	-	44,000	44,000
Food & Beverage	\$427,762,637	\$413,563,063	\$14,199,574	3%	131	19%	\$350	41,000	180,000	221,000
Health & Personal Care	\$57,457,695	\$59,720,012	-\$2,262,317	-4%	67	3%	\$375	-	23,000	23,000
Gasoline Stations	\$272,925,180	\$211,592,718	\$61,332,462	22%	62	12%	NA	-	-	-
Clothing and Accessories	\$98,329,027	\$63,361,683	\$34,967,344	36%	101	4%	\$200	175,000	73,000	248,000
Sport Goods, Hobby, Book, Music	\$14,829,484	\$33,212,939	-\$18,383,455	-124%	100	1%	\$190	-	12,000	12,000
General Merchandise Stores	\$246,953,667	\$377,306,475	-\$130,352,808	-53%	38	11%	\$300	-	122,000	122,000
Miscellaneous Store Retailers	\$30,339,330	\$25,316,358	\$5,022,972	17%	157	1%	\$250	20,000	18,000	38,000
Nonstore Retailers	\$124,977,069	\$54,076,619	\$70,900,450	57%	11	6%	NA	-	-	-
Food Services & Drinking Places	\$289,031,581	\$286,570,182	\$2,461,399	1%	388	13%	\$275	9,000	155,000	164,000
Total Retail Trade and Food & Drink	\$2,231,299,905	\$2,262,246,201	-\$30,946,296	-1%	1,444	100%		310,000	692,000	1,002,000

Note: Not included in building space calculations are motor vehicle/parts and gasoline stations which may have substantial land area but widely varying building requirements, and non-store retailers. Source: ESRI Business Information Solutions, Urban Land Institute. E. D. Hovee & Company, LLC.

- An over-supply equal to an estimated 1% of locally generated spending potential is now indicated within the Benton-Franklin metro area, as actual sales of \$2.26 billion annually appears to exceed locally generated demand of \$2.23 billion. This means that the retailers in the metro area are also attracting significant customer clientele from outside the two-county metro area.
- General merchandise stores, motor vehicle and parts dealers, and building materials/ garden supply stores appear to be the most over-represented in the metro area — with sales exceeding locally generated demand by \$130 million in the general merchandise category, dropping to \$65 million for motor vehicles. While overall the metro area market is well-served, retail sales leakage is noted for some store categories. The greatest leakage indicated is for non-store retailers (electronic shopping, mail order houses, vending machine operators, direct selling establishments) followed by gasoline stations, apparel, then grocery stores.
- Retail building space supported by the metro area's current and projected demand with population growth to 2013 equates to an estimated 1 million square feet (excluding land extensive commercial uses such as auto dealers and gasoline service stations). Of this amount, as much as 310,000 square feet of commercial space need would be accounted for by 100% recapture of existing retail sales leakage. More than one-half of this recapture potential is represented by apparel. Five-year population growth represents retail demand of another 692,000 square feet. The greatest retail space demand associated with anticipated growth is in grocery, followed by dining and general merchandise.

Benton City Building Permits 2006-2009 (Partial)

- Limited records indicate building permits have remained fairly stable over the past four years:
 - 2006: 54
 - 2007: 69
 - 2008: 52
 - 2009: 25 (through May 13, 2009)
- The majority of building permits issued appear to be for modest improvements, with only a handful of new construction permits exceeding a value of \$120,000 (28 of 200 identified permits).

Sources of Personal Income for Benton & Franklin County & State of Washington, 1997-2007

Income Type

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Benton-Franklin County											
Wage & salary income	53%	53%	53%	53%	53%	54%	54%	55%	55%	54%	54%
Supplements to wages & salaries	11%	11%	11%	11%	10%	11%	11%	12%	12%	11%	11%
Proprietors income	5%	5%	5%	4%	5%	5%	6%	5%	5%	5%	5%
Investment income	17%	17%	16%	16%	15%	13%	12%	12%	12%	13%	13%
Transfer payments	14%	14%	15%	15%	16%	16%	16%	16%	16%	16%	16%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Per Capita Personal Income	\$21,932	\$22,726	\$23,445	\$24,677	\$26,279	\$26,752	\$27,197	\$27,783	\$28,337	\$29,127	\$30,705
Benton County											
Wage & salary income	55%	55%	55%	55%	55%	56%	57%	57%	57%	55%	56%
Supplements to wages & salaries	11%	11%	11%	11%	11%	11%	12%	12%	12%	11%	11%
Proprietors income	4%	4%	4%	4%	5%	5%	5%	5%	5%	5%	4%
Investment income	17%	17%	16%	17%	15%	13%	13%	12%	12%	14%	14%
Transfer payments	13%	13%	13%	14%	14%	14%	15%	14%	14%	15%	15%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Per Capita Personal Income	\$23,198	\$24,227	\$25,152	\$26,554	\$28,258	\$28,875	\$29,508	\$30,507	\$31,433	\$32,337	\$34,448
Franklin County											
Wage & salary income	45%	45%	46%	46%	46%	47%	47%	48%	48%	49%	49%
Supplements to wages & salaries	10%	10%	10%	10%	10%	11%	11%	11%	11%	11%	11%
Proprietors income	9%	9%	7%	6%	6%	7%	9%	7%	7%	6%	6%
Investment income	16%	17%	16%	16%	16%	13%	12%	13%	12%	12%	12%
Transfer payments	20%	20%	21%	22%	23%	22%	22%	22%	22%	21%	21%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Per Capita Personal Income	\$18,195	\$18,361	\$18,485	\$19,255	\$20,602	\$20,723	\$20,892	\$20,655	\$20,573	\$21,466	\$22,106
State of Washington											
Wage & salary income	50%	51%	53%	52%	51%	51%	50%	49%	50%	49%	49%
Supplements to wages & salaries	11%	11%	11%	11%	11%	12%	12%	12%	12%	12%	12%
Proprietors income	7%	7%	7%	7%	7%	7%	7%	7%	8%	7%	7%
Investment income	19%	19%	18%	18%	18%	17%	17%	18%	16%	19%	19%
Transfer payments	13%	12%	12%	12%	13%	13%	14%	13%	13%	13%	13%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Per Capita Personal Income	\$26,454	\$28,384	\$30,037	\$31,775	\$32,274	\$32,528	\$33,105	\$34,956	\$35,479	\$38,639	\$41,203

Source: Regional Accounts Data, U.S. Department of Commerce, Bureau of Economic Analysis.

■ Benton-Franklin Counties wage and salary income accounts for 54% of total personal income, above the statewide average proportion of 49%. Statewide, the proportion of income generated via proprietors and investments exceeds comparable proportions for the Benton-Franklin metro area. Franklin County residents have a significantly higher percentage of transfer payments than their peers in Benton County.

Tourism Expenditures for Benton & Franklin Counties & State of Washington, 1991-2007 (Benton, Franklin Counties on Following Page)

State of Washington (All Amounts x\$1,000)	1991	2000	2001	2002	2003	2004	2005	2006	2007
Total Direct Travel Spending									
Visitor Spending at Destination	5,678	8,939	8,981	8,932	9,439	10,162	11,019	12,009	12,869
Other Travel*	1,144	1,564	1,499	1,431	1,407	1,492	1,683	1,860	1,943
Total Direct Spending	6,822	10,504	10,480	10,362	10,846	11,654	12,702	13,869	14,812
Visitor Spending by Commodity Purchased									
Accommodations	888	1,577	1,568	1,522	1,556	1,685	1,844	2,102	2,362
Food & Beverage Services	1,358	2,107	2,167	2,252	2,357	2,525	2,695	2,874	3,069
Food Stores	284	434	451	462	483	515	534	555	592
Ground Tran. & Motor Fuel	927	1,611	1,592	1,500	1,800	2,078	2,409	2,752	2,999
Arts, Entertainment & Recreation	796	1,162	1,178	1,202	1,246	1,303	1,344	1,405	1,455
Shopping	1,012	1,425	1,440	1,430	1,450	1,476	1,523	1,582	1,615
Air Transportation (visitor only)	411	622	586	564	546	580	671	739	776
Spending at Destination	5,678	8,939	8,981	8,932	9,439	10,162	11,019	12,009	12,869

Benton-Franklin Counties (All Amounts x\$1,000)	1991	2000	2001	2002	2003	2004	2005	2006	2007
Total Direct Travel Spending									
Visitor Spending at Destination	144.9	226.7	238.3	244.2	259.7	278.4	296.5	316.4	347.7
Other Travel*	4.9	4.6	4.8	4.4	2.8	2.7	3.1	3.6	4.0
Total Direct Spending	149.9	231.3	243.0	248.7	262.5	281.1	299.7	320.1	351.7
Visitor Spending by Commodity Purchased									
Accommodations	19.5	33.5	37.0	38.8	40.0	41.9	43.5	45.8	53.5
Food & Beverage Services	38.4	59.6	64.0	68.3	71.0	75.3	78.6	82.0	90.7
Food Stores	7.3	11.5	12.3	13.0	13.5	14.4	14.7	15.2	16.7
Ground Tran. & Motor Fuel	28.3	48.3	47.7	44.7	54.0	63.4	75.0	86.2	94.6
Arts, Entertainment & Recreation	23.2	34.2	36.1	37.8	39.0	40.4	40.9	42.1	45.1
Shopping	27.1	38.5	40.3	40.9	41.3	41.9	42.7	43.8	45.9
Air Transportation (visitor only)	1.1	1.0	0.9	0.9	1.0	1.0	1.1	1.3	1.4
Spending at Destination	144.9	226.7	238.3	244.2	259.7	278.4	296.5	316.4	347.7

Sources: Dean Runyan Associates. Data available through 2007 for Counties and Washington State.
 *Other Travel includes resident air travel and travel agencies.

■ Total direct visitor spending in the Benton-Franklin County region has grown by over \$120 million over the past seven years, going from just over \$231 million in 2000 to \$351.7 million in 2007 (an increase of 52%, compared to 41% for the state as a whole). Regional visitor spending gains between 2006 and 2007 were the largest by volume and percent of any year to date.

Tourism Expenditures for Benton & Franklin Counties & State of Washington (1991-2007) – Continued

Benton County (All Amounts x\$1,000)	1991	2000	2001	2002	2003	2004	2005	2006	2007
Total Direct Travel Spending									
Visitor Spending at Destination	96.7	171.4	180.1	186.8	200.4	213.8	222.2	237.2	259.7
Other Travel*	2.9	2.7	3.1	2.6	0.8	0.9	1.0	1.3	1.4
Total Direct Spending	99.6	174.2	183.1	189.5	201.2	214.6	223.2	238.5	261.1
Visitor Spending by Commodity Purchased									
Accommodations	11.9	25.8	28.4	30.5	31.9	33.2	32.9	34.8	40.3
Food & Beverage Services	25.0	45.0	48.2	52.3	54.9	57.7	58.1	60.5	66.5
Food Stores	4.6	8.2	8.8	9.4	9.9	10.4	10.3	10.6	11.6
Ground Tran. & Motor Fuel	22.5	38.3	37.8	35.5	42.8	50.4	60.0	69.0	75.7
Arts, Entertainment & Recreation	15.0	25.7	27.1	28.8	30.0	30.8	30.1	30.9	32.9
Shopping	17.8	28.4	29.7	30.5	31.0	31.2	30.8	31.4	32.7
Air Transportation (visitor only)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Spending at Destination	96.7	171.4	180.1	186.8	200.4	213.8	222.2	237.2	259.7

Franklin County (All Amounts x\$1,000)	1991	2000	2001	2002	2003	2004	2005	2006	2007
Total Direct Travel Spending									
Visitor Spending at Destination	48.2	55.3	58.2	57.4	59.3	64.6	74.3	79.2	88.0
Other Travel*	2.0	1.9	1.7	1.8	2.0	1.8	2.1	2.3	2.6
Total Direct Spending	50.3	57.1	59.9	59.2	61.3	66.5	76.5	81.6	90.6
Visitor Spending by Commodity Purchased									
Accommodations	7.6	7.7	8.6	8.3	8.1	8.7	10.6	11.0	13.2
Food & Beverage Services	13.4	14.6	15.8	16.0	16.1	17.6	20.5	21.5	24.2
Food Stores	2.7	3.3	3.5	3.6	3.6	4.0	4.4	4.6	5.1
Ground Tran. & Motor Fuel	5.8	10.0	9.9	9.2	11.2	13.0	15.0	17.2	18.9
Arts, Entertainment & Recreation	8.2	8.5	9.0	9.0	9.0	9.6	10.8	11.2	12.2
Shopping	9.3	10.1	10.6	10.4	10.3	10.7	11.9	12.4	13.2
Air Transportation (visitor only)	1.1	1.0	0.9	0.9	1.0	1.0	1.1	1.3	1.4
Spending at Destination	48.2	55.3	58.2	57.4	59.3	64.6	74.3	79.2	88.0

*Other Travel includes resident air travel and travel agencies. Source: Dean Ruyuan Associates. Data available through 2007 for Counties and Washington State.

■ Of the two counties, Benton County has generated the lion's share of visitor spending. While Franklin County is the primary entry-point for air travelers, the majority of end-point lodging and attractions appear to be located in Benton County.

Benton-Franklin Counties Covered Employment Classified By Industry

Industry	Benton-Franklin Counties 2002				Benton-Franklin Counties 2007				Avg Annual % Chg 2002-07			
	Firms	Wages	Jobs	Avg Wage	Firms	Wages	Jobs	Avg Wage	Firms	Wages	Jobs	Avg Wage
Total	6,839	\$3,096,758,196	88,042	\$35,174	6,749	\$3,992,112,748	98,692	\$40,450	-0.3%	5.2%	2.3%	2.8%
Agriculture, forestry, fishing and hunting	448	\$78,415,710	4,849	\$16,172	632	\$209,643,385	10,378	\$20,202	7.1%	21.7%	16.4%	4.6%
Mining**	3	\$1,368,098	39	\$35,079	*	*	*	*	*	*	*	*
Utilities	*	*	*	*	*	*	*	*	*	*	*	*
Construction	755	\$159,257,440	4,413	\$36,088	771	\$285,173,609	6,366	\$44,798	0.4%	12.4%	7.6%	4.4%
Manufacturing	188	\$221,492,878	5,609	\$39,489	199	\$263,919,077	6,167	\$42,794	1.2%	3.6%	1.9%	1.6%
Wholesale trade	200	\$67,973,640	1,997	\$34,038	237	\$111,388,729	2,731	\$40,789	3.4%	10.4%	6.5%	3.7%
Retail trade	590	\$206,004,220	9,570	\$21,526	580	\$270,670,817	11,112	\$24,359	-0.3%	5.6%	3.0%	2.5%
Transportation and warehousing	140	\$34,189,131	1,159	\$29,499	160	\$53,279,371	1,510	\$35,275	2.7%	9.3%	5.4%	3.6%
Information	50	\$33,085,303	943	\$35,085	58	\$37,225,429	997	\$37,328	3.1%	2.4%	1.1%	1.2%
Finance and insurance	156	\$56,478,361	1,601	\$35,277	193	\$82,276,712	1,909	\$43,094	4.3%	7.8%	3.6%	4.1%
Real estate and rental and leasing	197	\$30,254,944	1,242	\$24,360	217	\$44,674,950	1,508	\$29,622	2.0%	8.1%	4.0%	4.0%
Professional / technical services	397	\$617,034,438	9,466	\$65,184	433	\$706,085,014	9,624	\$73,370	1.7%	2.7%	0.3%	2.4%
Mgmt. of companies and enterprises	7	\$5,661,954	145	\$39,048	9	\$25,860,391	332	\$77,971	5.7%	35.5%	18.0%	14.8%
Administrative and waste services	234	\$549,685,917	9,877	\$55,653	259	\$648,580,496	9,641	\$67,273	2.0%	3.4%	-0.5%	3.9%
Educational services	48	\$7,849,490	359	\$21,865	54	\$8,923,364	398	\$22,439	2.5%	2.6%	2.1%	0.5%
Health care and social assistance	486	\$207,691,093	7,241	\$28,683	515	\$298,920,122	8,455	\$35,355	1.1%	7.6%	3.1%	4.3%
Arts, entertainment, and recreation**	64	\$13,977,915	1,159	\$12,060	81	\$22,305,317	1,335	\$16,713	4.8%	9.8%	2.9%	6.7%
Accommodation and food services	315	\$72,131,143	5,948	\$12,127	361	\$93,151,041	6,760	\$13,781	2.8%	5.2%	2.6%	2.6%
Other services, exc. public adm.	2,086	\$50,871,835	3,251	\$15,648	1,826	\$62,849,935	3,409	\$18,435	-2.6%	4.3%	1.0%	3.3%
GOVERNMENT	147	\$607,179,299	14,731	\$41,218	153	\$756,300,983	15,875	\$47,642	0.8%	4.5%	1.5%	2.9%
Federal Government	30	\$83,798,460	1,363	\$61,481	36	\$94,454,012	1,279	\$73,850	3.7%	2.4%	-1.3%	3.7%
State Government	56	\$67,234,671	1,878	\$35,801	50	\$88,537,229	2,159	\$41,015	-2.3%	5.7%	2.8%	2.8%
Local Government	61	\$456,146,168	11,491	\$39,696	68	\$573,309,742	12,437	\$46,097	2.0%	4.7%	1.6%	3.0%
NOT ELSEWHERE CLASSIFIED	331	\$76,155,387	4,445	\$17,133	11	\$10,884,006	187	\$58,126	-49.2%	-32.2%	-46.9%	27.7%

Notes: * Employment / wages not shown to avoid disclosure of data for individual employer. ** = Incomplete due to employment and wages not shown to avoid disclosure of data for individual employer in either Benton or Franklin County. Source: Labor Market and Economic Analysis Branch, Washington State Employment Security Department.

■ Agriculture, retail, and government account for almost 40% of all jobs in Benton-Franklin Counties. Average pay in all the top sectors range from a low of \$20,200 to a high of \$47,600. The number of jobs region-wide increased at the relatively strong rate of about 2.3% per year from 2002-2007, but below Franklin County's 3.0% rate of increase. Wages for the two-county area increased by about 5.2% per year between 2002-2007, a rate slightly above Benton County's rate of 4.8% and well below Franklin County's rate of 7.0%.

Benton-Franklin Counties Major Employers * Source: Benton-Franklin Council of Governments, August 2007.

COMPANY	CITY	ZIP	EMPLOYEES	COMPANY	CITY	ZIP	EMPLOYEES
A&B Asphalt	Benton City	99329	93	Tyson Foods	Pasco	99302	1235
Kiona-Benton School District	Benton City	99320	200 - multiple sites	U.S. Post Office	Pasco	99301	250 - shifts
ConAgra/Lamb-Weston	Cannell	99326	401 - shifts	West Corporation (Telemarketing)	Pasco	99301	200
Coyote Ridge Correctional Facility	Cannell	99326	600 - shifts	Columbia Crest Winery	Prosser	99345	150
North Franklin School District	Cannell	99343	264 - multiple sites	Benton County	Prosser	99350	637 - multiple sites
Finley Public Schools	Finley	99337	131 - multiple sites	C.M. Holzinger Fruit Co. Inc. - Prosser Packing	Prosser	99350	120; 170 seasonal
AgriNorthwest	Kennewick	99302	200	Prosser Memorial Hospital	Prosser	99350	250 - shifts
Apollo Sheet Metal, Inc.	Kennewick	99336	490	Prosser School District	Prosser	99350	350 - multiple sites
Bank of America	Kennewick	99336	130 - multiple sites	Trise Top, Inc.	Prosser	99350	132 - shifts; 80 seasonal
Benton County PUD	Kennewick	99336	163	Twin City Foods, Inc.	Prosser	99350	312
Benton-Franklin District Health Department	Kennewick	99336	92 - multiple sites	WSU Irrigated Agri Research & Extension Center	Prosser	99350	250
City of Kennewick	Kennewick	99336	350	Albertson's Food & Drug Center	Richland	99352	100 - shifts
Columbia Collier	Kennewick	99337	160	AREVA NP (Nuclear Technology)	Richland	99352	625
ConAgra/Lamb-Weston Specialty Potato Produce	Kennewick	99336	1,685 - shifts	AREVA, INC (Nuclear Design & Construction)	Richland	99352	630
Costco	Kennewick	99336	250 - shifts	Battelle Pacific NW National Laboratory	Richland	99352	4188
Fred Meyer	Kennewick	99336	225 - shifts	Bechtel Hanford, Inc.	Richland	99352	2400 - multiple sites
J.C.Penny	Kennewick	99336	225	Bechtel National Inc	Richland	99352	2400
Kennewick General Hospital	Kennewick	99336	805 - shifts	Ben Franklin Transi	Richland	99352	273 - multiple sites
Kennewick School District	Kennewick	99336	1813 - multiple sites	CH2M Hill Hanford Group Inc./CHG	Richland	99352	1060
Life Care Center	Kennewick	99336	130 - shifts	CH2M Hill Hanford Inc.	Richland	99352	1371
Lowe's	Kennewick	99336	122 - shifts	City of Richland	Richland	99352	516
Macy's	Kennewick	99336	138	Clarion Hotel & Conference Center	Richland	99352	101 - shifts
McDonald's (Three-County Area)	Kennewick	99336	600 - multiple sites	ConAgra/Lamb Weston, Inc. (Plant)	Richland	99352	442
Red Robin Burger & Spirits	Kennewick	99336	104 - shifts	ConAgra/Lamb Weston, Inc. (Technical Center)	Richland	99352	100
Safeway Stores, Inc.	Kennewick	99336	125 - shifts	Day & Zimmermann Protection Technology	Richland	99352	315
Sun Pacific Energy	Kennewick	99336	250	Duratek Federal Services, Hanford	Richland	99352	230
Target	Kennewick	99336	125 - shifts	Eberline Services Hanford	Richland	99352	120
Tri-City Herald	Kennewick	99302	159 FTE; 87 PTE	Energy Northwest	Richland	99352	1072
United Parcel Service	Kennewick	99336	110	Fluor Government Group	Richland	99352	3597 - multiple sites
Wal-Mart	Kennewick	99336	350 - shifts	Fluor Federal Services	Richland	99352	689
Northwest Tart Cherry	Mesa	99343	175 - seasonal	Fluor Hanford, Inc.	Richland	99352	3597
Albertson's Food & Drug Center	Pasco	99301	200 - shifts	Fred Meyer	Richland	99352	253 - shifts
Burlington Northern Santa Fe Railroad	Pasco	99301	350 - multiple sites	Gesa Credit Union	Richland	99352	170
Campbell & Bruce Inc.	Pasco	99301	200	Hanford Environmental Health Foundation	Richland	99352	100
City of Pasco	Pasco	99301	285; 54 seasonal	Home Depot	Richland	99352	130 - shifts
Columbia Basin College	Pasco	99301	761	Kadlec Medical Center	Richland	99352	1468
Community Health Center - La Clinica	Pasco	99301	300 - multiple sites	Life Care Center	Richland	99352	155
ConAgra/Lamb-Weston	Pasco	99301	500	Lothreed Martin Information Technology	Richland	99352	650
Douglas Fruit Company, Inc.	Pasco	99301	180	Lourdes Counseling Center	Richland	99352	147
Franklin County	Pasco	99301	197	Protection Technology Hanford	Richland	99352	153
J.R. Simplot Company	Pasco	99301	300	Richland School District	Richland	99352	1170 - multiple sites
Lourdes Health Network	Pasco	99301	640 - multiple sites	Safeway Stores, Inc.	Richland	99352	112 - shifts
McCurtley Integrity Dealerships	Pasco	99302	150 - shifts	U.S. Department of Energy - Office of River Protection	Richland	99352	102
Pasco School District	Pasco	99301	1,422 - multiple sites	U.S. Department of Energy - Richland Operations	Richland	99352	231
Port of Pasco Industrial Park	Pasco	99301	505	Wal-Mart	Richland	99352	265 - shifts
Red Lion Hotel Pasco	Pasco	99301	170	Winco Foods	Richland	99352	198 - shifts
Russ Dean Ford	Pasco	99301	186 - shifts	WSU at Tri-Cities	Richland	99352	154
Tri-Cities Airport	Pasco	99301	703	Builders Lumber	West Richland	99353	80

■ According to Benton-Franklin COG, the largest regional employers are Battelle, Pacific NW National Lab, Bechtel Hanford, and Fluor Government Group, all in Richland. The largest employer identified for Benton City is the Kiona-Benton School District, with 200 employees.

Benon-Franklin Counties Industrial & Commercial Vacant/Developable Land

Address	City	Type	Min Size	Max Size	For Sale	For Lease
4208 W CLEARWATER AVE	Kennewick	Industrial	22,440 SF	22,440 SF	Yes	no
6502 W Deschutes	Kennewick	Industrial	4,850 SF	4,850 SF	no	Yes
421 E COLUMBIA DR	Kennewick	Industrial, warehouse	5,280 SF	5,280 SF	no	Yes
105803010696001	Kennewick	land	2,00 Acres	2,00 Acres	Yes	Yes
105803010696002	Kennewick	land	1.50 Acres	1.50 Acres	Yes	Yes
105803010696003	Kennewick	land	2.00 Acres	2.00 Acres	Yes	Yes
105803010696004	Kennewick	land	1.77 Acres	0.80 Acres	Yes	Yes
1058030300000005	Kennewick	land	2.41 Acres	2.41 Acres	Yes	Yes
1058030300000006	Kennewick	land	2.64 Acres	2.64 Acres	Yes	Yes
1128910300080007	Kennewick	land	2.80 Acres	2.80 Acres	Yes	Yes
1329940000010007	Kennewick	land	4.40 Acres	4.40 Acres	Yes	no
132994012775002	Kennewick	land	1.50 Acres	1.50 Acres	Yes	Yes
132994020003014	Kennewick	land	1.95 Acres	1.95 Acres	Yes	no
2518 S. Union Street, Lot 4	Kennewick	land	0.88 Acres	0.88 Acres	Yes	no
2602 S Union Street, Lot 6	Kennewick	land	0.84 Acres	0.84 Acres	Yes	no
2606 S. Williams Place, Lot 1	Kennewick	land	2.31 Acres	2.31 Acres	Yes	no
2620 S. Williams Place, Lot 2	Kennewick	land	0.50 Acres	0.50 Acres	Yes	no
3601 PLAZA WAY	Kennewick	land	1.02 Acres	0.00 Acres	Yes	no
3631 PLAZA WAY	Kennewick	land	0.97 Acres	0.97 Acres	Yes	Yes
408 N VOLLAND ST	Kennewick	land	0.96 Acres	0.96 Acres	Yes	Yes
4300 w 24th Ave	Kennewick	land	5.32 Acres	5.32 Acres	Yes	Yes
4305 W. Clearwater	Kennewick	land	20.00 Acres	20.00 Acres	Yes	Yes
4500 W. 27th Avenue, Lot 8	Kennewick	land	0.56 Acres	0.49 Acres	Yes	no
4522 W. 27th Avenue, Lot 7	Kennewick	land	1.08 Acres	1.08 Acres	Yes	no
4527 W. 26th Avenue, Lot 5	Kennewick	land	0.91 Acres	0.91 Acres	Yes	no
4528 W. 26th Avenue, Lot 3	Kennewick	land	0.59 Acres	0.59 Acres	Yes	no
4804 W. Clearwater	Kennewick	land	0.92 Acres	0.92 Acres	Yes	no
Badger Canyon exit	Kennewick	land	4.28 Acres	4.28 Acres	Yes	no
Colonnade Business Park	Kennewick	land	1.00 Acres	75.00 Acres	Yes	no
Columbia Trail near the "Y"	Kennewick	land	1.16 Acres	3.65 Acres	Yes	no
Gage East	Kennewick	land	2.76 Acres	2.76 Acres	Yes	no
Grandridge Business Park	Kennewick	land	0.71 Acres	1.14 Acres	Yes	no
Kellogg St. Grand Plaza lot #2	Kennewick	land	0.56 Acres	8.00 Acres	Yes	no
Kellogg St. Grand Plaza lot #3	Kennewick	land	0.59 Acres	1.18 Acres	Yes	no
Kennewick Industrial Park	Kennewick	land	0.59 Acres	1.18 Acres	Yes	no
Quinault & Columbia Center Blvd	Kennewick	land	0.64 Acres	2.23 Acres	Yes	no
selected location	Kennewick	land	1.55 Acres	3.49 Acres	Yes	no
selected location	Kennewick	land	0.23 Acres	0.46 Acres	Yes	no
selected location	Kennewick	land	2.72 Acres	2.72 Acres	Yes	no
selected location	Kennewick	land	0.72 Acres	0.72 Acres	Yes	no
selected location	Kennewick	land	0.95 Acres	0.95 Acres	Yes	no
Vista Entertainment District	Kennewick	land	0.06 Acres	1.32 Acres	Yes	no
120 W 1st Ave	Kennewick	land	0.36 Acres	3.30 Acres	Yes	no
1409 N PITTSBURGH ST	Kennewick	office	3,150 SF	3,150 SF	Yes	no
1715 W KENNEWICK AVE	Kennewick	office	968 SF	968 SF	no	Yes
22 W KENNEWICK AVE	Kennewick	office	3,287 SF	3,287 SF	Yes	no
2600 Brunau	Kennewick	office	6,620 SF	6,620 SF	Yes	no
2810 W CLEARWATER AVE	Kennewick	office	1,600 SF	1,600 SF	no	Yes
315 W KENNEWICK AVE	Kennewick	office	1,000 SF	6,690 SF	no	Yes
315 W KENNEWICK AVE	Kennewick	office	2,000 SF	5,000 SF	Yes	no
3250 W CLEARWATER AVE	Kennewick	office	5,000 SF	5,000 SF	Yes	no
	Kennewick	office	6,000 SF	6,000 SF	no	Yes

Address	City	Type	Min Size	Max Size	For Sale	For Lease
4000 W CLEARWATER AVE	Kennewick	office	576 SF	576 SF	no	yes
410 N NIEL ST	Kennewick	office	2,000 SF	2,000 SF	no	yes
4304 W 24th Ave	Kennewick	office	3,797 SF	20,500 SF	yes	yes
4306 W Clearwater Ave	Kennewick	office	800 SF	800 SF	no	yes
4309 W 27th Place	Kennewick	office	1,133 SF	1,133 SF	no	yes
515 N Neel	Kennewick	office	702 SF	1,768 SF	no	yes
554 N Colorado	Kennewick	office	1,309 SF	1,309 SF	no	yes
7233 W DESCHUTES AVE	Kennewick	office	1,000 SF	5,780 SF	yes	yes
7521 W Deschutes	Kennewick	office	1,900 SF	1,900 SF	no	yes
7525 W DESCHUTES PL	Kennewick	office	800 SF	2,920 SF	no	yes
8121 W GUINHAULT AVE	Kennewick	office	1,360 SF	22,080 SF	no	yes
8121 West Guinault	Kennewick	office	1,417 SF	1,417 SF	no	yes
8390 Gage	Kennewick	office	450 SF	3,000 SF	no	yes
8390 W. Gage Blvd	Kennewick	office	1,60 SF	670 SF	no	yes
8518 W GAGE BLVD	Kennewick	office	1,681 SF	1,681 SF	yes	yes
8901/8905 W GAGE BLVD	Kennewick	office	1,500 SF	31,800 SF	no	yes
422 E COLUMBIA DR	Kennewick	office, industrial, retail, warehouse	6,000 SF	18,450 SF	yes	yes
101 N UNION ST	Kennewick	office, retail	1,200 SF	2,614 SF	no	yes
3902 W CLEARWATER AVE	Kennewick	office, retail	1,164 SF	1,164 SF	no	yes
3902 W CLEARWATER AVE	Kennewick	office, retail	1,605 SF	1,605 SF	no	yes
515 N NIEL ST	Kennewick	office, retail	527 SF	527 SF	no	yes
5510 W CLEARWATER AVE	Kennewick	office, retail	1,000 SF	10,816 SF	no	yes
1110 N EDISON ST	Kennewick	retail	1,663 SF	1,663 SF	no	yes
1218 Columbia Center Boulevard	Kennewick	retail	928 SF	6,270 SF	yes	yes
1408 N. Louisiana	Kennewick	retail	1,320 SF	5,000 SF	no	yes
151 N ELY ST	Kennewick	retail	1,300 SF	2,600 SF	no	yes
205 N Morelin	Kennewick	retail	8,655 SF	10,966 SF	no	yes
208 E Columbia Drive	Kennewick	retail	8,000 SF	8,000 SF	no	yes
2905 W Kennewick Ave	Kennewick	retail	9,500 SF	9,500 SF	yes	no
3001 W 10TH AVE	Kennewick	retail	22,846 SF	22,846 SF	no	yes
325 S UNION ST	Kennewick	retail	1,200 SF	4,320 SF	no	yes
3617 PLAZA WAY	Kennewick	retail	4,375 SF	4,375 SF	yes	no
3902 W CLEARWATER AVE	Kennewick	retail	1,250 SF	9,750 SF	no	yes
3911 West 27th Ave	Kennewick	retail	1,535 SF	1,535 SF	no	yes
4115 W CLEARWATER AVE	Kennewick	retail	1,200 SF	8,000 SF	no	yes
4311 W CLEARWATER AVE	Kennewick	retail	4,400 SF	4,400 SF	yes	no
518 W COLUMBIA DR	Kennewick	retail	1,340 SF	5,360 SF	no	yes
6200 W CLEARWATER AVE	Kennewick	retail	9,961 SF	9,961 SF	no	yes
Kennewick Plaza 2905 W.	Kennewick	retail	3,920 SF	3,920 SF	no	yes
Kennewick Plaza 3107 W	Kennewick	retail	14,646 SF	14,646 SF	no	yes
selected location	Kennewick	retail	1,400 SF	1,400 SF	no	yes
The Colonnade 6501 W Grandridge	Kennewick	retail	1 SF	2 SF	yes	no
The Colonnade 6501 W Grandridge	Kennewick	retail	1,350 SF	1,350 SF	no	yes
The Colonnade 6501 W Grandridge	Kennewick	retail	950 SF	950 SF	no	yes
501 N Quay Street	Kennewick	retail	1,458 SF	1,458 SF	no	yes
105803030000003	Kennewick	warehouse, land	4,500 SF	23,500 SF	no	yes
	Kennewick	warehouse, land	87,120 SF	87,120 SF	yes	yes

Source: Washington Prospector, <http://www.washingtonprospector.com> Note: All listings are located in Kennewick. Not an actual indicator of relative site availability by jurisdiction.

■ The Washington Prospector web site (maintained by CTED) has 98 listings of properties for sale or lease throughout the Benton-Franklin region: 2 industrial buildings, 25 office buildings, 22 retail buildings, 39 parcels, and 9 with a mix of uses.

Labour Force Participation by Full & Part-time Status in 1999 (Labor Force Data Spans Next 2 Pages)

	Benton City	Benton-Franklin Counties	Benton County	Franklin County
Population 16+ Years	1,733	139,314	105,052	34,262
Worked in 1999	1,241	100,330	76,093	24,237
% of Population Worked in 1999	72%	72%	72%	71%
Full-time (Worked 35+ hours/week)	886	78,602	59,092	19,510
% of Employed Population Working Full-time	71%	78%	78%	80%
Part-time (Worked 1-34 hours/week)	355	21,728	17,001	4,727
% of Employed Population Working Part-time	29%	22%	22%	20%

Source: U.S. Census Bureau.

Work Status in 1999

	Number				% of Total			
	Benton City	Benton-Franklin Counties	Benton County	Franklin County	Benton City	Benton-Franklin Counties	Benton County	Franklin County
Total Male and Female:								
Worked in 1999:	1,733	139,314	105,052	34,262	100%	100%	100%	100%
Usually worked 35 or more hours per week:	1,241	100,330	76,093	24,237	71%	78%	78%	80%
50 to 52 weeks	886	78,602	59,092	19,510	48%	54%	56%	45%
48 and 49 weeks	590	53,857	42,985	10,872	1%	4%	3%	7%
40 to 47 weeks	18	4,249	2,645	1,604	9%	7%	6%	9%
27 to 39 weeks	110	6,549	4,382	2,167	5%	5%	5%	8%
14 to 26 weeks	62	5,348	3,511	1,837	6%	5%	4%	7%
1 to 13 weeks	70	4,725	3,126	1,599	3%	4%	3%	6%
Usually worked 1 to 34 hours per week:	36	3,874	2,443	1,431	29%	22%	22%	20%
50 to 52 weeks	355	21,728	17,001	4,727	10%	7%	8%	6%
48 and 49 weeks	130	7,364	5,918	1,446	3%	4%	3%	6%
40 to 47 weeks	15	975	734	241	1%	1%	1%	1%
27 to 39 weeks	42	2,608	2,077	531	3%	3%	3%	2%
14 to 26 weeks	53	3,915	2,203	712	4%	3%	3%	3%
1 to 13 weeks	57	3,923	3,079	844	5%	4%	4%	3%
Usually worked 15 to 34 hours per week:	58	3,943	2,990	953	5%	4%	4%	4%
50 to 52 weeks	265	16,839	13,138	3,701	21%	17%	17%	15%
48 and 49 weeks	86	6,031	4,897	1,134	7%	6%	6%	5%
40 to 47 weeks	15	806	616	190	1%	1%	1%	1%
27 to 39 weeks	29	2,233	1,792	441	2%	2%	2%	2%
14 to 26 weeks	43	2,270	1,647	623	3%	2%	2%	3%
1 to 13 weeks	43	2,936	2,247	689	4%	3%	3%	3%
Usually worked 1 to 14 hours per week:	49	2,563	1,939	624	4%	3%	3%	3%
50 to 52 weeks	90	4,889	3,863	1,026	7%	5%	5%	4%
48 and 49 weeks	44	1,333	1,021	312	4%	1%	1%	1%
40 to 47 weeks	0	169	118	51	0%	0%	0%	0%
27 to 39 weeks	13	375	285	90	1%	1%	1%	0%
14 to 26 weeks	10	645	556	89	1%	1%	1%	0%
1 to 13 weeks	14	987	832	155	1%	1%	1%	0%
Did not work in 1999	9	1,380	1,051	329	1%	1%	1%	1%
	492	38,984	28,959	10,025	40%	39%	38%	41%

Work Status in 1999 – Continued

	Number				% of Total			
	Benton City	B-F Counties	Benton	Franklin	Benton City	B-F Counties	Benton	Franklin
Male:								
Worked in 1999:	852	69,409	51,547	17,862				
Usually worked 35 or more hours per week:	666	55,137	41,115	14,022	54%	55%	54%	58%
50 to 52 weeks	580	48,254	36,030	12,224	47%	48%	47%	50%
48 and 49 weeks	367	34,265	27,219	7,046	30%	34%	36%	29%
40 to 47 weeks	9	2,688	1,664	1,024	1%	3%	2%	4%
27 to 39 weeks	90	3,944	2,527	1,417	7%	4%	3%	6%
14 to 26 weeks	40	2,991	1,884	1,107	3%	3%	2%	5%
1 to 13 weeks	50	2,454	1,530	924	4%	2%	2%	4%
Usually worked 15 to 34 hours per week:	24	1,912	1,206	706	2%	2%	2%	3%
50 to 52 weeks	67	5,117	3,734	1,383	5%	5%	5%	6%
48 and 49 weeks	14	1,485	1,136	349	1%	1%	1%	1%
40 to 47 weeks	10	314	210	104	1%	0%	0%	0%
27 to 39 weeks	4	583	486	97	0%	1%	1%	0%
14 to 26 weeks	4	754	485	269	0%	1%	1%	1%
1 to 13 weeks	29	1,034	784	250	2%	1%	1%	1%
Usually worked 1 to 14 hours per week:	6	947	633	314	0%	1%	1%	1%
50 to 52 weeks	19	1,766	1,351	415	2%	2%	2%	2%
48 and 49 weeks	4	474	352	122	0%	0%	0%	1%
40 to 47 weeks	0	67	41	26	0%	0%	0%	0%
27 to 39 weeks	3	90	40	50	0%	0%	0%	0%
14 to 26 weeks	8	249	190	59	1%	0%	0%	0%
1 to 13 weeks	0	352	301	51	0%	0%	0%	0%
Did not work in 1999	4	534	427	107	0%	1%	1%	0%
	186	14,272	10,432	3,840	15%	14%	14%	16%
Female:								
Worked in 1999:	881	69,905	53,505	16,400				
Usually worked 35 or more hours per week:	575	45,193	34,978	10,215	46%	45%	46%	42%
50 to 52 weeks	306	30,348	23,062	7,286	25%	30%	30%	30%
48 and 49 weeks	233	19,592	15,766	3,826	18%	20%	21%	16%
40 to 47 weeks	9	1,561	981	580	1%	2%	1%	2%
27 to 39 weeks	20	2,605	1,855	750	2%	3%	2%	3%
14 to 26 weeks	22	2,357	1,627	730	2%	2%	2%	3%
1 to 13 weeks	20	2,271	1,596	675	2%	2%	2%	3%
Usually worked 15 to 34 hours per week:	12	1,963	1,237	725	1%	2%	2%	3%
50 to 52 weeks	198	11,722	9,404	2,318	16%	12%	12%	10%
48 and 49 weeks	72	4,546	3,761	785	6%	5%	5%	3%
40 to 47 weeks	5	492	406	86	0%	0%	1%	0%
27 to 39 weeks	25	1,650	1,306	344	2%	2%	2%	1%
14 to 26 weeks	39	1,516	1,162	354	3%	2%	2%	1%
1 to 13 weeks	14	1,902	1,463	439	1%	2%	2%	2%
Usually worked 1 to 14 hours per week:	43	1,616	1,306	310	3%	2%	2%	1%
50 to 52 weeks	71	3,123	2,512	611	6%	3%	3%	3%
48 and 49 weeks	40	859	669	190	3%	1%	1%	1%
40 to 47 weeks	0	102	77	25	0%	0%	0%	0%
27 to 39 weeks	10	285	245	40	1%	0%	0%	0%
14 to 26 weeks	2	396	366	30	0%	0%	0%	0%
1 to 13 weeks	14	635	531	104	1%	1%	1%	0%
Did not work in 1999	5	846	624	222	0%	1%	1%	1%
	306	24,712	18,527	6,185	0%	1%	1%	1%

Notes: By gender, usual hours worked per week in 1999, weeks worked in 1999 (16 yrs. and over). Source: Census 2000 Summary File 3 (SF 3) - Sample Data.

■ Census 2000 indicates that 72% of Benton City's population 16+ years worked in 1999, and 71% of this employed population worked full-time. Labor force participation city-wide appears to be equal to or below regional rates. While post-2000 data is not readily available, it is possible that labor force participation has dropped in recent years due to higher median age of the population with more residents in retirement age categories. ESR1 forecasts that Benton City median age may rise again by 2013, especially with an increased proportion of adults entering retirement aged 64+.

ESRI Tapestry Definitions (For Benton City; Benton-Franklin County)

Midland Crowd

Demographic

The approximately 11.6 million people in Midland Crowd neighborhoods represent the largest market of Community Tapestry, nearly 4 percent of the U.S. population, and it's still growing. Since 2000, population growth has been 2.34 percent annually. The median age of 36.9 years parallels that of the U.S. median. More than half of the households (62 percent) are composed of married-couple families, half of whom have children. One-fifth of households are occupied by those who live alone. Most residents are white.

Socioeconomic

With more than 4.2 million households, Midland Crowd has the highest count of all the Community Tapestry markets, with an annual household growth of 2.6 percent since 2000. The median household income is \$49,748, slightly lower than the U.S. median. Households derive primary income from wages and salaries, although the percentage of households that receive income from self-employment ventures is slightly higher than the national level. The median net worth is \$86,362, somewhat below U.S. median. Half of employed residents work in white-collar occupations. Approximately 30 percent of Midland Crowd residents aged 25 years and older have attended college; 15 percent hold a bachelor's or graduate degree.

Residential

Midland Crowd residents live in developments in rural areas throughout the United States (more village or town than farm), mainly in the South. Three-fourths of the housing was built after 1969. Homeownership is at 84 percent; the median home value is \$137,727. Two-thirds of the households are single-family structures; 28 percent are mobile homes. One-fourth of the households own three or more vehicles.

Preferences

Midland Crowd is a somewhat politically conservative market. The rural location and traditional lifestyle dictate the consumer preferences of these residents. How they take care of their homes, lawns, and vehicles demonstrates a do-it-yourself mentality. Households typically own or lease a truck; many own a used motorcycle. Hunting, fishing, and woodworking are favorite pursuits. Generally, households have pets, especially birds and dogs. Recent purchases include used vehicles, furniture, and giant-screen TVs. Their department store of choice is Belk. When eating takeout, they often choose a fast-food restaurant and use the drive-through window. Many households have a satellite dish. Favorite stations include CMT and Outdoor Life Network. In addition to watching rodeo/bull riding, truck and tractor pulls/mud racing, and fishing programs on TV, residents watch a variety of news programs. Fitting right in with their rural surroundings, they prefer to listen to country music on the radio and read fishing and hunting magazines.

Crossroads

Demographic

Crossroads neighborhoods are primarily home to married families with and without children and single-parent families. These residents are young, with a median age of 32.0. Householders tend to be younger than U.S. average; approximately half are younger than 45. The population in this segment is growing more than 1.6 percent annually, a faster rate than the U.S. population. Nineteen percent of residents are Hispanic. Although 73 percent of residents are white, other racial groups are represented in this market.

Socioeconomic

The median household income for this market is \$41,213, somewhat below the U.S. median; the median net worth is \$47,371, less than half the U.S. value. Educational attainment levels are lower than U.S.; only 36 percent of residents aged 25 years and older hold a bachelor's or graduate degree or have attended college. Most employed residents work in the manufacturing, construction, retail trade, and service industry sectors. Labor force participation is comparable to the U.S. level, but unemployment is slightly higher.

Residential

Crossroads communities are growing neighborhoods that are frequently found in small towns throughout the South, Midwest, and West. These small towns provide affordable housing for young families, providing them an opportunity to own their homes. Homeownership is 77 percent; the median home value is \$74,804, much lower than the U.S. median. More than half of Crossroads households are mobile homes; 36 percent are single-family dwellings. Most of the housing was built after 1969.

Preferences

Mindful of their expenses, Crossroads households budget for what they buy and choose selectively where to spend their money. They shop at discount department stores such as Wal-Mart and Kmart. Many shop for groceries at Wal-Mart Supercenters. Their priorities are their families and their cars. Children are the focus of their lives, and they buy children's products in addition to groceries. They prefer domestic cars or trucks, commonly buy used vehicles, and handle the maintenance themselves. Investing and saving for retirement are a low priority; many households do not own mutual funds, stocks, or retirement savings accounts. Home improvement projects also rank low. Crossroads residents enjoy watching television, especially cartoon channels for the kids and fishing or NASCAR racing for the adults. Typically, they own a satellite dish or subscribe to cable. They also like to listen to the radio, preferring country and contemporary hit music to other formats. They read the newspaper less frequently than average U.S. households; however, they read magazines, especially automotive, boating, motorcycle, and fishing publications. They like to fish and go to the movies. Most households have pets such as cats and dogs. Birds are especially popular.

Salt of the Earth

Demographic

Salt of the Earth households are dominated by married couples with children (36 percent) and without (29 percent). Both household percentages are higher than the U.S. values. One-fifth of households are composed of singles that live alone. The average household size for this market is 2.60, extremely close to the U.S. value of 2.59; however, the average family size is 2.99, falling below the U.S. average of 3.14. With a median age of 41.3 years, this is a slightly older market. Because ethnic diversity in these neighborhoods is negligible—94 percent of the residents are white—Salt of the Earth neighborhoods are the least diverse of all the Community Tapestry segments.

Socioeconomic

Employed Salt of the Earth residents work in a variety of occupations including management and professional positions and unskilled labor jobs. Higher-than-average proportions work in skilled labor occupations. Approximately one-fifth work in the manufacturing industry. The 66 percent labor force participation is high, and unemployment is low at 5 percent. The median household income is \$50,538, close to the U.S. median. Besides wages, household income is supplemented by interest income, dividends, rental income, self-employment income, retirement income, and Social Security benefits, all above national proportions. The median net worth for this market is \$108,631. One-fourth of Salt of the Earth residents aged 25 years and older have attended college; 13 percent hold a bachelor's or graduate degree.

Residential

Salt of the Earth neighborhoods are located in rural areas throughout the United States. Nearly half of the households are in the Midwest; the other half are found almost entirely in the South and Northeast. States with the highest concentrations of these households are Pennsylvania, Ohio, Indiana, and Michigan. Homeownership is at 86 percent, and the median home value is \$139,060. The majority of households are single-family units (83 percent); 12 percent are mobile homes. Twenty-two percent of the housing units were built before 1940.

Preferences

Salt of the Earth residents are rooted in their settled, traditional, and hardworking lifestyles. Independent and self-reliant, they take on small home improvement and remodeling projects themselves. They also spend a lot of time and money on their vegetable and flower gardens, owning the necessary tools and equipment to make them a success. Twenty eight percent of the households own three or more vehicles, making Salt of the Earth one of the top segments with this distinction.

These rural households typically own or lease many vehicles including a truck. Many own a motorcycle. Overall, they prefer domestic vehicles to imports and handle the maintenance themselves. Most residents carry insurance policies to protect themselves and their families and invest in annuities, certificates of deposit, and U.S. savings bonds. Families often have two or more pets, either dogs or cats. Salt of the Earth residents enjoy dining out, generally at family restaurants such as Ponderosa, Big Boy, and Bob Evans Farms. However, baking is a favorite home activity.

They enjoy fishing, hunting, target shooting, attending country music concerts and auto races, and flying kites. They read fishing and hunting magazines also. Their radio dials are often tuned to country music stations, but they also like to follow auto racing. Many households have a satellite dish. Favorite stations include CMT, Outdoor Life Network, and the Speed Channel. In addition to watching horse racing, auto racing, and truck and tractor pulls/mud racing on TV, a favorite weekly show is According to Jim. Families travel to vacation destinations by car; for overnight stays, they prefer a Super 8 motel.

Up and Coming Families

Demographic

With an annual growth rate of 4.2 percent, Up and Coming Families represents the second highest household growth market and the youngest affluent family market (with a median age of 32.0 years) of Community Tapestry. Residents are a mix of Generation Xers and baby boomers. The profile for this market is young, affluent families with younger children. Eighty percent of households are composed of families. Approximately two-fifths of households consist of married couples with children. Most of the residents in this segment are white; however, the diversity of the population is increasing with its size.

Socioeconomic

At the beginning of their careers, Up and Coming Families residents are earning above-average income but have not had time to accumulate much wealth. The median household income is \$77,444, well above the national median. The median net worth is \$162,486. Nearly two-thirds of residents aged 25 years and older have a degree or some college credits. Labor force participation is well above average at 73 percent, and unemployment is low. Understandably, 91 percent of households derive income from wage and salary compensation. Although half of the households have children, they also have working parents.

Residential

Nearly half of Up and Coming Families segments are concentrated in the South, the other half in the West and Midwest. These neighborhoods are located in suburban outskirts of midsized metropolitan areas with populations higher than 250,000. Households are mainly new single-family dwellings. Homeownership is at 85 percent. More than half of the housing units were built in the last 10 years. Houses in these neighborhoods are valued a \$221,956, slightly above the U.S. median.

Preferences

Consumer choices for Up and Coming Families are dictated by family and home. Many are beginning or expanding their families, so maternity clothes and baby equipment are essential purchases in addition to children's clothing and toys. Because many are first-time homeowners, purchases such as basic household furniture and lawn fertilizer, weed control, and insecticide are important. Vying for attention in the family budget are car loans, student loans, and mortgage payments. Up and Coming Families residents most likely own or lease an SUV or minivan.

They enjoy eating out at family restaurants such as Red Robin, Chili's Grill & Bar, and Olive Garden and fast-food restaurants such as Chick-fil-A, Chuck E. Cheese's, and Papa John's. Leisure activities include playing softball, going to the zoo, and visiting theme parks (generally Sea World or Disney World), where they make good use of their digital camera or camcorder. They enjoy renting science fiction, comedy, and family-type DVDs. A favorite TV show is 24. Favorite cable stations are Oxygen, E!, and the Discovery Health Channel. Residents prefer to listen to soft adult contemporary, sports, and classic hits radio.

Exurbanites

Demographic

Exurbanites residents live beyond the urban fringe, preferring open space with affluence. Empty nesters (married couples with no children living at home) comprise 40 percent of these households, yet married couples with children occupy 32 percent. Half of the householders are between 45 and 64 years old. Their median age of 44.6 years places these residents directly between paying college expenses and caring for elderly parents. Their life-stage is as important to understanding this market as their lifestyle. There is little ethnic diversity; most residents are white.

Socioeconomic

At 66 percent, labor force participation for the Exurbanites market is above average. Residents are educated: more than 40 percent of the population aged 25 years and older hold a bachelor's or graduate degree, and more than 30 percent have attended college. They are also well employed. Approximately half of employed persons hold professional or management positions. The median net worth is \$277,391, more than twice that of the national median. The median household income is \$88,195. More than 20 percent of households draw retirement income, and 57 percent of households receive additional income from investments.

Residential

Although Exurbanites households are growing by almost 2 percent annually, these are not the newest neighborhoods. Recent construction comprises only 22 percent of the housing stock. However, 70 percent of the housing units were built after 1969. Most homes are single-family structures. The median home value is \$302,435, more than one and one-half times that of the national median. Exurban living is not supported by public transportation. Nearly 80 percent of households own at least two vehicles. The average travel time to work for this market is comparable to the U.S. average.

Preferences

Because of their life-stage, Exurbanites residents focus on financial security. They consult with financial planners; have IRA accounts; own shares in money market funds, mutual funds, and tax-exempt funds; own common stock; and track their investments online. Between long-term care insurance and substantial life insurance policies, they are well insured. Many have home equity lines of credit. Exurbanites residents work on their homes, lawns, and gardens.

To enhance their properties, they purchase garden and lawn care products, shrubs, and plants. Many home improvement tasks, such as interior or exterior painting, are accomplished by a household member, although contractors are hired for some work. They own all kinds of tools, such as saws, sanders, and wallpaper strippers, to help them complete their projects. Leisure activities include boating, hiking, kayaking, playing Frisbee, photography, and bird-watching. Exurbanites residents travel, typically within the United States, and enjoy hiking, playing golf, and visiting national parks on vacation. They listen to public radio and donate to PBS. Participation in civic activities includes addressing public meetings and doing volunteer work. Many are members of fraternal orders and charitable organizations.

Aspiring Young Families

Demographic

Most Aspiring Young Families residents are young, startup families, a mix of married-couple families with and without children and single parents with children. The average family size is 3.12, near the U.S. average. Approximately two-thirds of the households are families, 27 percent are single-person households, and 9 percent are shared. Annual population growth is 1.37 percent, higher than the U.S. growth. The median age is 30.5 years; one-fifth of residents are in their 20s. This market is ethnically diverse. Although most residents are white, other race groups are also represented. Seventeen percent of residents are black, and 17 percent are of Hispanic origin.

Socioeconomic

The median household income is \$50,392, and income is derived mainly from wages. The median net worth for this market is \$74,245. Approximately 60 percent of employed residents have professional, management, sales, or office/administrative support positions. Overall, 85 percent of residents aged 25 years and older have graduated from high school, 35 percent have attended college, and 22 percent hold a bachelor's or graduate degree.

Residential

Aspiring Young Families neighborhoods are located in the large, growing metropolitan areas primarily in the South and West, with the highest state concentrations in California, Florida, and Texas. Although almost three-fourths of the households are in the South and West, one-fifth of the housing is located in the Midwest. Half of the households are occupied by renters, half by homeowners. Residents live in moderately priced apartments, single-family houses, and startup townhomes. The average gross rent is approximately \$674 per month, just slightly higher than the U.S. average. The median home value is \$170,342. Most of the housing units were built after 1969.

Preferences

Aspiring Young Families residents spend much of their discretionary income on their children and their homes. They buy baby and children's products and toys and furniture for the home. Electronic purchases include cameras and video game systems. Residents spend time online visiting chat rooms, searching for employment, playing games, researching real estate, and making travel arrangements. They carry multiple life insurance policies. Vacations are likely to include visits to theme parks. Leisure time includes dining out, dancing, going to the movies, and attending professional football games.

Other activities include fishing, weight lifting, playing basketball, and watching dramas or horror movies on DVD. Residents listen to urban stations and professional basketball games on the radio. When watching TV, they favor sports, news, and entertainment programs and courtroom TV shows. When eating out, Aspiring Young Families residents prefer family restaurants such as Tony Roma's and IHOP and fast-food establishments such as Checkers and Jack-in-the-Box.

Industrious Urban Fringe

Demographic

Family is central to Industrious Urban Fringe neighborhoods. Slightly more than half of these households have children. Married-couple families (54 percent of households) and single-parent families (17 percent) comprise most of these households. Multigenerational households are relatively common. The comparatively low median age of 28.5 years reflects the high proportion of children. Approximately 57 percent of these residents are Hispanic. More than one-fourth of the residents are foreign born, bringing rich, diverse cultures to these urban outskirt neighborhoods.

Socioeconomic

The median household income is \$42,901; the median net worth is \$54,484. The large average household size of 3.42 lowers the amount of discretionary income compared to segments with similar income. Settled on the fringe of metropolitan cities, these households take advantage of the proximity to metropolitan cities to pursue employment opportunities. These residents rely mainly on work in the manufacturing, construction, retail trade, and service industry sectors for their livelihood. Educational attainment levels are lower than U.S. levels, and the unemployment rate is higher.

Residential

Approximately half of the Industrious Urban Fringe households are located in the West; 40 percent are in the South. States with the highest household concentrations are California, Texas, and Florida. Homeownership is at 67 percent, and the median home value is \$166,992. Single-family dwellings are the dominant household structure in these neighborhoods. Living farther out from urban centers allows many to find the space for an affordable home in-which to raise their families.

Preferences

Industrious Urban Fringe households balance their budgets carefully. Mortgage payments take priority. They shop at Wal-Mart, Kmart, Target, and other major discount stores for baby and children's products. They dine out less often than average households. Many have no financial investments or retirement savings other than their homes and are less likely than average to carry health insurance.

Keeping in touch is important to these residents. They often have a second phone line at home and purchase various phone services. They enjoy watching movies, both at theaters and at home. It's quite common for them to make multiple visits to a movie theater in a month. Newspapers and magazine are not the best media to reach the Industrious Urban Fringe households. Television and radio are more effective. Residents watch television just as much as average U.S. householders but subscribe to cable less often. They listen to the radio frequently, tuning in to contemporary hit and Hispanic stations.

APPENDIX D: STAKEHOLDER COMMENTS

Overview

The best intelligence is gleaned from those with eyes and feet on the ground. To that end, the Benton City Economic Development Council arranged for Barney & Worth to meet with a variety of local and regional stakeholders and Benton City partners in the winter and spring of 2009. Approximately 40 individuals, representing various interests, participated in the interviews, contributing their thoughts on Benton City's relative strengths, weaknesses, opportunities and threats to future economic prosperity.

Because some of the regional partners are focused on one specific element of Benton City's economic infrastructure, the consultant tailored questions to each participant's area of expertise or interest.

Participants

The Benton City EDC is grateful to the following individuals and organization for contributing their ideas and observations during the stakeholder interview process:

Individuals

- Benton City Mayor, Lloyd Carnahan
- Bob Bruce
- Neil Goplen, Clark Jennings & Assoc. (Smith Farm)
- Honda Johnson, Business Owner
- Lynn Johnson
- Ed Shaw, Heritage Group (Red Mountain AVA)
- Terry Seidl, Clark Jennings & Assoc. (Smith Farm)
- Rod Smith, Conoco Fuel
- Robert Spink, Spink Engineering (Benton City Planner)

Focus Group #1

- Dawn Anderson
- Maeleena Darling
- Maurice Devers
- Heather Duncan
- Karan Harms
- Dick Helland
- Rod Forsness
- Bill McKenna
- Virginia McKenna
- Joe Petty
- Randy Rutledge

Organizations

- Benton-Franklin COG (Art Tackett)
- Benton PUD (Tonya Tier, Christie McAloon)
- CTED (Bob Sandoval)
- DNR (Duane Unland)
- Port of Benton (John Haakenson)
- Port of Kennewick (Larry Peterson)
- TRIDEC (Bryson Bailey)

Focus Group #2

- Dawn Anderson
- Bea Baker
- Lorna Deckert
- Richard Delorme
- Heather Duncan
- Karan Harms
- Larry Howell
- Dan Raap
- Randy Rutledge
- Peter Smit
- Lisa Stade

Feedback

The following section provides a comprehensive summary of stakeholder perceptions and suggestions.

STRENGTHS

- We are the gateway to and seat of Red Mountain AVA.
 - We have between 40-45 established wineries, from 0 just a decade ago.
- Tri-Dec is actively supporting food storage, refrigeration, paneling and other light industry businesses Benton City could house as the most proximal urban area to Red Mountain wineries.
- We have two active Ports with jurisdiction in our community: Kennewick south of River and Benton north. Both entities have shown interest in helping Benton City prepare for future economic development.
 - Port of Benton has purchased two downtown properties (“video store” and “old fire station”), and are starting the trend toward upgrading look and feel downtown.
- The Washington Department of Natural Resources owns an approximately 300-acre parcel on the south side of I-82. The City of Benton City recently annexed that property, water and sewer have been extended to the property line, and it is now poised to become an important part of the city’s economic fabric, allowing commercial, retail, lodging and possible other freeway-adjacent uses.
 - Can envision a “vintner’s village” – with 8-10 wineries, retail and a nursery.
 - City controls a 4+ acre site adjacent to DNR parcel, potentially expandable to 6 acres. This site would be the gateway to other DNR parcels, has great visibility, and could be a terrific site for lodging.
- Smith Ranch is prominently located above I-82, and potentially a big draw for travelers if master-planned for appropriate uses.
- Downtown Benton City has “great bones” and could become a quaint and “cute” destination for visitors and future residents.
- Benton PUD has indicated it will move ahead with plans to expand lateral fiber connections to Benton City, and that Battelle in partnership with NoaNet may soon be expanding the backbone pathway required to bring service on line. Live laterals will enable development of business parks, expand school and other institutional capacity.
- We have a good public transit system for a city of our size.
- We’re welcoming to mixed use development.
- We have pretty well filled our industrial park – a successful venture to build on.
- Our location between Prosser and Red Mountain makes us a natural destination stop on the wine circuit.
- The Harrison Water System is already in-place, and will facilitate annexation of lands east of existing city limits.
 - City zoning allows for five plots per acre, compared to one plot per five acres under county zoning.

- Our labor force is well suited for light industrial.
- Our industrial land is very competitively priced, compared to other locations in tri-city region.
- We have direct I-82 access, which will be enhanced with installation of new roundabout.
- We have a solid, self-sufficient school district.

WEAKNESSES

- There is currently no reason to go through downtown Benton City when driving to Red Mountain AVA. Don't have a dedicated funding source for downtown improvements or catalyst investments.
- Our downtown merchants, by and large, are just getting by, and probably don't have the funds on hand to participate in a "matching grant" program to improve storefronts.
- Some of our downtown buildings are owned by absentee landlords, content to wait until the time is right to develop or sell.
- From the perspective of some of our wineries, nothing stands out about downtown – except the large trees that frame the gateway.
- Need more inside public meeting space, like a community center in library.
- Need a central gathering place, like a downtown park and a walking trail – to make Benton City more visitor and family friendly.
- We don't even have paved parking lots.
- Not prepared to capture Red Mountain traffic – need more 4-star dining.
- No more pole buildings!
- Some current landowners expect to sell land in town for the same price owners get on Red Mountain, or at a price the land MIGHT be worth if Red Mountain success spills over into town twenty years from now.
- A lack of high speed internet connectivity appears to be contributing to a net loss of students, who migrate to better-equipped school districts.
- Benton City may not be fully engaged with Tri-Dec, e.g., does not have available properties posted on marketing list.
- We are pretty much out of industrially-zoned land, which reduces our ability to capitalize on one of our stronger growth potentials.
- Our permitting process is not as simple, or progressive as some of our neighbors. For example, some cities produce "one sheets" that walk through each of the steps in the permitting process, and identify clear timelines – developers like to have certainty. Other places, like Prosser, have pursued a "pre-permitting" strategy, effectively taking most of the risk and timeline uncertainty out of the question, and providing a ready-to-go site for targeted development.
- We're possibly at 60-70% housing occupancy at present, and will need to add more to meet our 20-year demand. It is probably time to talk with Kiona about annexation.
- No real daytime workforce to drive local retail sales.
- No lodging facilities.

- Merchants not as organized as we need to be; businesses operate odd hours; don't advertise.
- No freeway signage promoting downtown.
- Commercial and retail uses interrupted by residential uses (upper story residential ok).
- No vision for downtown, no marketing theme.

OPPORTUNITIES

- Annexing Kiona would expand Benton City's territory on the other side of the freeway, and better connect potential destination development at Smith Farm and DNR property.
- Smith Farm not likely to be sold in entirety (at this time), but offers great opportunity for destination lodging, home sites and value added ag – including wine grapes, cherries and prunes.
- Would like to see signage improvement program – which may require updates to sign and design codes. I think there might be a PUD program that loans money for façade improvements.
 - Not interested in a theme, but rather a standard pallet of colors.
 - We could learn from photos of the 50's and 60s – Bob Dunlap paintings show what downtown used to look like. I think the video store used to be a trading post.
 - Would also like to beautify downtown by planting petunias.
 - In years past, Benton City was called the "City of Lights" because it was the first urban area you came to from miles away.
- A community-based clean-up day would make city look better, and bring people together.
- Why can't Benton City be the provide of a major destination attraction, like an aquatics center?
- We should try to attract regional sports tournaments.
- Bella is a very welcome addition, a great place to eat and a great start to accommodating wine tourists as well as patrons from the greater Tri-City region. They seem to be doing well. We need more of that to capitalize on our location at the foot of Red Mountain.
 - Would be smart to have central wine tasting/wine bar downtown.
 - We could become the "go to" place for "slow food" – all our neighbors are loaded up with fast food joints.
 - Need to brand Benton City as the Gateway, Home or Corridor to Red Mountain.
 - In general, attracting and creating opportunity for businesses and industries that support the wine growers seems like a wise investment for the future.
- We have a very nice boat ramp area – at least it will be after upgrades. Could help draw people from highway.
 - We shouldn't overlook other non wine-related tourism strengths:
 - Fishing destination
 - Kayaking/canoeing/tubing/rafting from Conoco corner

- Benton City is ideally situated to house wine-related incubator businesses. Some believe there is currently sufficient demand to fill 8,000-12,000 sf of incubator space.
- Turning the old railroad bridge into a pedestrian walk way could generate additional visitors.
- There is a regional need for light manufacturing to support growing AVA activities. Benton City could support some of the demand. Specific opportunities in (multiple contributors to this list):
 - Comprehensive wine service center (or incubator)
 - Testing labs, dealcoholization
 - Labels (continuous roll label printing capacity)
 - Organic juices
 - Mobile bottling
 - Wood barrel assembly
 - Glass bottle production / recycling
 - Centralized wine waste treatment plant
 - Energy production pilot project (using wine waste)
 - Wine supply store
 - Controlled storage
 - Bonded warehousing
 - Education facility or vocational school (wine industry-related)
- Ornamental nurseries appear to be on the rise – Benton City is potentially well suited to host an integrated, irrigated ag center.
- Regionally, receiving inquiries for locations to erect a clean/secure energy training center (wind, solar)
- Our signage and light posts should be brought up to Red Mountain standards – and we should add arches to connect with that design motif.
- We should pursue an “in-fill” strategy downtown, before taking on new development. Priorities include:
 - “Mud Bog” parcel (16 acres)
 - “Parker” parcel (3.5 acres)
 - “Cherry Orchard” parcel (30 acres)
- Things I'd like to see downtown (multiple contributors to this list):
 - Paved parking
 - State investment (state highway related)
 - Property tax incentives (for improving structures)
 - Theater
 - Mechanic Shop
 - Pharmacy
 - Tackle Shop
 - Wine Hamlet
 - Antiques Store

- Italian Restaurant
- Removal of single-wide buildings in and around downtown, along gateways
- A zoning code that allows for non-conforming uses that support wine industry
- Expanded farmers market – a COMMUNITY market
- A sign and River Park that says “2 more minutes to downtown!”
- A Streetscape Plan!
- Main Street Program Coordinator
- Can we direct revenues from gravel sales to a downtown redevelopment fund?
- We should expand our ag sector (multiple contributors to this list):
 - What's wrong with having a food processor here (apples, cherries)
 - Value added grape opportunities (bottle non-fermented grapes – juice/cider/champagne)
- Can introduce new financing mechanisms to Council – e.g., net present value, public-private partnerships.
- Should look at regional partnership, including Prosser, West Richland COG and AVA, to expand potential for wine cluster.
 - Need to become “wine corridor”
 - Multi-jurisdictional partnership more likely to result in state support

THREATS

- If we don't diversify and add to our tax base, we will have to raise fees or cut services.
 - If we don't provide goods and services locally, our residents will continue to shop in other cities.
 - We should survey our market area and determine what commodities people are most likely to buy locally.
- If we're too successful at economic development, we may lose the “small town feel” many of us cherish – the reason we choose to live here.
- Proposed gravel mine could add jobs soon, but cause longer-term conflict with competing commercial, tourism and/or wine-based uses south of Interstate.
- Gravel mine could someday become asphalt mine, which would have an even larger impact on aesthetics.
- Commercial space is abundant and affordable in more populous communities. It may be difficult to attract significant commercial development locally for some time ahead.
- Depending on the type of wine industry that develops here, we could be creating a nice place for visitors, but very few high-paying jobs.

Commissioners' Date Stamp:

10:45

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Noxious Weed Control**
Dept Name:

Fund Number: **0134-101**
Dept Number: **000**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
531.601.3106	Operating Supplies	\$300	\$300
531.601.3117	Chemicals	\$600	\$600
531.601.3501	Small Item-Equipment	\$2,000	\$2,000
531.601.4102	Contract Services	\$12,800	\$12,800
531.601.4201	Postage	\$100	\$100
531.601.4301	Travel	\$3,000	\$3,000
531.601.4401	Advertising	\$300	\$300
531.601.4908	Licenses & Special Fees	\$25	\$25
Total Supplement		\$19,125	

Revenue		
Fund Number	Item Name	Amount
334.03.1013	Flowering Rush - Yakima	\$19,125
Total Revenue		\$19,125

Basis for Supplement:

The State Department of Ecology grant's title is "Flowering Rush Control". This is a 3-year grant of \$45,850 with the Benton County Weed Board providing \$6,550 of In-Kind contributions. Flowering Rush, *Butomus embellatus* is a new aquatic Class A noxious weed that is required to be eradicated by State law. It was first reported in the Yakima River by Benton City.

Review Comments

Commissioners: _____

Auditor's Office: _____

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

Approved for Hearing

Denied

Commissioners' Date Stamp:

**TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION**

Fund Name: **Homeless Housing**
Dept Name:

Fund Number: **0154-101**
Dept Number: **000**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
559.200.5142	Pass Through (Homeless Housing)	150,000	150,000
Total Supplement		\$150,000	

Revenue		
Fund Number	Item Name	Amount
291.74.0001	Beginning Fund Balance	150,000
Total Revenue		\$150,000

Basis for Supplement (Attach Documentation as Appropriate):
Additional funding is requested in the 0154-101 2009 Budget to allow for payment to the Richland Housing Authority for Agreement #PSA-2009-RHA-00 in the amount of \$150,000. This will provide 436 families (1,744 family members) funding for emergency eviction prevention.

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

- Approved for Hearing
- Denied

Review Notes: _____

Commissioners' Date Stamp:

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **HUMAN SERVICES**
 Dept Name: **Human Services**

Fund Number: **0108-101**
 Dept Number: **113**

Request Summary

Expenditure BARS Number	Item Name	Supplement Amount	Revised Budget
560.110.1576	Systems Analyst II	12,000	12,000
Total Supplement		\$12,000	

Revenue Fund Number	Item Name	Amount
349.59.0001	Interfund Professional Services	8,000
334.04.6409	Mental Health State Only Funding	4,000
Total Revenue		\$12,000

Basis for Supplement (Attach Documentation as Appropriate):
 Benton County Resolution #09-352 and Franklin County Resolution #2009-210 establish a position and salary grade for a Housing Case Manager to perform case management services for the REACH/HOPWA contract and oversee the mental health transitional living trailers. REACH/HOPWA funds from the Homeless Housing Fund 0154-101 will be used to reimburse the Human Services Fund under Revenue Code 349.59.0001 and mental health funding from GCBH will also be used to partially support this position. Resolution # 09-479 transferred funding from Line 1576 into the Housing Case Manager Line #1782.

Commissioners

 CHAIRMAN

 COMMISSIONER

 COMMISSIONER

- Approved for Hearing
- Denied

Review Notes: _____

Commissioners' Date Stamp:

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: Juvenile	Fund Number: 0115-101
Dept Name: Operations	Dept Number: 171

Request Summary

Expenditure		Supplement	Revised Budget
BARS Number	Item Name	Amount	
527.400.1605	Counselor II	\$11,436	\$24,261
527.400.2102	Social Security (FICA)	\$875	\$49,267
527.400.2103	Medical Insurance	\$2,163	\$30,600
527.400.2104	Retirement	\$992	\$2,741
527.400.4101	Legal Services	\$5,196	\$52,120
527.400.4103	Professional Services	\$8,401	\$102,395
527.400.4131	Security	\$2,519	\$58,424
527.400.9108	Administration	\$3,779	\$25,476
Total Supplement		\$35,361	

Revenue		
Fund No.	Item Name	Amount
0000-101	Current Expense	\$35,361
397.10.0001	Benton County Portion - 71% - \$25,106	
338.27.0003	Franklin County Portion - 29% - 10,255	
Total Revenue		\$35,361

Basis for Supplement (Attach Documentation as Appropriate):

Juvenile Drug Court funding to replace state dollars for last half of 2009.

Approved for Hearing Denied Approved for Hearing Denied

CHAIRMAN _____

CHAIRMAN _____

COMMISSIONER _____

COMMISSIONER _____

COMMISSIONER _____

COMMISSIONER _____

Commissioners' Date Stamp:

**TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION**

Fund Name: Current Expense	Fund Number: 0000-101
Dept Name: Sheriff Patrol	Dept Number: 121

Request Summary

Expenditure BARS Number	Item Name	Supplement Amount	Revised Budget
521.940.3106	Operating Supplies	35,691	38,691
521.940.3501	Small Item-Equipment	2,404	2,404
Total Supplement		\$38,095	

Revenue Fund Number	Item Name	Amount
333.16.7103	JAG City of Kennewick	38,095
Total Revenue		\$38,095

Basis for Supplement:
 The Benton County Sheriff's Office seeks funds through the Byrne/Justice Assistance Grant (JAG) Program by participating in a joint application with the City of Kennewick and the City of Richland. Interlocal Agreements were approved by the Board of Commissioners to participate in the 2009 JAG (Res 09-436) and the 2009 Recovery Act Byrne/JAG (Res 09-487). This supplement is to fund the Sheriff Patrol budget, department 121 of the Current Expense budget for items outlined in the Interlocal Agreements. The Benton County Sheriff's Office is requesting \$38,095 of the \$48,057 awarded. The rest of the award (\$9,962) was supplemented by line item transfers, which moved funds that remained in Capital Outlay Vehicles because of several savings in outfitting the new patrol vehicles.

Review Comments

Commissioners: _____

 Auditor's Office: _____

Commissioners

 CHAIRMAN

 COMMISSIONER

 COMMISSIONER

- Approved for Hearing
- Denied

Commissioners' Date Stamp:

**TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION**

Fund Name: **Current Expense**
Dept Name: **Superior Court**

Fund Number: **0000-101**
Dept Number: **123**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
512.219.4103	Professional Services	50,000	200,000
Total Supplement		\$50,000	

Revenue		
Fund Number	Item Name	Amount
338.12.0005	Superior Court Costs - Washington State	50,000
Total Revenue		\$50,000

Basis for Supplement:
The Professional Services line item for interpreters, civil commitment (sexually violent predators) and GALs is depleted due to the mandatory requirements to provide interpreters for court hearings and defense for civil commitment cases. The court has received revenue reimbursement from the State of Washington of off-set some of the expenses through a Language Assistance Grant and civil commitment reimbursement process. \$35,000 was originally projected for the above revenue line item, however, to date \$79,378.40 has been received in reimbursement for civil commitment and interpreter costs alone.

Review Comments

Commissioners: _____

 Auditor's Office: _____

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

- Approved for Hearing
- Denied

Commissioners' Date Stamp:

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Current Expense**
Dept Name: **Coroner**

Fund Number: **0000-101**
Dept Number: **109**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
563.200.4118	Autopsies	\$30,000	\$110,000
Total Supplement		\$30,000	

Revenue		
Fund Number	Item Name	Amount
291.74.0001	Beginning Fund Balance	\$18,000
336.06.9200	Autopsy Cost Reimbursement	12,000
Total Revenue		\$30,000

Basis for Supplement:
As of September 1, 2009 the number of autopsies performed is 26% greater than in 2008. From August to December 31 2008 The Coroner's Office performed 29 autopsies. If the need to perform autopsies for the rest of 2009 continues at the same rate I will need the above as a minimal amount of additional funds to cover the autopsy cost. Benton County will receive 40% of autopsy cost reimbursement as revenue income but it will not be received until February of 2010.

Review Comments

Commissioners: _____

 Auditor's Office: _____

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

- Approved for Hearing
- Denied

Commissioners' Date Stamp:

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Current Expense**
 Dept Name:

Fund Number: **0000-101**
 Dept Number: **see below**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
Dept 123	Superior Court		
512.210.1480	Court Commissioner	2,898	81,466
512.210.2102	Social Security/Medicare	222	81,547
512.210.2104	Retirement	230	88,619
512.210.4906	Forms	2,500	7,500
Dept 117	Prosecuting Attorney		
515.200.1174	Temporary Help - Felony	1,200	45,944
Dept 136	Office of Public Defense		
512.819.4103	Professional Services	1,800	982,149
Dept 120	Sheriff Custody		
523.200.1925	Overtime	2,730	116,949
Total Supplement		\$11,580	

Revenue		
Fund Number	Item Name	Amount
361.40.0002	Interest - Legal Financial Obligations	\$11,580
Total Revenue		\$11,580

Basis for Supplement:

Request for funds to expand the Legal Financial Obligations Docket from two one-half day dockets to weekly dockets through the 2009 calendar year. The pilot Legal Financial Obligations Docket has proven to be successful in protecting individual's rights, as well as financially successful in recouping fines, fees and restitution. Revenue funds to off-set the costs are listed under yearly earned interest Current Expense Interest - LFO. As a fine is collected the County benefits from the collection of the fine plus 1/4 of the 12% interest goes to the Current Expense Interest - LFO line item.

Review Comments

Commissioners: _____

 Auditor's Office: _____

Commissioners

 CHAIRMAN

 COMMISSIONER

 COMMISSIONER

- Approved for Hearing
- Denied

**SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR BENTON AND FRANKLIN COUNTIES**

7122 W. Okanogan Place, Building A, Kennewick, WA 99336

COURT ADMINISTRATOR
PATRICIA J. AUSTIN

ADMINISTRATIVE ASSISTANT
TIFFANY HUSOM

BENTON COUNTY JUSTICE CENTER
FRANKLIN COUNTY COURTHOUSE
TELEPHONE (509) 736-3071
FAX (509) 736-3057

MEMO TO: Benton County Commissioners

FROM: Judge Robert Swisher
Sheriff Larry Taylor
Andy Miller, Prosecutor
Josie Delvin, County Clerk
Eric Hsu, Defense Coordinator
Pat Austin, Superior Court Administrator

DATE: August 28, 2009

RE: Collection Process for Legal Financial Obligations

The criminal justice partners have formed a committee and have been working toward a more efficient and effective collection process for legal financial obligations. The committee will present their findings and recommendations in more detail during the supplemental request process at a County Commissioners' meeting.

The committee agrees that the clerk's office has assumed the task of collection of legal financial obligations and has been successful considering the process currently in place. The committee examined the process last year and addressed areas to improve the collection process while also respecting the Constitutional rights and mitigating circumstances of the defendant's ability to pay.

The recommendation was to create a "Legal Financial Obligation Docket" twice a month totaling 15 hours of staff time per month. This docket would be staffed with the same judicial officer, prosecutor, defense attorney and collection clerk at each docket for consistency. The recommendation for the pilot Legal Financial Obligation Docket approved to be funded through yearly collection fund interest earnings.

One year later the committee has analyzed the pilot program and found it to be both beneficial in protecting individual's rights, as well as financially successful in recouping fines, fees and victim restitution. Additionally, the Department of Corrections will be passing additional responsibilities on to our local Clerk through cost savings measures at the state level. It is the committee's recommendation that the Legal Financial Obligation docket be increased to a one-half day weekly docket. The increased funds are outlined

below. If approved by the County Commissioners the participating offices would need supplemental funding for the months of October through December, 2009 and have the additional yearly funds incorporated into their 2010 budget requests.

The following calculations are based on weekly half-day dockets per month averaging 30 hours per month of preparation and in-court time.

Benton County Prosecutor	\$800/month or \$9,600/year
Benton County Defense Attorney	\$1,200/month or \$14,400/year
Benton County Superior Court Commissioner	\$2,236/month or \$26,832/year
Benton County Clerk	Included under Collection Program
Benton County Sheriff	\$910/month or \$10,920/year
Forms	<u>\$5,000/year</u>
TOTAL COSTS:	\$66,752/year