

Jerome Delvin
District 1
Shon Small
District 2
James Beaver
District 3

Board of County Commissioners BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator



to view items in detail, please
click on highlighted areas

AGENDA BOARD OF BENTON COUNTY COMMISSIONERS Regular Board Meeting Tuesday, April 23, 2013 Benton County Courthouse, Prosser, WA

9:00 AM

Call to Order

Approval of Minutes

❖ April 16, 2013

Review Agenda

Consent Agenda

Auditor

a. Maintenance Agreement w/Comstor Information Management Inc. for Reader Printers

Central Services

b. Authorization to Proceed w/Bid Process for Purchase of Printer Cartridge Supplies

Facilities

c. Payment to IDAC West for Engineering Services to Repair OPTO22 Control System

d. Contract w/Dynamic Sales and Service LLC for Purchase & Installation of Washer Extractor

Human Services

e. Amended Agreement w/Benton Franklin Community Action Committee for Ten Year Homeless Housing Plan

Juvenile

f. Contract w/The National Center for Juvenile Justice for Data Warehouse Project Activities

Office of Public Defense

g. Termination of District Court Public Defense Contract w/R Swinburnson

h. Termination of District Court Public Defense Contract w/C Harkins

i. Termination of District Court Public Defense Contract w/P Younesi

Personnel

j. Repealing & Superseding Previous Resolutions Regarding Benton County Noxious Weed Control Board Map And Reestablishing Section Boundaries for Commissioner Selection

k. Appointment of N Berg to the Noxious Weed Control Board; Area 2

l. Appointment of M Sackschewsky to the Noxious Weed Control Board; Area 3

m. Appointment of D Downs to the Noxious Weed Control Board; Area 4

n. Appointment of M Crowder to the Noxious Weed Control Board; Area 5

o. Approval of Salary Step Placement for Chief Appraiser Job Classification

Public Works

- p. Amending Resolution 2012-482 on Piert Road Extension Approving Reimbursement to Northwest Pipeline
- q. Bid Process Authorization for Purchase of Surfacing Materials
- r. Amended Final Assessment Roll for County Road Improvement District #15

Scheduled Business

Prosser Economic Development Association Quarterly Update ~ D Heintz

Trial Court Improvement Fund Expenditure Request & Discussion ~ P Austin

Support for Yakima Basin Integrated Plan Discussion ~ Comnr Delvin

Unscheduled Visitors

Board Assignment Update

Executive Session

Potential Litigation ~ B Perry & R Lukson

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, April 16, 2013, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Pro Tem Jerome Delvin
Commissioner James Beaver
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Absent: Chairman Shon Small – Excused

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kely; Adam Fyall, Sustainable Development Manager; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Public Works Manager Steve Becken; County Engineer Daniel Ford; Planning Manager Mike Shuttleworth; Jacki Lahtinen, District Court; Erhiza Rivera, Treasurer's Office; Teri Holmes, Central Services.

Approval of Minutes

The Minutes of April 9, 2013 were approved.

Consent Agenda

MOTION: Commissioner Beaver moved to approve the consent agenda items “a” through “p”. Commissioner Delvin seconded and upon vote, the Board approved the following:

Board of Equalization

- a. Reappointment of Dale Olander to the Board of Equalization Board

Commissioners

- b. Contract w/Terence Thornhill Architect, Inc. for Architectural & Engineering Services
- c. Line Item Transfer, Fund No. 0000-101, Dept. 115
- d. Older American Month Proclamation

Facilities

- e. Service Agreement w/Sierra Electric, Inc. for As Needed Electrical Services

Human Services

- f. Authorization to Purchase Bus Tickets & Passes From Ben Franklin Transit
- g. Amended Agreement w/Benton Franklin Community Action Committee For Housing Services
- h. Creation of the Benton and Franklin Counties Dept of Human Services Advisory Board; Rescinding Resolutions 82-479; 90-77; 05-634

Juvenile

- i. Line Item Transfer, Fund No. 0115-101, Dept. 171

Personnel

- j. Line Item Transfer, Fund No. 0504-101, Dept. 000
- k. Line Item Transfer, Fund No. 0000-101, Dept. 127

Public Works

- l. Purchase Authorization From Byrnes Oil Company for Petroleum Products
- m. Purchase Authorization from Trailer Town for Tilt Trailers; Amending Resolution 2013-165
- n. Public Hearing Authorization for Desert Winds Wireless Inc Franchise Application
- o. Payment Authorization to United States Dept of Agriculture Wild Life Services for Removal of Pigeons
- p. Contract w/Clean Harbors Environmental Services, Inc for Hazardous Waste Collection

Commissioner Assignment Update

Commissioner Beaver reported on his attendance at the ECA conference in Washington D.C. He said the trip was beneficial and one important note was that funding at Hanford appeared to be a target by other energy communities.

Commissioner Delvin said he attended the transit board meeting and RTPO meeting in Walla Walla; RTPO was still debating what to do with Walla Walla.

Mr. Sparks said they held their union mediation with Corrections staff and tentatively had an agreement. He said it still had to be voted on by the union and signed by the Board but it was a five-year agreement and was important since it was one of two interest arbitration groups. Additionally, the Public Works group voted and approved the proposed contract; they still had the Sheriff's Deputies and Bailiffs to settle.

Mr. Sparks also said he requested at his manager meeting to have each department come to the Board on a quarterly basis with updates to get feedback from the Board.

Vouchers

Check Date: 04/05/2013
Warrant #: 235450-235538
Direct Deposit #: 82916-83520
Total all funds: \$2,061,223.35

Check Date: 04/05/2013
Taxes #; 10113041-1013049
Warrant #: 78335-78356
Total all funds: \$2,081,702.67

Check Date: 04/09/2013
Procurement Cards # 0413
Total all funds: \$94,428.70

Check Date: 04/12/2013
Transfer #: 0502413, 05050413
Warrant #: 78525-78679
Total all funds: \$1,043,266.37

Check Date: 04/15/2013
Warrant #: 235539-235557
Direct Deposit #: 83525-83718
Total all funds: \$103,753.46

Check Date: 04/15/2013
Taxes #: 101130410
Total all funds: \$34,221.67

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

Resolutions

- 2013-296: Reappointment of Dale Olander to the Board of Equalization Board
- 2013-297: Contract w/Terence Thornhill Architect, Inc. for Architectural & Engineering Services
- 2013-298: Line Item Transfer, Fund No. 0000-101, Dept. 115
- 2013-299: Older American Month Proclamation
- 2013-300: Service Agreement w/Sierra Electric, Inc. for As Needed Electrical Services
- 2013-301: Authorization to Purchase Bus Tickets & Passes From Ben Franklin Transit
- 2013-302: Amended Agreement w/Benton Franklin Community Action Committee For Housing Services
- 2013-303: Creation of the Benton and Franklin Counties Dept of Human Services Advisory Board; Rescinding Resolutions 82-479; 90-77; 05-634
- 2013-304: Line Item Transfer, Fund No. 0115-101, Dept. 171
- 2013-305: Line Item Transfer, Fund No. 0504-101, Dept. 000
- 2013-306: Line Item Transfer, Fund No. 0000-101, Dept. 127
- 2013-307: Purchase Authorization From Byrnes Oil Company for Petroleum Products
- 2013-308: Purchase Authorization from Trailer Town for Tilt Trailers; Amending Resolution 2013-165
- 2013-309: Public Hearing Authorization for Desert Winds Wireless Inc Franchise Application
- 2013-310: Payment Authorization to United States Dept of Agriculture Wild Life Services for Removal of Pigeons
- 2013-311: Contract w/Clean Harbors Environmental Services, Inc for Hazardous Waste Collection

There being no further business before the Board, the meeting adjourned at approximately 9:04 a.m.

Clerk of the Board

Chairman

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: 04/23/2013	Execute Contract	X
Subject: Comstor Agr.	Pass Resolution	_____
Prepared by: B. Chilton	Pass Ordinance	_____
Reviewed by: _____	Pass Motion	_____
	Other	_____
	Consent Agenda	X
	Public Hearing	_____
	1st Discussion	_____
	2nd Discussion	_____
	Other	_____

BACKGROUND INFORMATION

The Benton County Auditor and Comstor Information Management, Inc. have had an ongoing maintenance agreement for the two (2) Minolta reader printers (serial numbers 35017448 and 365683) owned by the Auditor, whereby Comstor Information Services provides maintenance and repair services, as outlined in the Maintenance Agreements.

SUMMARY

The current maintenance agreements expire on 04/30/13 and new agreements need to be executed.

RECOMMENDATION

We request that a resolution be signed authorizing the Chairman of the Board to sign the two agreements.

FISCAL IMPACT

Reader Printer #1 – One Year Maintenance -- \$2140.88, plus tax
 Reader Printer #2 – One Year Maintenance -- \$2517.80, plus tax

Paid for from the Auditor's O & M budget.

MOTION

Chairman of the Board, Shon Small, shall be authorized to sign the two (2) maintenance agreements for Minolta Reader Printers, Serial Numbers 35017448 and 365683, between the Benton County Auditor, and Comstor Information Management, Inc.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE TWO (2) MAINTENANCE AGREEMENTS WITH COMSTOR INFORMATION MANAGEMENT, INC.,

WHEREAS, the Benton County Auditor and Comstor Information Management, Inc. have an ongoing maintenance agreement for the two (2) Minolta reader printers (serial numbers 35017448 and 365683) owned by the Auditor whereby Comstor Information Services provides maintenance and repair services, as outlined in the Maintenance Agreements; and

WHEREAS, the current maintenance agreements expire on 04/30/13 and new agreements need to be executed,

BE IT RESOLVED that Shon Small, Chairman of the Board of Benton County Commissioners, is hereby authorized to sign the two (2) MAINTENANCE AGREEMENTS for the Minolta Reader Printers for the period of 05/01/13 through 04/30/14 in the following sums:

Reader Printer #1, Serial Number 35017448 – One Year Maintenance -- \$2140.88, plus tax
Reader Printer #2, Serial Number 365683 – One Year Maintenance -- \$2517.80, plus tax

Dated this _____ day of _____, 2013.

Chairman of the Board

Member

Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest: _____
Clerk of the Board

AGENDA/WORKSHOP ITEM	TYPE OF ACTION NEEDED	
Meeting Date: 23-April-2013	Execute Contract _____	Consent Agenda <u> x </u>
Subject: Benton County Printer Cartridge Supplies	Pass Resolution <u> x </u>	Public Hearing _____
By: Robert F. Heard	Pass Ordinance _____	1st Discussion _____
Reviewed By: Loretta SmithKelty	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

BACKGROUND INFORMATION

In compliance with Benton County Resolution 2012-677, Section 2.2.3 Purchases or Leases of \$25,000 or more shall follow the "Formal Competitive Bid" requirements, Central Services has prepared an Invitation for Bids, County Bid 13-10 for a vendor to service the entire County with printer cartridge supplies.

SUMMARY

The attached resolution authorizes Central Services to advertise County Bid 13-10, as outlined in Resolution 2012-677, Section 5. The bid packet (No. CB 13-10) was prepared by Central Services and submitted to the Benton County Prosecuting Attorney's office for review. After review, the Deputy Prosecuting Attorney has approved to form No. CB 13-10. Central Services is asking permission from the Board to proceed with the advertisement for No. CB 13-10 Benton County Printer Cartridge Supplies.

RECOMMENDATION

1st Allow Central Services to proceed with the advertisement of No. CB 13-10 Benton County Printer Cartridge Supplies.

2nd

FISCAL IMPACT

Printer supplies is a part of Central Services 2013-2014 Biennium County Budget. This resolution will help Central Services stay on target to meet its total budgeted for Computer Supplies – Consumables (3112) as well as comply with Benton County Resolution 2012-677.

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF CENTRAL SERVICES REQUESTING PERMISSION TO PROCEED WITH THE ADVERTISEMENT AND BID PROCESS FOR PURCHASING PRINTER CARTRIDGE SUPPLIES.

WHEREAS, it is the intention of the Board of County Commissioners to purchase printer cartridge supplies at the lowest possible price; and

WHEREAS, the bids are to be delivered to the Benton County Commissioners Office, 620 Market Street, Prosser, WA no later than 3:30 pm, Monday, May 13, 2013 and said bids will be opened and read at the Benton County Central Services Office at 4:00 pm, Monday, May 13, 2013.; and

WHEREAS, a bid packet (No. CB 13-10) was prepared by Central Services and submitted to the Benton County Prosecuting Attorney's office for review; and

WHEREAS, our departmental assigned Deputy Prosecuting Attorney from Civil Division has reviewed and approved as form Bid No. CB 13-10; NOW, THEREFORE,

BE IT RESOLVED, that Central Services is authorized to proceed with the advertisement and bid process for Bid No. CB 13-10 Purchasing Printer Cartridge Supplies; and

BE IT FURTHER RESOLVED, that the bids will be received by the Benton County Commissioners Office, 620 Market Street, Prosser, WA no later than 3:30 p.m., Monday, May 13, 2013. No Bids will be accepted after that date and time. Bids will be opened and read at the Benton County Central Services Office at 4:00 p.m., Monday, May 13, 2013.

Dated this _____ day of _____, 2013.

Chairman of the Board

Member

Member
Constituting the Board of Commissioners
of Benton County, Washington

Attest.....
Clerk of the Board

CC: Central Services, Auditor

Robert Heard

Jerome Delvin
District 1
Shon Small
District 2
James Beaver
District 3

Board of County Commissioners
BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator

April 23, 2013

INVITATION FOR BIDS (IFB) – COUNTY BID #13-10

BIDS FOR: BENTON COUNTY PRINTER CARTRIDGE SUPPLIES.
DEADLINE FOR
BID SUBMITTAL: **Monday, May 13, 2013 UNTIL 3:30 P.M., IN THE BENTON COUNTY COMMISSIONERS OFFICE, 620 MARKET STREET / PO BOX 190, PROSSER, WA 99350 NO BIDS WILL BE ACCEPTED AFTER THAT DATE AND TIME.**

Benton County (County) is soliciting bids for the purchase of printer cartridge supplies for Benton County, 620 Market Street, Prosser, WA 99350 and 7122 W. Okanogan Pl., Kennewick, WA 99336. The County invites you to submit a bid to provide printer cartridge supplies that will meet specifications set forth in Exhibit A – Vendor Bid. Although the County anticipates purchasing the quantity of products provided in Exhibit A, those quantities are only estimates. As such, the County makes no guarantee as to the quantity of products provided in Exhibit A it will purchase over the term of the Agreement. Vendor agrees to provide any and all products listed in Exhibit A at the cost per product it has provided over the entire term of the Vendor Agreement. Vendor must provide all items listed in Exhibit A to be considered a responsive bidder. Failure to provide a price for any item will result in automatic bid disqualification. Orders for products will occur throughout the term of the Vendor Agreement.

INVENTORY LEVELS

The Vendor agrees to maintain sufficient inventory levels to provide Benton County Central Services with an uninterrupted flow of all products listed.

ORDERING & DELIVERY

The Vendor will take inventory and replace cartridges once a week, on the same day of each week, between 8 a.m. to 5 p.m. The Vendor shall be notified of any modifications to this schedule when replacement cartridges are needed. There are two locations where the cartridges are stored and will need to be inventoried and replaced when needed. The two locations are: Benton County Courthouse, 620 Market Street, Prosser, WA 99350, and at the Benton County Justice Center, 7122 West Okanogan Place, Kennewick, WA 99336.

USED CARTRIDGES RECYCLING COLLECTION

The Vendor shall provide a drop box at each location for all empty cartridges. The empty cartridges shall be picked up each week, on the day replacement cartridges are inventoried and replaced. The Vendor shall recycle end-of-life toner cartridges and provide Benton County Central Services with details of its recycling program upon request.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF PROVIDING NOTICE OF THE LOWEST RESPONSIBLE BIDDER FOR THE PURCHASE OF BENTON COUNTER PRINTER CARTRIDGE SUPPLIES

WHEREAS, the Board of Benton County Commissioners solicited bids for the procurement of printer cartridge supplies per Resolution 2013-xxx; and

WHEREAS, representatives of the Benton County Central Services received and opened **[number of bids]** on **[date]** as provided in the invitation to bid; and

WHEREAS, the bids were from the following amounts:
[list bidder's, bid amount];and

WHEREAS, the representatives of the Benton County Central Services reviewed the bid proposals and recommend awarding the vendor purchasing agreement to **[VENDOR'S BUSINESS NAME]**; **NOW, THEREFORE**

BE IT RESOLVED, the Board of Benton County Commissioners, Benton County, Washington hereby has deemed **[VENDOR'S BUSINESS NAME]** to be the lowest responsible bidder for the purchase of printer cartridge supplies and shall be required to enter into an Agreement in the form of Exhibit D to the Benton County Printer Cartridge Supplies Invitation for Bid 13-10 within ten (10) days of this notice.

Dated this _____ day of _____, 2013.

Chairman of the Board

Member

Member

Constituting the Board of Commissioners
of Benton County, Washington

Attest.....

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	<u>04/23/13</u>	Execute Contract	_____
Subject:	<u>Payment</u>	Pass Resolution	<u>X</u>
	<u>Authorization</u>	Pass Ordinance	_____
Prepared by:	<u>C. McKenzie</u>	Pass Motion	_____
Reviewed by:	<u>L. Smith Kelty</u>	Other	_____
		Consent Agenda	<u>X</u>
		Public Hearing	_____
		1st Discussion	_____
		2nd Discussion	_____
		Other	_____

BACKGROUND INFORMATION

SUMMARY

Board approval is required to make payment to IDAC West for evaluation and engineering services to repair the OPTO22 Control System at the Benton County Justice Center and Corrections Facility in the amount of \$25,000 plus WSST.

RECOMMENDATION

Approve the resolution authorizing the payment to IDAC West.

FISCAL IMPACT

Jail Depreciation Fund
\$25,000.00 plus WSST

MOTION

Consent Agenda

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF AUTHORIZING PAYMENT TO IDAC WEST FOR EVALUATION AND ENGINEERING SERVICES TO REPAIR THE OPTO22 CONTROL SYSTEM FOR THE BENTON COUNTY JUSTICE CENTER AND CORRECTIONS FACILITY, KENNEWICK, WA

WHEREAS, per Resolution 11-522 dated August 16, 2011 the Board of Benton County Commissioners approved the solicitation of proposals for the upgrade of the OPTO22 Control System for the Benton County Justice Center and Corrections Facility; and

WHEREAS, per Resolution 11-736 dated November 22, 2011 the Board awarded said services to DNR Systems, San Ramon, CA as the lowest responsible bidder; and

WHEREAS, per Resolution 2012-081 dated February 7, 2012 the Board approved the contract between Benton County and DNR Systems to upgrade the OPTO22 Snap Ethernet Factory Floor System to Snap PAC System at the Benton County Justice Center and Corrections Facility for a contract amount of \$111,000.00 not including WSST; and

WHEREAS, per Resolution 2012-190 dated April 3, 2012 the Board amended the contract between Benton County and DNR Systems to include upgraded equipment and increase the total amount payable not to exceed \$131,000.00 not including WSST; and

WHEREAS, per Resolution 2012-793 dated December 18, 2012 the Board approved a second amendment to the Contract between Benton County and DNR Systems to extend the expiration date to March 31, 3013; and

WHEREAS, on April 2, 2013 the Board of Benton County Commissioners provided written notice to DNR Systems, Inc. stating the contract had expired and DNR's work under the contract was incomplete. Further, it provided notice that DNR had breached its contractual obligations and the County would not be further contracting with it. Due to the inability of DNR to complete the project in a timely manner and the issue of security and time sensitivity related to this project, the County was required to immediately obtain the services of IDAC West to evaluate, make recommendations, and perform short term repairs to bring the current system to a state of operational stability and security; and

WHEREAS, IDAC West has provided estimates for the above described services attached hereto as Proposal #031513.1 and Proposal # 041213.revB in the total amount of \$21,590.00; **NOW, THEREFORE**,

BE IT RESOLVED the Board of Benton County Commissioners hereby authorizes payment to IDAC West for the above described services for a total amount not to exceed \$25,000.00 plus applicable Washington State sales tax.

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**

d. Contract w/Dynamic Sales and Service LLC
for Purchase & Installation of Washer Extractor

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>			
Meeting Date: <u>04/23/13</u>	Execute Contract	_____	Consent Agenda	X
Subject: _____	Pass Resolution	X _____	Public Hearing	_____
Prepared by: <u>C. McKenzie</u>	Pass Ordinance	_____	1st Discussion	_____
Reviewed by: <u>R. Lukson</u>	Pass Motion	_____	2nd Discussion	_____
	Other	_____	Other	_____

BACKGROUND INFORMATION

The Facilities Manager solicited quotes from the following companies for purchase and installation of a new washer extractor for the Benton County Jail:

Dynamic Sales & Service, LLC, Kirkland, WA:	\$20,960.38
Washington Automated, Inc., Everett, WA:	\$21,405.50
ABC Enterprises, Inc., Wilsonville, OR:	\$30,406.31

SUMMARY

The Facilities Manager recommends the Board enter into a Public Works Contract with Dynamic Sales & Service LLC for purchase and installation of a new washer extractor for the Benton County Jail for a total amount not to exceed \$20,960.38 (Including WSST) with the contract term expiring July 31, 2013.

RECOMMENDATION

Approve the resolution authorizing the Chairman to sign the Public Works Contract with Dynamic Sales & Service, LLC.

FISCAL IMPACT

\$20,960.38
Jail Depreciation Fund

MOTION

Consent Agenda

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AWARDING A PUBLIC WORKS CONTRACT TO DYNAMIC SALES AND SERVICE LLC FOR PURCHASE AND INSTALLATION OF A NEW WASHER EXTRACTOR FOR THE BENTON COUNTY JAIL

WHEREAS, per resolution 2012-677, the Board of Benton County Commissioners approved a County-Wide Procurement, Leasing, and Contracting Policy; and

WHEREAS, per Section 3.4.1 (Public Works Contracts less than \$40,000) contracts may be entered into after direct negotiation and authorization by the Board of Benton County Commissioners, with such authorization being in the form of a resolution containing a summary of the three bid quotations obtained; and

WHEREAS, the Facilities Manager received quotes from the following companies for purchase and installation of a new washer extractor for the Benton County Jail:

Dynamic Sales & Service, LLC, Kirkland, WA:	\$20,960.38
Washington Automated, Inc., Everett, WA:	\$21,405.50
ABC Enterprises, Inc., Wilsonville, OR:	\$30,406.31

WHEREAS, the Facilities Manager recommends entering into a Public Works Contract with Dynamic Sales & Service, LLC, Contractor License No. DYNAMLS066BO for installation and purchase of a new washer extractor for the Benton County Jail for a total contract amount not to exceed \$20,960.38; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the recommendation and hereby awards a Public Works Contract with Dynamic Sales & Service, LLC for purchase and installation of a new washer extractor for the Benton County Jail; and

BE IT FURTHER RESOLVED the Board hereby authorizes the Chairman to sign the Public Works Contract with Dynamic Sales & Service LLC attached hereto in an amount not to exceed \$20,960.38 including WSST; and

BE IT FURTHER RESOLVED, the term of the attached contract begins when executed by both parties and terminates July 31, 2013.

Dated this _____ day of _____, 2013.

Chairman of the Board

Member

Member

Attest: _____
Clerk of the Board

**PUBLIC WORKS 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 (hereinafter "COUNTY"), and Dynamic Sales and Service LLC, with its principal offices at 12910 NE 125th Way, Bldg. B-3, Kirkland, WA 98034, (hereinafter "CONTRACTOR").

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

1. CONTRACT DOCUMENTS

This Contract consists of these terms and conditions and the following documents

- a. Exhibit A- Scope of Work/Compensation
- b. Exhibit B - Washington State Prevailing Wage Rates for Public Works Contracts

2. DURATION OF CONTRACT

The term of this Contract shall begin upon the signature of all parties and shall expire on July 31, 2013. The CONTRACTOR shall complete all work by the time(s) specified herein, or if no such time is otherwise specified, no later than the expiration date.

3. SERVICES PROVIDED

The CONTRACTOR shall perform the following services:

The CONTRACTOR agrees to remove and dispose of the existing jail washer extractor and provide the installation of a new IPSO 100LB high 'G' smart spin washer extractor in the Benton County Jail as provided in Exhibit A. Contractor agrees its performance under this Contract will be complete within five business days from the date it begins work under this Contract. In the event that the requested work encompasses work that is legally required to be completed by another type of contractor, CONTRACTOR shall inform COUNTY of that fact and shall coordinate with COUNTY to complete the work in conjunction with the other contractor. In the event that the requested work requires, under State or local law, the issuance of a building permit, CONTRACTOR shall be responsible for procuring such building permit and arranging for inspection and certification of the work. CONTRACTOR may bill COUNTY for the full

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>		
<p>Meeting Date:</p> <p>Subject: First Amendment to Agreement #2013-HHAA-CAC between Benton and Franklin Counties Department of Human Services and Benton Franklin Community Action Committee</p> <p>Prepared by: Maria Loera, Sr. Secretary-DHS</p> <p>Reviewed by: Ed Thornbrugh, Administrator-DHS</p>	<p>Execute Amendment <u> X </u></p> <p>Pass Resolution <u> X </u></p> <p>Pass Ordinance <u> </u></p> <p>Pass Motion <u> </u></p> <p>Other <u> </u></p>		<p>Consent Agenda <u> ^ </u></p> <p>Public Hearing <u> </u></p> <p>1st Discussion <u> </u></p> <p>2nd Discussion <u> </u></p> <p>Other <u> </u></p>

BACKGROUND INFORMATION

Benton and Franklin Counties Department of Human Services currently contracts with Benton Franklin Community Action Committee; to assist the County with meeting the goals of the Ten-Year Homeless Housing Plan for Benton and Franklin Counties to reduce homelessness.

The purpose of this First Amendment is to amend the Agreement to increase the overall consideration of the Agreement by \$36,750.00 to a total amount of \$124,923.00 for additional services.

The "Consideration" on the face sheet of the Agreement shall be amended to an amount of \$124,923.00, and Exhibit B shall be replaced in its entirety with the attached Exhibit B1.

The First Amendment also serves to replace and amend Section 40. Consideration, sub-sections 40.1.2 and 40.1.3.

SUMMARY

Award: \$124,923.00

Period: To start on the execution of both parties and ends on February 28, 2014

Funding Source: Homeless Housing Fund 0154101

RECOMMENDATION

- Sign the Resolution to accept the proposed First Amendment
- Approve the proposed First Amendment by signing all the copies where indicated

FISCAL IMPACT

There is no impact on the current expense budget. All revenues and expenditures are from the Fund 0154101 Homeless Housing Fund, for a consideration amount of \$124,923.00.

MOTION

To approve signing a First Amendment to Agreement #2013-HHAA-CAC between Benton and Franklin Department of Human Services and Benton Franklin Community Action Committee, and to authorize the Chair to sign of behalf of the Board.



Signature

RESOLUTION

Benton County Resolution No. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON;

RE: IN THE MATTER OF EXECUTING A FIRST AMENDMENT TO AGREEMENT #2013-HHAA-CAC BETWEEN BENTON AND FRANKLIN COUNTIES DEPARTMENT OF HUMAN SERVICES AND BENTON FRANKLIN COMMUNITY ACTION COMMITTEE

WHEREAS, Benton and Franklin Counties Department of Human Services currently contracts with Benton Franklin Community Action Committee; to assist the County with meeting the goals of the Ten-Year Homeless Housing Plan for Benton and Franklin Counties to reduce homelessness; and

WHEREAS, the purpose of this First Amendment is to amend the Agreement to increase the overall consideration of the Agreement by \$36,750.00 to a total amount of \$124,923.00 for additional services; and

WHEREAS, the "Consideration" on the face sheet of the Agreement shall be amended to an amount of \$124,923.00; and

WHEREAS, Exhibit B shall be replaced in its entirety with the attached Exhibit B1. All references in the Agreement to "Exhibit B" shall hereafter be replaced with "Exhibit B1"; and

WHEREAS, the First Amendment also serves to replace and amend Section 40. Consideration, sub-sections 40.1.2. and 40.1.3.; **NOW, THEREFORE**,

BE IT RESOLVED, that the Board of Benton County Commissioners hereby accepts the proposed First Amendment; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Benton County Commissioners be, and hereby is, authorized to sign, on behalf of Benton County, a First Amendment to Agreement #2013-HHAA-CAC between Benton and Franklin Counties Department of Human Services and Benton Franklin Community Action Committee; to increase the overall consideration by \$36,750.00 for a new consideration amount of \$124,923.00, replace Exhibit B with the attached Exhibit B1, and replace and amend Section 40. Consideration, sub-sections 40.1.2 and 40.1.3; and

BE IT FURTHER RESOLVED, the term of the attached First Amendment commences on the date of execution of both parties and ends on February 28, 2014

Dated this . . . day of, 2013

Chair

Member

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

Attest: _____
Clerk of the Board

**Benton and Franklin Counties
DEPARTMENT OF HUMAN SERVICES
First Amendment to Agreement #2013-HHAA-CAC**

This First 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, by and for the **Benton and Franklin Counties' Department of Human Services**, a bi-county department, with its principal offices at 7102 West Okanogan Place, Suite 201, Kennewick, WA 99336 (hereinafter collectively referred to as "County") and Benton Franklin Community Action Committee, a nonprofit social service organization, with its principal offices at 720 West Court Street, Pasco, WA 99301, (hereinafter "Contractor").

<p>County's Contact Information/Authorized Representative: Edward Thornbrugh, Administrator Benton and Franklin Counties Department of Human Services 7102 W. Okanogan Place, Suite 201 Kennewick, WA 99336 Phone: 509-783-5284 Fax: 509-783-5981 E-Mail: Edward.Thornbrugh@co.benton.wa.us</p>	<p>Contractor's Contact Information/Authorized Representative: Judith Gidley, Executive Director Benton Franklin Community Action Committee 720 W. Court Street Pasco, WA 99301 Phone: 509-545-4042 Fax: 509-545-9691 E-Mail: jgidley@bfcac.org</p>
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Amendment Start Date Execution by both parties
 Amendment End Date February 28, 2014
 Unless this Agreement is terminated sooner as set forth herein.

Total Agreement Consideration Benton County-\$124,923.00

Exhibit A Outcome Model
 Exhibit B1 Amended Budget

By their signatures below, the parties agree to the terms and conditions of this First Amendment and all documents attached or incorporated by reference. No other understandings or representations, oral or otherwise, regarding the subject matter of this First Amendment shall be deemed to exist or bind the parties. The parties signing below certify that they are authorized to sign this First Amendment.

For the Contractor:

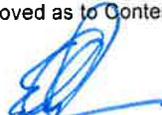
 Title: Executive Director Date 4/11/13

For Benton County:

 Benton County Commissioners Date

 Attest: Clerk of the Board

Approved as to Content:


 Department of Human Services

Approved as to Form:


 Benton County Prosecutor's Office

AGENDA ITEM: Consent	TYPE OF ACTION NEEDED	CONSENT AGENDA <u>xx</u>
MEETING DATE: B/C 04-23-13 F/C 05-01-13	Executive Contract XX	PUBLIC HEARING
SUBJECT: Personal Services Contract with The National Center for Juvenile Justice	Pass Ordinance XX	1 st DISCUSSION
Prepared By: Toni Lehman	Pass Motion	2 nd DISCUSSION
Reviewed By: Sharon A. Paradis	Other	OTHER

BACKGROUND INFORMATION

The Benton-Franklin Counties Juvenile Justice Center has a contract with The John D. and Catherine T. Mac Arthur Foundation. The foundation has approved a no-cost extension with The National Center for Juvenile Justice.

SUMMARY

The services to be provided by the National Center for Juvenile Justice are consistent with the no-cost extension request by the Benton-Franklin Counties Juvenile Justice Center to accelerate data warehouse project activities for the period of March 18, 2013 through July 31, 2013. The contract was not received back from The National Center For Juvenile Justice until April 12, 2013. Therefore, the contract is backdated in order to maximize the use of available funding.

RECOMMENDATION

We recommend that the Board of Commissioners of Benton County and the Board of Commissioners of Franklin County sign the Personal Services Contract between The National Center for Juvenile Justice and Benton-Franklin Counties Juvenile Justice Center for services.

COORDINATION

Coordination of the contract occurred as follows: Toni Lehman, Senior Administrative Secretary who compiled the contract; Stephen Hallstrom, Benton County Deputy Prosecuting Attorney who reviewed the contract as to form; Mari Kay Bickett, J.D., Chief Executive Officer with the National Center for Juvenile Justice; Patrick Griffin, Program Officer for Mac Arthur Foundation; Sharon Paradis, Administrator, since retired; and Darryl Banks, Interim Administrator for the Benton-Franklin Counties Juvenile Justice Center.

FISCAL IMPACT

Amount not to exceed \$16,500.00 and shall be paid by the MacArthur Foundation as a no-cost extension was granted.

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 the personal service contract with The National Center for Juvenile Justice.

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 AWARDING THE PERSONAL SERVICES CONTRACT BETWEEN THE JUVENILE JUSTICE CENTER AND THE NATIONAL CENTER FOR JUVENILE JUSTICE (NCJJ), and

WHEREAS, per resolution 2012-677, "for all contracts for non-public works services the county need not advertise or follow a formal competitive bidding procedure, but may instead evaluate and utilize the procedures it deems best under the individual circumstances in order to obtain services of the highest quality at the lowest price"; and

WHEREAS, The Benton-Franklin Counties Juvenile Justice Center has a contract with John D. and Catherine T. Mac Arthur Foundation via Benton County Resolution 2012-063 and Franklin County Resolution 2012-057; and

WHEREAS, The John D. and Catherine T. Mac Arthur Foundation has approved the no cost extension request to The National Center for Juvenile Justice for the creation of a data warehouse; and

WHEREAS, the Interim Juvenile Justice Administrator recommends entering into a contract with The National Center for Juvenile Justice; **NOW THEREFORE**

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County, Washington and by the Board of Franklin County Commissioners, Franklin County, Washington the board concurs with the Interim Juvenile Administrator's recommendation and hereby awards the personal services contract to The National Center for Juvenile Justice in an amount not to exceed \$16,500.00; and

BE IT FURTHER RESOLVED, that the Chairman is authorized to sign the attached personal service contract, and

BE IT FURTHER RESOLVED, the term of the attached contract commences on March 18, 2013 and expires on July 31, 2013. The contract is backdated to March 18, 2013 in order to maximize the use of available funds.

DATED this 23rd day of April 2013
BENTON COUNTY BOARD OF COMMISSIONERS

DATED this 1st day of May 2013
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

**BENTON-FRANKLIN COUNTIES
PERSONAL 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 of the State of Washington, 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 the National Council of Juvenile and Family Court Judges (NCJFCJ), with its principal offices at 1041 N. Virginia Street, 3rd Floor, Reno, NV 89557, through its research division, THE NATIONAL CENTER FOR JUVENILE JUSTICE (NCJJ) (hereinafter "CONTRACTOR").

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

1. CONTRACT DOCUMENTS

This Contract consists of the following documents:

- a. **Exhibit A, No Cost Extension Request from Benton-Franklin Counties Juvenile Center covering Scope of Work.**

2. DURATION OF CONTRACT

The term of this Contract shall begin on March 18, 2013 and shall expire on July 31, 2013. The CONTRACTOR shall complete all work by the time(s) specified herein, or if no such time is otherwise specified, no later than the expiration date.

3. SERVICES PROVIDED

The CONTRACTOR shall perform the following services:

- a. The services to be provided by the CONTRACTOR are consistent with a no-cost extension request by the Benton-Franklin Juvenile Court Center to accelerate data warehouse project activities (Exhibit A). The contract amount will support travel and staff time for 3 to 4 site visits by senior research associate level staff of the CONTRACTOR intended for the purpose of guiding court staff in developing user-end specifications for the CONTRACTOR'S MacArthur Foundation, Models for Change Juvenile Data Warehouse

**BENTON COUNTY
 BOARD OF COUNTY COMMISSIONERS**

Agenda Request Summary

<u>Type of Action Requested</u>	<u>Classification</u>
<input type="checkbox"/> Execute contract <input checked="" type="checkbox"/> Pass resolution <input type="checkbox"/> Pass ordinance <input type="checkbox"/> Pass motion <input type="checkbox"/> Other (describe)	<input checked="" type="checkbox"/> Consent agenda <input type="checkbox"/> Public hearing <input type="checkbox"/> 1 st discussion <input type="checkbox"/> 2 nd discussion <input type="checkbox"/> Other
Requested meeting date: April 23, 2013 Presentation length: Presenting elected office/department: OPD Prepared by: Eric Hsu Reviewed by: Loretta Smith-Kelty	

BACKGROUND INFORMATION

Benton County has been contracting with attorneys Peyman Younesi and Catherine Harkins for District Court “monthly compensation” defense contracts, and attorney Ryan Swinburnson on an “by the case” defense contract. All three attorneys have been offered Superior Court contracts and have accepted them and have further tendered their resignations from their District Court contracts. Notwithstanding the provisions of their contracts that otherwise make contract termination effective 90 days after notice is provided, attorneys Younesi and Harkins have agreed to have their contracts terminate effective January 1, 2013 and attorney Swinburnson has agreed to have his contract terminate March 27, 2013. It is in Benton County’s best interests to accept the resignations as such because replacement defenders have already been procured, and there will be little to no cases needing to be transferred since attorneys Younesi and Harkins have agreed to finish out their existing caseload (with the exception of failure to appear cases) and attorney Swinburnson is contractually bound to complete all cases to which he has been appointed.

SUMMARY

Request resolutions terminating the District Court contracts of attorneys Younesi and Harkins with an effective date of January 1, 2013, and attorney Swinburnson with an effective date of March 27, 2013 as requested by the said attorneys, since they have been offered, and have accepted, Superior Court defense contracts instead.

RECOMMENDATION

Approve resolutions as presented.

ANTICIPATED FISCAL IMPACT

No fiscal impact anticipated

RESOLUTION
BENTON COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

**IN THE MATTER OF TERMINATION OF RYAN SWINBURNSON'S PUBLIC DEFENSE
CONTRACT FOR BENTON COUNTY DISTRICT COURT**

WHEREAS, Benton County is obligated by law to provide indigent defense services in Benton County District Court; and

WHEREAS, Benton County has provided such services by contracting with attorney Ryan Swinburnson, among others, most recently via contract BCDC1213RMS001L (Resolution 2012-410 dated July 24, 2012); and

WHEREAS, attorney Swinburnson has been awarded a Benton County Superior Court defense contract and has elected to voluntarily relinquish his Benton County District Court defense contract effective March 27, 2013; and

WHEREAS, section 17(c) of the contract with attorney Swinburnson provides that either the County or attorney Swinburnson may terminate the contract with 90 days written notice; and

WHEREAS, attorney Swinburnson has provided the County with written notice of his desire to terminate said contract with an effective date of March 27, 2013.

NOW THEREFORE, BE IT RESOLVED THAT the contract with attorney Ryan Swinburnson, BCDC1213RMS001L (Resolution 2012-410) be terminated effective March 27, 2013 as requested by attorney Swinburnson.

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

**Member
Constituting the Board of County
Commissioners, Benton County
Washington**

Attest:
Clerk of the Board

**BENTON COUNTY
BOARD OF COUNTY COMMISSIONERS**

Agenda Request Summary

<u>Type of Action Requested</u>	<u>Classification</u>
<input type="checkbox"/> Execute contract	<input checked="" type="checkbox"/> Consent agenda
<input checked="" type="checkbox"/> Pass resolution	<input type="checkbox"/> Public hearing
<input type="checkbox"/> Pass ordinance	<input type="checkbox"/> 1 st discussion
<input type="checkbox"/> Pass motion	<input type="checkbox"/> 2 nd discussion
<input type="checkbox"/> Other (describe)	<input type="checkbox"/> Other

Requested meeting date: April 23, 2013
Presentation length:
Presenting elected office/department: OPD
Prepared by: Eric Hsu
Reviewed by: Loretta Smith-Kelty

BACKGROUND INFORMATION

Benton County has been contracting with attorneys Peyman Younesi and Catherine Harkins for District Court "monthly compensation" defense contracts, and attorney Ryan Swinburnson on an "by the case" defense contract. All three attorneys have been offered Superior Court contracts and have accepted them and have further tendered their resignations from their District Court contracts. Notwithstanding the provisions of their contracts that otherwise make contract termination effective 90 days after notice is provided, attorneys Younesi and Harkins have agreed to have their contracts terminate effective January 1, 2013 and attorney Swinburnson has agreed to have his contract terminate March 27, 2013. It is in Benton County's best interests to accept the resignations as such because replacement defenders have already been procured, and there will be little to no cases needing to be transferred since attorneys Younesi and Harkins have agreed to finish out their existing caseload (with the exception of failure to appear cases) and attorney Swinburnson is contractually bound to complete all cases to which he has been appointed.

SUMMARY

Request resolutions terminating the District Court contracts of attorneys Younesi and Harkins with an effective date of January 1, 2013, and attorney Swinburnson with an effective date of March 27, 2013 as requested by the said attorneys, since they have been offered, and have accepted, Superior Court defense contracts instead.

RECOMMENDATION

Approve resolutions as presented.

ANTICIPATED FISCAL IMPACT

No fiscal impact anticipated

RESOLUTION
BENTON COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON
IN THE MATTER OF TERMINATION OF CATHERINE HARKINS' PUBLIC DEFENSE
CONTRACT FOR BENTON COUNTY DISTRICT COURT

WHEREAS, Benton County is obligated by law to provide indigent defense services in Benton County District Court; and

WHEREAS, Benton County has provided such services by contracting with attorney Catherine Harkins, among others, most recently via contract BCDC1113CEH0011 (Resolution 11-602 dated September 20, 2011); and

WHEREAS, attorney Harkins has been awarded a Benton County Superior Court defense contract and has elected to voluntarily relinquish her Benton County District Court defense contract effective January 1, 2013; and

WHEREAS, section 17(c) of the contract with attorney Harkins provides that either the County or attorney Harkins may terminate the contract with 90 days written notice; and

WHEREAS, it appears to be in the best interests of Benton County to accept attorney Harkin's contract resignation effective January 1, 2013, notwithstanding section 17(c) of the contract, since a replacement contractor has already been procured and attorney Harkins has agreed to cooperate in finishing out most of her remaining caseload to minimize the number of cases needing to transferred to other Benton County District Court defenders;

NOW THEREFORE, BE IT RESOLVED THAT the contract with attorney Catherine Harkins, BCDC1113CEH001 (Resolution 11-602) be terminated effective January 1, 2013 as requested by attorney Harkins.

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

Member
Constituting the Board of County
Commissioners, Benton County
Washington

Attest:
Clerk of the Board

**BENTON COUNTY
BOARD OF COUNTY COMMISSIONERS
Agenda Request Summary**

<u>Type of Action Requested</u>	<u>Classification</u>
<input type="checkbox"/> Execute contract <input checked="" type="checkbox"/> Pass resolution <input type="checkbox"/> Pass ordinance <input type="checkbox"/> Pass motion <input type="checkbox"/> Other (describe)	<input checked="" type="checkbox"/> Consent agenda <input type="checkbox"/> Public hearing <input type="checkbox"/> 1 st discussion <input type="checkbox"/> 2 nd discussion <input type="checkbox"/> Other
Requested meeting date: April 23, 2013 Presentation length: Presenting elected office/department: OPD Prepared by: Eric Hsu Reviewed by: Loretta Smith-Kelty	

BACKGROUND INFORMATION

Benton County has been contracting with attorneys Peyman Younesi and Catherine Harkins for District Court "monthly compensation" defense contracts, and attorney Ryan Swinburnson on an "by the case" defense contract. All three attorneys have been offered Superior Court contracts and have accepted them and have further tendered their resignations from their District Court contracts. Notwithstanding the provisions of their contracts that otherwise make contract termination effective 90 days after notice is provided, attorneys Younesi and Harkins have agreed to have their contracts terminate effective January 1, 2013 and attorney Swinburnson has agreed to have his contract terminate March 27, 2013. It is in Benton County's best interests to accept the resignations as such because replacement defenders have already been procured, and there will be little to no cases needing to be transferred since attorneys Younesi and Harkins have agreed to finish out their existing caseload (with the exception of failure to appear cases) and attorney Swinburnson is contractually bound to complete all cases to which he has been appointed.

SUMMARY

Request resolutions terminating the District Court contracts of attorneys Younesi and Harkins with an effective date of January 1, 2013, and attorney Swinburnson with an effective date of March 27, 2013 as requested by the said attorneys, since they have been offered, and have accepted, Superior Court defense contracts instead.

RECOMMENDATION

Approve resolutions as presented.

ANTICIPATED FISCAL IMPACT

No fiscal impact anticipated

RESOLUTION
BENTON COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF TERMINATION OF PEYMAN YOUNESI'S PUBLIC DEFENSE CONTRACT FOR BENTON COUNTY DISTRICT COURT

WHEREAS, Benton County is obligated by law to provide indigent defense services in Benton County District Court; and

WHEREAS, Benton County has provided such services by contracting with attorney Peyman Younesi, among others, most recently via contract BCDC1113PY001 (Resolution 10-544 dated September 20, 2010); and

WHEREAS, attorney Younesi has been awarded a Franklin County Superior Court defense contract and has elected to voluntarily relinquish his Benton County District Court defense contract effective January 1, 2013; and

WHEREAS, section 17(c) of the contract with attorney Younesi provides that either the County or attorney Younesi may terminate the contract with 90 days written notice; and

WHEREAS, it appears to be in the best interests of Benton County to accept attorney Younesi's contract resignation effective January 1, 2013 notwithstanding the provisions of section 17(c) of his contract since a replacement contractor has already been procured and attorney Younesi has agreed to cooperate in finishing out most of his remaining caseload to minimize the number of cases needing to be transferred to other Benton County District Court defenders;

NOW THEREFORE, BE IT RESOLVED THAT the contract with attorney Peyman Younesi, BCDC1113PY001 (Resolution 10-544) be terminated effective January 1, 2013 as requested by attorney Younesi.

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

**Member
Constituting the Board of County
Commissioners, Benton County
Washington**

Attest:
Clerk of the Board

j. Repealing & Superseding Previous Resolutions Regarding Benton Co Noxious Weed Control Board Map & Reestablishing Section Boundaries for Commissioner Selection

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>04/23/2013</u>	Execute Contract	_____	Consent Agenda	<u>_X_</u>
Subject:	<u>Noxious Weed Board boundaries</u>	Pass Resolution	<u>_X_</u>	Public Hearing	_____
Prepared by:	<u>L. Wingfield</u>	Pass Ordinance	_____	1st Discussion	_____
Reviewed by:	<u>S. Hallstrom</u>	Pass Motion	_____	2nd Discussion	_____
		Other	_____	Other	_____

BACKGROUND INFORMATION

To accommodate the changing of Benton County and the requirements of RCW 17.10.050, the Benton County Noxious Weed Control Board boundaries were reassessed and new boundaries are being proposed.

SUMMARY

See above.

RECOMMENDATION

Recommend that the Board of Benton County Commissioners approve the attached resolution.

FISCAL IMPACT

None.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF REPEALING AND SUPERSEDING ALL PREVIOUS APPROVED BENTON COUNTY RESOLUTIONS REGARDING THE BENTON COUNTY NOXIOUS WEED CONTROL BOARD MAP AND SECTION BOUNDARIES FOR THE SELECTION OF COMMISSIONERS INCLUDING BUT NOT LIMITED TO RESOLUTION 95-295, AND TO REESTABLISH SECTION BOUNDARIES FOR THE SELECTION OF BENTON COUNTY NOXIOUS WEED CONTROL COMMISSIONERS

WHEREAS, the Board of Benton County Commissioners approved Resolution 95-295 creating the Benton County Noxious Weed Control Board district boundaries; and

WHEREAS, the proposed section boundaries were modified with the best interest of the County, residents of the county, and weed control in mind; and

WHEREAS, the proposed section boundaries conform to the requirements of RCW 17.10.050 and exclude Benton County Weed District 1; **NOW, THEREFORE**

BE IT RESOLVED, pursuant to RCW 17.10.050, the Board of Benton County Commissioners herein order that the section boundaries for the Commissioners of the Benton County Noxious Weed Control Board be set, effective immediately, as described in attached Exhibit A and exclude Benton County Weed District 1; and

BE IT FURTHER RESOLVED, that the Board of Benton County Commissioners adopts this Resolution and that such repeals and supersedes any and all other resolutions addressing the Benton County Noxious Weed Control Board map and section boundaries including but not limited to Resolution 95-295.

Dated this _____ day of _____, 20____.

Chairman of the Board

Member

Member

Constituting the Board of Commissioners
of Benton County, Washington

Attest.....
Clerk of the Board

Exhibit A

BENTON COUNTY NOXIOUS WEED CONTROL COMMISSIONER DISTRICT BOUNDARIES

AREA 1

Beginning at the intersection of the centerline of Interstate 82 with the Oregon-Washington State line at the centerline of the Columbia River; Thence northerly along the centerline of I82 to the centerline of SR397; Thence easterly along the centerline of SR397 to the westerly line of Section 32, T8N, R30E, W.M.; Thence northerly along the west line of Sections 32, 29, 20, 17, 8, 5 and the northerly extension of the westerly line of Section 5 to the intersection with the centerline of the Columbia River; Thence southeasterly, southerly and westerly along said centerline to the point of beginning.

AREA 2

Beginning at the intersection of the centerline of Interstate 82 with the Oregon-Washington State line at the centerline of the Columbia River; Thence northerly along the centerline of I82 to the centerline of SR397; Thence easterly along the centerline of SR397 to the westerly line of Section 32, T8N, R30E, W.M.; Thence northerly along the west line of Sections 32, 29, 20, 17, 8, 5 and the northerly extension of the westerly line of Section 5 to the intersection with the centerline of the Columbia River; Thence northwesterly and northerly, along said centerline, to the intersection with the northerly line of Section 11, T9N, R28E, W.M.; Thence westerly, along the north line of said section 11, to the northwest corner of Section 11; Thence southerly, along the westerly line of said section 11 and the westerly line of Section 14, to the intersection with the centerline of Interstate 182; Thence westerly, along the centerline of I-182, to the intersection with the centerline of Dallas Road; Thence southerly, along the centerline of Dallas Road, to the intersection with the centerline of Badger Road; Thence southeasterly, along the centerline of Badger Road, to the intersection with the centerline of Badger Canyon Road; Thence southwesterly and southerly, along the centerline of Badger Canyon Road, to the intersection with the centerline of Cemetery Road; Thence westerly, along the centerline of Cemetery Road to the intersection with the centerline of Travis Road; Thence southerly, along the centerline of Travis Road, to the northwest corner of Section 33, T7N, R27E, W.M.; Thence southerly, along the westerly line of Section 33 and the westerly line of Sections 4, 9, 16, 21, 28, 33, T6N, R27E, W.M. and the westerly line of Sections 4, 9 & 16, T5N, R27E, W.M., to the intersection with the centerline of the Columbia River; Thence northeasterly, along said centerline, to the point of beginning.

AREA 3

Beginning at the intersection of the Benton County/Klickitat County line with the Oregon-Washington State line at the centerline of the Columbia River; Thence northerly, along said county line and the Benton County/Yakima County line, to the intersection with the northerly line of T7N, R24E, W.M.; Thence easterly, along said northerly line and the northerly line of T7N, R25E, W.M. and the northerly line of Section 6, T7N, R26E, W.M., to the intersection with the centerline of SR221; Thence northerly, along said centerline, to the intersection with the centerline of County Well Road; Thence easterly, along said centerline, to the intersection with the centerline of McBee Road; Thence northerly, along

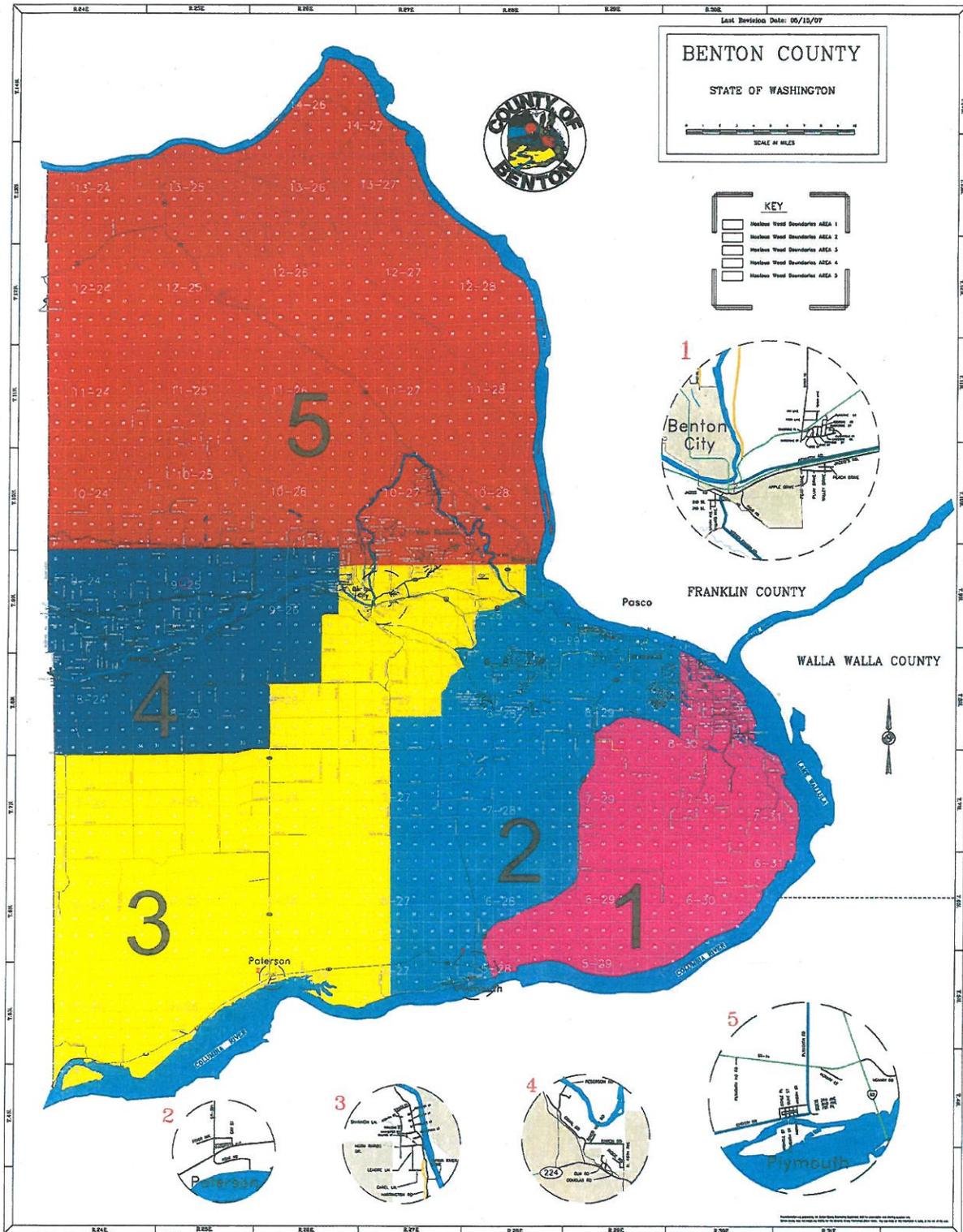
said centerline, to the intersection with the west line of Section 24, T9N, R26E, W.M.; Thence northerly, along said westerly line and the westerly line of Sections 13 and 12, T9N, R26E, W.M., to the northwest corner of said Section 12; Thence east, along the north line of Section 12 and the north line of Sections 7, 8, 9, 10, 11 & 12 of T9N, R27E, and the north line of Sections 7, 8, 9 & 10 of T9N, R28E, W.M., to the northeast corner of Section 10, T9N, R28E, W.M.; Thence southerly, along the easterly line of said Section 10 and Section 15, T9N R28E, W.M., to the intersection with the centerline of Interstate 182; Thence southwesterly, along said centerline, to the intersection with the centerline of Dallas Road; Thence southerly, along the centerline of Dallas Road, to the intersection with the centerline of Badger Road; Thence southeasterly, along the centerline of Badger Road, to the intersection with the centerline of Badger Canyon Road; Thence southwesterly and southerly, along the centerline of Badger Canyon Road, to the intersection with the centerline of Cemetery Road; Thence westerly, along the centerline of Cemetery Road to the intersection with the centerline of Travis Road; Thence southerly, along the centerline of Travis Road, to the northwest corner of Section 33, T7N, R27E. W.M.; Thence southerly, along the westerly line of Section 33 and the westerly line of Sections 4, 9, 16, 21, 28, 33, T6N, R27E, W.M. and the westerly line of Sections 4, 9 & 16, T5N. R27E, W.M., to the intersection with the centerline of the Columbia River; Thence southwesterly, along said centerline, to the point of beginning.

AREA 4

Beginning at the intersection of the northerly line of T7N, R24E, W.M. with the Benton County/Yakima County line; Thence easterly, along said northerly line and the northerly line of T7N, R25E, W.M. and the northerly line of Section 6, T7N, R26E, W.M., to the intersection with the centerline of SR221; Thence northerly, along said centerline, to the intersection with the centerline of County Well Road; Thence easterly, along said centerline, to the intersection with the centerline of McBee Road; Thence northerly, along said centerline, to the intersection with the east line of Section 23, T9N, R26E, W.M.; Thence northerly, along said easterly line and the easterly line of Sections 14, 11 and 2, T9N, R26E, W.M., to the northeast corner of said Section 2; Thence westerly, along the northerly line of T9N, R26E, W.M. and the northerly line of T9N, R25E, W.M. and the northerly line of T9N, R24E, W.M., to the intersection with the Benton County/Yakima County line; Thence southerly, along said county line, to the point of beginning.

AREA 5

Beginning at the intersection of the southerly line of T10N, R24E, W.M. with the Benton County/Yakima County line; Thence easterly, along the southerly line of T10N, R24E, W.M. and the southerly line of T10N, R25E, W.M. and the southerly line of T10N, R26E, W.M., to the intersection with the southeast corner of Section 35, T10N, R26E, W.M.; Thence southerly, along the westerly line of Section 1, T9N, R26E, W.M., to the southwest corner of said Section; Thence easterly, along said southerly line and the southerly line of Sections 6, 5, 4, 3, 2, and 1 of T9N, R27E, W.M. and the southerly line of Sections 6, 5, 4, 3 and 2 of T9N, R28E, W.M., to the intersection with the centerline of the Columbia River; Thence northerly and westerly, along said centerline, to the intersection with the Benton County/Yakima County line; Thence southerly, along said county line, to the point of beginning.



k. Appointment of N Berg to the Noxious Weed Control Board; Area 2

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>04/23/13</u>	Execute Contract	_____	Consent Agenda	XXX
Subject:	<u>Noxious Weed Control Board</u>	Pass Resolution	XXX	Public Hearing	_____
Prepared by:	<u>L. Wingfield</u>	Pass Ordinance	_____	1st Discussion	_____
Reviewed by:	<u>M. Wenner</u>	Pass Motion	_____	2nd Discussion	_____
		Other	_____	Other	_____

BACKGROUND INFORMATION

The Personnel Resources Department was notified that there exists a vacancy to the Benton County Noxious Weed Control Board. Nicole Berg has expressed a desire to be appointed for a term expiring on March 16, 2014.

SUMMARY

Vacancies on the Benton County Noxious Weed Control Board exist and need to be filled.

RECOMMENDATION

Approve the attached resolution appointing Ms. Berg to the Benton County Noxious Weed Control Board.

FISCAL IMPACT

None.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF APPOINTMENT OF NICOLE BERG TO AREA 2 OF THE BENTON COUNTY NOXIOUS WEED CONTROL BOARD

WHEREAS, there is currently a vacancy on the Benton County Noxious Weed Control Board representing Area 2; and

WHEREAS, Nicole Berg expressed an interest in serving as the representative for Area 2; and

WHEREAS, the Board of Benton County Commissioners desires to appoint Nicole Berg to the vacancy position representing Area 2, **NOW, THEREFORE**,

BE IT RESOLVED that pursuant to RCW 17.10.050, the Board of Benton County Commissioners hereby appoints Nicole Berg to serve the unexpired four-year term to Area 2 of the Noxious Weed Control Board; said term expiring March 16, 2014.

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

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	<u>04/23/13</u>	Execute Contract	_____
Subject:	<u>Noxious Weed Control Board</u>	Pass Resolution	XXX
Prepared by:	<u>L. Wingfield</u>	Pass Ordinance	_____
Reviewed by:	<u>M. Wenner</u>	Pass Motion	_____
		Other	_____
		Consent Agenda	XXX
		Public Hearing	_____
		1st Discussion	_____
		2nd Discussion	_____
		Other	_____

BACKGROUND INFORMATION

The Personnel Resources Department was notified that there exists a vacancy to the Benton County Noxious Weed Control Board. Mike Sackschewsky has expressed a desire to be appointed for a term expiring on March 16, 2014.

SUMMARY

Vacancies on the Benton County Noxious Weed Control Board exist and need to be filled.

RECOMMENDATION

Approve the attached resolution appointing Mr. Sackschewsky to the Benton County Noxious Weed Control Board.

FISCAL IMPACT

None.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF APPOINTMENT OF MIKE SACKSCHEWSKY TO AREA 3 OF THE BENTON COUNTY NOXIOUS WEED CONTROL BOARD

WHEREAS, there is currently a vacancy on the Benton County Noxious Weed Control Board representing Area 3; and

WHEREAS, Mike Sackschewsky expressed an interest in serving as the representative for Area 3; and

WHEREAS, the Board of Benton County Commissioners desires to appoint Mike Sackschewsky to the vacancy position representing Area 3, **NOW, THEREFORE**,

BE IT RESOLVED that pursuant to RCW 17.10.050, the Board of Benton County Commissioners hereby appoints Mike Sackschewsky to serve the unexpired four-year term to Area 3 of the Noxious Weed Control Board; said term expiring March 16, 2014.

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

m. Appointment of D Downs to the Noxious Weed Control Board; Area 4

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	<u>04/23/13</u>	Execute Contract	_____
Subject:	<u>Noxious Weed Control Board</u>	Pass Resolution	XXX
Prepared by:	<u>L. Wingfield</u>	Pass Ordinance	_____
Reviewed by:	<u>M. Wenner</u>	Pass Motion	_____
		Other	_____
		Consent Agenda	XXX
		Public Hearing	_____
		1st Discussion	_____
		2nd Discussion	_____
		Other	_____

BACKGROUND INFORMATION

The Personnel Resources Department was notified that there exists a vacancy to the Benton County Noxious Weed Control Board. Dan Downs has expressed a desire to be appointed for a term expiring on March 16, 2016.

SUMMARY

Vacancies on the Benton County Noxious Weed Control Board exist and need to be filled.

RECOMMENDATION

Approve the attached resolution appointing Mr. Downs to the Benton County Noxious Weed Control Board.

FISCAL IMPACT

None.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF APPOINTMENT OF DAN DOWNS TO AREA 4 OF THE BENTON COUNTY NOXIOUS WEED CONTROL BOARD

WHEREAS, there is currently a vacancy on the Benton County Noxious Weed Control Board representing Area 4; and

WHEREAS, Dan Downs expressed an interest in serving as the representative for Area 4; and

WHEREAS, the Board of Benton County Commissioners desires to appoint Dan Downs to the vacancy position representing Area 4, **NOW, THEREFORE**,

BE IT RESOLVED that pursuant to RCW 17.10.050, the Board of Benton County Commissioners hereby appoints Dan Downs to serve the unexpired four-year term to Area 4 of the Noxious Weed Control Board; said term expiring March 16, 2016.

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

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	<u>04/23/13</u>	Execute Contract	_____
Subject:	<u>Noxious Weed Control Board</u>	Pass Resolution	XXX
Prepared by:	<u>L. Wingfield</u>	Pass Ordinance	_____
Reviewed by:	<u>M. Wenner</u>	Pass Motion	_____
		Other	_____
		Consent Agenda	XXX
		Public Hearing	_____
		1st Discussion	_____
		2nd Discussion	_____
		Other	_____

BACKGROUND INFORMATION

The Personnel Resources Department was notified that there exists a vacancy to the Benton County Noxious Weed Control Board. Michael Crowder has expressed a desire to be appointed for a term expiring on March 16, 2016.

SUMMARY

Vacancies on the Benton County Noxious Weed Control Board exist and need to be filled.

RECOMMENDATION

Approve the attached resolution appointing Mr. Crowder to the Benton County Noxious Weed Control Board.

FISCAL IMPACT

None.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF APPOINTMENT OF MICHAEL CROWDER TO AREA 5 OF THE BENTON COUNTY NOXIOUS WEED CONTROL BOARD

WHEREAS, there is currently a vacancy on the Benton County Noxious Weed Control Board representing Area 5; and

WHEREAS, Michael Crowder expressed an interest in serving as the representative for Area 5; and

WHEREAS, the Board of Benton County Commissioners desires to appoint Michael Crowder to the vacancy position representing Area 5, **NOW, THEREFORE**,

BE IT RESOLVED that pursuant to RCW 17.10.050, the Board of Benton County Commissioners hereby appoints Michael Crowder to serve the unexpired four-year term to Area 5 of the Noxious Weed Control Board; said term expiring March 16, 2016.

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

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: April 23, 2013 Subject: Chief Appraiser Promotion Prepared by: <u>Melina Wenner</u>	Execute Contract Pass Resolution <u> X </u> Pass Ordinance Pass Motion Other	Consent Agenda <u> X </u> Public Hearing 1st Discussion 2nd Discussion Other

BACKGROUND INFORMATION

The County Assessor would like to promote an employee within her office into the vacant Chief Appraiser position. In order to complete the duties and demands of new construction values, the Assessor requests that the promoted employee be placed at an 18 D on the Benton County non-bargaining salary schedule. Per the Benton County Non-Bargaining Policies and Procedures, the promoted employee would be placed at a step that gives the employee no less than a 5% salary increase, which in this case would be an 18 C.

Due to extenuating circumstances, it is recommended that the promoted employee be placed at the 18 D and that this resolution will remain in effect through December 31, 2014, and is rescinded at that time.

SUMMARY

See above.

RECOMMENDATION

Pass resolution.

FISCAL IMPACT

Funding is available within the Assessor's Office budget and a supplement is not required.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF THE SALARY STEP PLACEMENT FOR AN INCUMBENT EMPLOYEE BEING PROMOTED INTO THE CHIEF APPRAISER JOB CLASSIFICATION

WHEREAS, the Board of Benton County Commissioners approved Resolution 09-618, Updating the Benton County Personnel Policies and Procedures for Non-Bargaining Employees; and

WHEREAS, Section 7.1 of the Benton County Personnel Policies and Procedures for Non-Bargaining Employees provides guidance for promotions; and

WHEREAS, in order to maintain internal equity, Section 7.1, states that an employee who is promoted is placed at the step that gives the employee no less than a 5% salary increase (best fit to 5%) or the employee will be placed at the "A" step of the new classification, whichever is greater; and

WHEREAS, per Section 7.1 a Senior Official may elect to place an employees at the B Step, or at a higher step if in accordance with and provided by separate resolution; and

WHEREAS, the County Assessor would like to promote an employee within her office to the position of Chief Appraiser, which in accordance with County policy would be placed at a 18 C on the Benton County non-bargaining salary schedule; and

WHEREAS, in order to complete the duties and demands of new construction values and to place the promoted employee into a salary step above the employees they will responsible for supervising, the County Assessor requests the employee be placed at an 18 D on the Benton County non-bargaining salary schedule; and

WHEREAS, the Benton County Administrator deems it appropriate to bring forward to the Benton County Board of Commissioners the request for the employee to be placed at an 18 D based on the extenuating circumstances presented; **NOW THEREFORE**,

BE IT RESOLVED that the Board of Benton County Commissioners hereby places the employee promoted to the Chief Appraiser at a Grade 18 D on the Benton County non-bargaining salary schedule; and

BE IT FURTHER RESOLVED, that this Resolution is not intended nor shall be interpreted as limiting or compromising the County's "at will" employer status; and

BE IT FURTHER RESOLVED that the Board of Benton County Commissioners hereby approve the employee promoted to Chief Appraiser be placed at Grade 18 D on the Benton County non-bargaining salary schedule effective April 1, 2013; and

BE IT FURTHER RESOLVED that this resolution will remain in effect through December 31, 2014, and is rescinded at that time.

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**

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROADS RE: C.E. 1619 CRP-PIERT ROAD EXTENSION – AMENDING RESOLUTION 2012-482 APPROVING THE REIMBURSEMENT AGREEMENT BETWEEN NORTHWEST PIPELINE GP AND BENTON COUNTY FOR CROSSING EXISTING HIGH PRESSURE GAS LINES

WHEREAS, by Resolution 2012-482, dated August 21, 2012, the Benton County Commissioners authorized payment to Northwest Pipeline GP for expenses to engineer, expose, inspect and coat the existing gas lines within said Piert Road right-of-way, and

WHEREAS, a Reimbursement Agreement was prepared by Northwest Pipeline GP to set forth the terms and conditions of Piert Road crossing over said gas lines, being that Benton County shall reimburse Northwest Pipeline GP the cost to have the existing gas lines engineered, exposed, inspected and coated for the construction of Piert Road, and

WHEREAS, there was an estimate attached to the Reimbursement Agreement from Northwest Pipeline GP for \$54,466.00 to engineer, expose, inspect and coat said existing gas lines; and

WHEREAS, Resolution 2012-482 stated the maximum set forth for payment shall be \$54,466.00, and

WHEREAS, the Reimbursement Agreement, signed by the Chairman of the Board of County Commissioners states that Benton County shall reimburse Northwest Pipeline GP for the actual costs incurred, and

WHEREAS, Northwest Pipeline GP has submitted an invoice for the actual costs in an amount of \$56,723.74; NOW, THEREFORE,

BE IT RESOLVED, that Resolution 2012-482 be amended to state that Benton County will pay the actual costs incurred by Northwest Pipeline GP in the amount of \$56,723.74.

Dated this 23rd day of April, 2013.

Chairman

Chairman Pro-Tem

Member

Constituting the Board of County Commissioners of Benton County, Washington

Attest: _____
Clerk of the Board

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROADS, RE: REQUESTING PERMISSION TO PROCEED WITH THE ADVERTISEMENT AND BID PROCESS FOR THE PURCHASE OF SURFACING MATERIALS-HOT MIX ASPHALT, ASPHALT FOR TACK COAT, COLD MIX, UNCLASSIFIED PIT MATERIAL, CRUSHED SURFACING BASE COURSE AND CRUSHED SURFACING TOP COURSE

WHEREAS, it is the intention of the Board of County Commissioners to purchase surfacing materials for the Road Fund; and

WHEREAS, the bids are to be delivered to the Benton County Public Works Department, Benton County Courthouse, Prosser, Washington no later than 1:30 p.m., Friday, May 10, 2013 and said bids will be opened and read at the Benton County Public Works Department conference room at 2:00 p.m., Friday, May 10, 2013; and

WHEREAS, a bid packet (No. CB 13-11) was prepared by Benton County Public Works staff and submitted to the Benton County Prosecuting Attorney's office for review; and

WHEREAS, our departmental assigned Deputy Prosecuting Attorney from the Civil Division has reviewed and approved as to form Bid No. CB 13-11; NOW, THEREFORE,

BE IT RESOLVED that the County Engineer is authorized to proceed with the advertisement and bid process for Bid No. CB 13-11 purchase of surfacing materials-hot mix asphalt, asphalt for tack coat, cold mix, unclassified pit material, crushed surfacing base course and crushed surfacing top course; and

BE IT FURTHER RESOLVED that the bids will be received by the Public Works Department, Benton County Courthouse, Prosser, Washington no later than 1:30 p.m., Friday, May 10, 2013. No bids will be accepted after that date and time. Bids will be opened and read at the Benton County Public Works Department conference room at 2:00 p.m., Friday, May 10, 2013.

Dated this 23rd day of April 2013.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

OFFICE OF THE BENTON COUNTY ENGINEER
BENTON COUNTY, WASHINGTON

REQUEST FOR BIDS

BIDS FOR: FURNISHING HOT MIX ASPHALT (HMA), ASPHALT FOR TACK COAT, COLD MIX, UNCLASSIFIED PIT MATERIAL (UPM), CRUSHED SURFACING BASE COURSE, AND CRUSHED SURFACING TOP COURSE.

BIDS RECEIVED: FRIDAY, MAY 10, 2013 AT 1:30 P.M., IN THE OFFICE OF BENTON COUNTY PUBLIC WORKS, P. O. BOX 1001, 620 MARKET ST., COUNTY COURTHOUSE, PROSSER, WASHINGTON 99350-0954. NO BIDS WILL BE ACCEPTED AFTER THAT DATE AND TIME.

BIDS OPENED: FRIDAY, MAY 10, 2013 AT 2:00 P.M., IN THE PUBLIC WORKS CONFERENCE ROOM, BENTON COUNTY COURTHOUSE, PROSSER, WASHINGTON.

INSTRUCTIONS:

Please state hereon, in the columns provided, the lowest price at which you can provide the articles specified below. If you cannot supply one of the products requested in the proposal, please put N/A in the bid price line. Unsigned bids will not be considered.

The proposal is to be placed in a sealed envelope marked "BIDS - SURFACING MATERIALS, and delivered to Benton County Public Works, P. O. Box 1001, 620 Market St., Prosser, Washington 99350-0954, NO LATER THAN 1:30 P.M., LOCAL TIME, FRIDAY, MAY 10, 2013. NO BIDS WILL BE ACCEPTED AFTER THAT DATE AND TIME.

AWARD OF CONTRACT

The right is reserved by the Board of Benton County Commissioners to reject any or all quotes, to waive informalities in the bidding, and to make award of the business based on a fair appraisal of the competitive values offered and delivery time. The Board will not be bound necessarily by the low quote.

"NOTE: This document and the materials enclosed herewith constitute an invitation to submit bids only and does not represent an offer by Benton County or the Benton County Engineer. Proposals submitted in response hereto shall constitute offers to contract with Benton County. Only upon the County's acceptance of such offer by award as provided herein, shall any contractual relations be created."

Should any discrepancies or omissions be found in the bid specifications, or doubt as to its meaning, bidder shall at once notify STEVE BECKEN or LARRY MOSER at the Benton County Engineer's Office by telephone (509)786-5611 or (509)736-3084. Written instructions or addenda as required will be sent to all interested parties. All addenda issued shall be incorporated into the contract. The County shall not be held responsible for oral interpretations. Questions received less than ninety-six (96) hours before bid opening cannot be answered.

RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY,
WASHINGTON:**

IN THE MATTER OF COUNTY ROADS, RE: COUNTY ROAD IMPROVEMENT DISTRICT (C.R.I.D.) #15, COTTONWOOD DRIVE, PROPERTY SEGREGATION

WHEREAS, the amended final assessment roll for C.R.I.D. #15, Cottonwood Drive was approved by Resolution Number 05-750 on November 28, 2005, and

WHEREAS, Parcel Number 1-1488-200-0001-000, defined as: The North 466.67 feet. EXCEPT the West 1,400 feet of the Northwest $\frac{1}{4}$, lying Westerly of the Railroad right of way of Section 14, Township 8 North, Range 28 East, W.M., had an original assessment of \$12,223.06 and now has an outstanding assessment of \$0.00; and

WHEREAS, the property was consolidated with parcels 1-1488-200-0002-000, 1-1488-200-0011-000, 1-1488-200-0012-000 and 1-1488-200-0015-000 into 1 parcel, being a portion of Lot 24 and a portion segregated and combined with Lot 6 of Cottonwood Estates as recorded in Volume 15 of Plats, Page 444, records of Benton County Washington; and

WHEREAS, Parcel Number 1-1488-200-0002-000, defined as: The North 933.33 feet. EXCEPT the North 466.67 feet and except the West 1,400.00 feet of the Northwest quarter, lying westerly of the Railroad right of way. of Section 14, Township 8 North, Range 28 East, W.M., had an original assessment of \$8,613.06 and now has an outstanding assessment of \$5,910.91; and

WHEREAS, the property was consolidated with parcels 1-1488-200-0011-000 1-1488-200-0012-000, 1-1488-200-0015-000 and a portion of 1-1488-200-0001-000 into 1 parcel, being a portion of Lot 24 of said Cottonwood Estates; and

WHEREAS, Parcel Number 1-1488-200-0003-000, defined as: The West 1,400.00 feet. EXCEPT the West 933.33 feet of the North 466.67 feet of the Northwest $\frac{1}{4}$ of Section 14,

Township 8 North, Range 28 East, W.M., had an original assessment of \$7,489.62 and now has an outstanding assessment of \$0.00; and

WHEREAS, the property was segregated into 5 parcels, being Lot 7 and portions of Lots 5, 6, 8 and 24 of said Cottonwood Estates; and

WHEREAS, Parcel Number 1-1488-200-0004-000, defined as: The North 933.33 feet. EXCEPT the North 466.67 feet of the West 1400.00 feet, Except the West 933.33 feet of the Northwest ¼ of Section 14, Township 8 North, Range 28 East, W.M., had an original assessment of \$7,489.62 and now has an outstanding assessment of \$4,868.26; and

WHEREAS, the property was segregated into 5 parcels, being Lots 18 and 19 and portions of Lots 17, 20 and 24 of said Cottonwood Estates; and

WHEREAS, Parcel Number 1-1488-200-0005-000, defined as: The West 933.33 feet. EXCEPT the West 466.57 feet of the North 466.67 feet of the Northwest ¼ of Section 14, Township 8 North, Range 28 East, W.M., had an original assessment of \$7,489.62 and now has an outstanding assessment of \$0.00; and

WHEREAS, the property was segregated into 6 parcels, being Lots 4 and 9 and portions of Lots 3, 5, 8 and 10 of said Cottonwood Estates; and

WHEREAS, Parcel Number 1-1488-200-0006-000, defined as: The North 933.33 feet, except the North 466.67 feet of the West 933.33 feet, except the west 466.67 feet of the Northwest ¼ of Section 14, Township 8 North, Range 28 East, W.M., had an original assessment of \$7,489.62 and now has an outstanding assessment of \$4,868.26; and

WHEREAS, the property was segregated into 6 parcels, being Lots 16 and 21 and portions of Lots 15, 17, 20, and 22 of said Cottonwood Estates; and

WHEREAS, Parcel Number 1-1488-200-0007-000, defined as: The West 466.67 feet of the North 466.67 feet of the Northwest ¼ of the Northwest ¼ of Section 14, Township 8 North, Range 28 East, W.M., EXCEPT Road Right of Way, had an original assessment of \$6,690.29 and now has an outstanding assessment of \$0.00; and

WHEREAS, the property was segregated into 6 parcels, being Lots 1, 2, 11 and 12 and portions of Lots 3 and 10 of said Cottonwood Estates; and

WHEREAS, Parcel Number 1-1488-200-0008-000, defined as: The North 933.33 feet, except the North 466.67 feet of the West 466.67 feet of the Northwest ¼, of Section 14, Township 8 North, Range 28 East, W.M., EXCEPT Road Right of Way, had an original assessment of \$6,115.76 and now has an outstanding assessment of \$0.00; and

WHEREAS, the property was segregated into 5 parcels, being Lots 13, 14 and 23 and portions of Lots 15 and 22 of said Cottonwood Estates; and

WHEREAS Parcel Number 1-1488-200-0011-000, defined as: The South 422.91 feet of the North 1,356.24 feet of the Northwest ¼ of Section 14, Township 8 North, Range 28 East, W.M. EXCEPT the West 1,029.81 feet lying westerly of the railroad right of way, had an original assessment of \$9,152.32 and now has an outstanding assessment of \$5,491.38; and

WHEREAS, the property was consolidated with parcels 1-1488-200-0002-000 1-1488-200-0012-000, 1-1488-200-0015-000 and a portion of 1-1488-200-0001-000 into 1 parcel, being a portion of Lot 24 of said Cottonwood Estates; and

WHEREAS Parcel Number 1-1488-200-0012-000, defined as: The South 300.08 feet of the North 1,656.62 feet of the Northwest ¼ of Section 14, Township 8 North, Range 28 East, W.M., EXCEPT the west 725.69 feet lying westerly of the railroad right of way, had an original assessment of \$7,489.62 and now has an outstanding assessment of \$4,493.78; and

WHEREAS, the property was consolidated with parcels 1-1488-200-0002-000 1-1488-200-0011-000, 1-1488-200-0015-000 and a portion of 1-1488-200-0001-000 into 1 parcel, being a portion of Lot 24 of said Cottonwood Estates; and

WHEREAS Parcel Number 1-1488-200-0015-000, defined as: The North 1,956.27 feet of Section 14, Township 8 North, Range 28 East, W.M., EXCEPT the North 1,656.32 feet and EXCEPT the West 447.40 feet of said Northwest ¼, lying Westerly of said Railroad right of way, had an original assessment of \$7,489.62 and now has an outstanding assessment of \$4,493.78; and

WHEREAS, the property was consolidated with parcels 1-1488-200-0002-000, 1-1488-200-0011-000, 1-1488-200-0012-000 and a portion of 1-1488-200-0001-000 into 1 parcel, being a portion of Lot 24 of said Cottonwood Estates, NOW, THEREFORE

BE IT RESOLVED, that the final assessment roll be amended and the subdivision of Parcel Numbers 1-1488-200-0001-000, 1-1488-200-0002-000, 1-1488-200-0003-000, 1-1488-200-0004-000, 1-1488-200-0005-000, 1-1488-200-0006-000, 1-1488-200-0007-000, 1-1488-200-0008-000, 1-1488-200-0011-000, 1-1488-200-0012-000 and 1-1488-200-0015-000 into 24 Lots in Cottonwood Estates, each with its own assessment be approved.

BE IT FURTHER RESOLVED that each parcel and assessment is defined as follows:

114882000007000	114882020000001	\$0.00
114882000007000	114882020000002	\$0.00
114882000005000	114882020000003	\$0.00
114882000005000	114882020000004	\$0.00
114882000003000	114882020000005	\$0.00
114882000003000	114882020000006	\$0.00
114882000001000	114882020000006	\$0.00
114882000003000	114882020000007	\$0.00
114882000001000	114882020000007	\$0.00
114882000003000	114882020000008	\$0.00
114882000005000	114882020000009	\$0.00
114882000005000	114882020000010	\$0.00
114882000007000	114882020000011	\$0.00
114882000007000	114882020000012	\$0.00
114882000008000	114882020000013	\$0.00
114882000008000	114882020000014	\$0.00
114882000006000	114882020000015	\$1,069.71
114882000008000		
114882000006000	114882020000016	\$1,091.54
114882000004000	114882020000017	\$1,270.48
114882000006000		
114882000004000	114882020000018	\$1,303.52
114882000004000	114882020000019	\$1,343.43
114882000004000	114882020000020	\$1,270.48
114882000006000		
114882000006000	114882020000021	\$1,091.54
114882000006000	114882020000022	\$1,069.71
114882000008000		
114882000008000	114882020000023	\$0.00
114882000001000 114882000002000 114882000003000 114882000004000 114882000011000 114882000012000 114882000015000	114882020000024	\$20,615.96

Dated this 23rd day of April 2013.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

Pub. Wks.: S. Becken

PROSSER

ECONOMIC DEVELOPMENT ASSOC.
THE DIRECTION YOU'LL WANT TO GROW

2012

Annual Report

Working to... promote and advance the economic welfare and development of the City of Prosser and the surrounding area, thereby improving the quality of life and contributing to the overall economic development of the State of Washington.

Water Tower



Four Feathers



Walter Clore Wine & Culinary Center



Legislative Tour of the Fish Hatchery



Directional Signage



Executive Director's Message

Our 2012 Board of Directors generously give a minimum of 25 hours per person per year to serve the Prosser community. This organization is able to create jobs, initiate solutions and move projects toward completion because of board, private, and public support. **Thank you!**

Demographics of Prosser have changed since the 2000 census. The "average Prosserite" is:

- Between the ages of 30 to 54
- More likely to be female
- Making \$41,733 a year
- A high school graduate with perhaps some college
- Working in public administration

Things to brag about . . .

- 16% increase in job earning of \$3,333 per month and above
- Vibrant and thriving health care community, leading the future in economic growth
- 4% above state average in producing high school graduates
- 3.2% population growth from July 2010 to July 2011; historically, growth has been 2%

Things to worry about . . .

- 6.4% reduction in employment between the ages of 29 – 54. The reduction of employment in this age group may mean a couple of things: 1) less employment opportunities 2) dropped out of work force and not looking for work
- 6.4% increase in employment over the age of 55. This may mean older citizens have to work longer before retiring
- Trend shows a decreasing number of workers with bachelor degrees or higher
- Prosser and Benton City have the lowest household incomes in the county; followed closely by Kennewick

Pending economic influences, our local economy should see a slow progression of growth in the next 36 to 48 months.

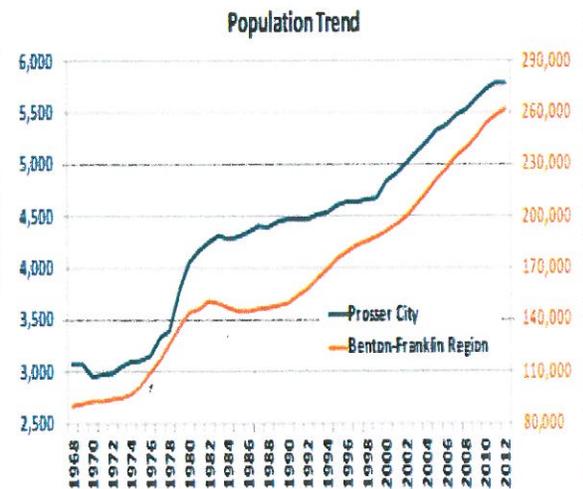
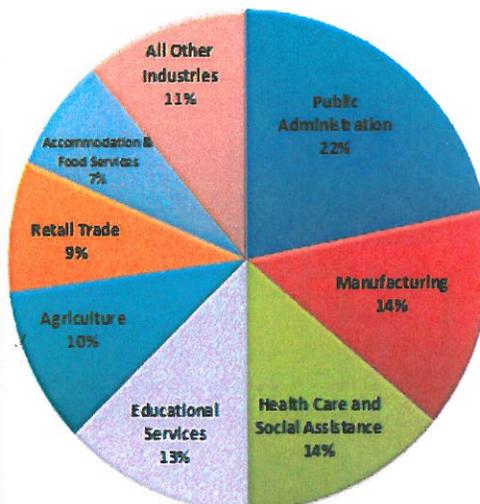
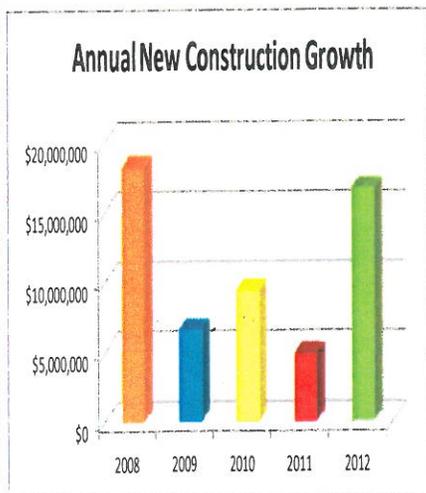
OUTLOOK:

- Employment to stabilize in 2013
- Population growth will have an effect on local economic growth
- Industries that will be leading growth: Healthcare, Educational Services, and Food Manufacturing

Let's keep our economy growing! Thank you for supporting Prosser EDA!

Growth in Prosser

City has seen a considerable jump in new construction costs; 16.7 million in 2012. Zirkle Fruit has built Four Feathers Winery, opening their doors just as the 2012 harvest began. Snoqualmie, a brand of Ste. Michelle, expanded their bulk storage space. Expect a major renovation of their tasting room in 2013. A health care hub has been established on Chardonnay Blvd. as a collaborative effort of PMH Medical Center, Kadlec and Walla Walla Adventist Health providing a physician's clinic to serve Prosser and the surrounding region. The existing physical therapy and dental care facilities helped lure additional health care amenities to the area.



Source: City of Prosser, Prosser EDA

Source: WA Employment Security Dep, U.S. Census LED OnTheMap 2012

Source: WA Office of Financial Management 2012 Estimates, U.S. Census Bureau 2011 Estimates

2012 in Retrospect

Governor Visits Prosser

Governor Gregoire was honored at a luncheon hosted at the Walter Clore Wine & Culinary Center on August 3rd. Presentations to the Governor and key dignitaries focused on the success of the Clore Center as it reaches the final design and construction phase of the 15,000 sq. ft. building.



Annual Meeting

The 2012 Annual Meeting was well attended and included two legislators from the 16th district and one legislator from the 8th district. A big THANK YOU to the Organization Committee for their work in presenting a PowerPoint to highlight Prosser EDA's accomplishments over the past several years and to educate about the 2012-2022 Strategic Plan.



Legislative Tour

A legislative tour and luncheon was held on May 14th at the Walter Clore Wine & Culinary Center Vineyard Pavilion. The event brought together 8th and 16th district legislators, showcasing the Center and its economic benefits to the state. On a separate occasion later in the summer, the 16th district legislators visited our community again with tours to the Yakama Nation Fish Hatchery and WSU-IAREC.



Walter Clore Wine & Culinary Center

Since its beginnings, the Clore Center concept has been reworked and many talented hands have touched it. Each person acknowledges the importance of developing the Center in a sustainable way. A number of strategies have been used to achieve this goal. It is because of the Port of Benton's significant involvement and commitment that has led the Clore Center to completion. 2012 was a busy year for the Center. ALSC Architects were selected and the design was finalized. Burke Construction of Spokane was awarded the construction bid. A timeline was established beginning with earth moving scheduled for early 2013 and building completion expected approximately 9 months later.



Senator Patty Murray Visits Prosser

Senator Murray and leaders of the Washington grape industry met on August 22 for a roundtable at the Walter Clore Wine and Culinary Center. Key topics discussed were labor shortages, immigration, infrastructure for future growth, the Clore Center, WSU's Wine Science Center, clean plant initiative and tourism. Grape industry leaders requested continued funding from the Economic Development Administration, Community Development Block Grants and Specialty Crop Block Grants as well as the need for research funding. Following the meeting, attendees toured Four Feather's crush facility in Prosser. Final, finishing touches allowed doors to open for the 2012 harvest. The tour demonstrated the continued growth of the grape industry and its importance to the state economy.



Directional Signage

The installation of six new directional signs along Wine Country Road from Exit 80 to Exit 82 provide visitors a helpful guide to locating destinations in Prosser. The signage system was designed by a local committee that relied on a cohesive theme, refreshed logo and updated colors for a vibrant look. Aaron O'Brien of Chinook Signs, Inc., assisted in design and construction. Funding for the \$20,000 project was made possible by the collaborative efforts of public in-kind support and private donations. "Prosser's non-profit organizations, i.e. Prosser Chamber, Tourism Committee, Historic Downtown Prosser and Prosser EDA, along with the help of the Port of Benton played a huge role in contributing to this project," stated Mayor Paul Warden.



Leadership Prosser's Inaugural Class

There is a new tradition in Prosser! Call it a citizen's academy for intensive learning. The charter class of 2012 graduated in August and is now serving as an advisory committee for the 2013 Leadership Prosser interns. The eight month class educates above living and working in Prosser, it's history, community infrastructure, and behind-the-scenes decision making. Class members met once a month for an in-depth exploration of critical Prosser topics: History and Culture, Government, Business & Industry, Agriculture, Education, Healthcare & Social Services, First Responders, Communication and Media. The 2012 Class project established a garden at the Boys & Girls Club. Congrats to Leadership Prosser!



One of the Best Communities for Young People

For a second consecutive year, Prosser was honored as one of the 100 Best Communities for Young People due to its commitment to providing a range of health services and after-school programs for youth. Prosser offers several programs which were recognized for their quality of care, including; Safe Babies Safe Moms, The Yakima Valley Farm Workers Clinic, 21st Century Community Learning Program, and the Prosser Boys & Girls Club.



Community Grant Writer Program

To date, this program has generated \$17.59 for every \$1 of investment into the program. Award totals in 2012 amounted to \$2,112,017. PMH Medical Center received \$1,490,017 and the Port of Benton was awarded \$622,000. 2012 pending awards total \$94,835.

Total amount of awards since the program's inception is \$6.8 million.

Planning assistance on the Clore operating budget, business plan and exhibits were shared by the funding partners of this program as well as writing two grant applications for the Clore Center. A huge thank you goes to Sue Jetter, the City of Prosser, PMH Medical Center and the Port of Benton for investing in this program to assist in spreading wealth throughout the community.

2012 Job Fair

There was a great turnout of employers at this event. In partnering with Columbia Basin WorkSource attendance was counted and logistics of the event were handled. Historic Downtown Prosser and Chamber or Commerce were offered booth spaces as well as other non-profit and volunteer based programs. This provides an element of education to participants regarding other community resources available.

Our Organization

2013 Board of Directors

OFFICERS

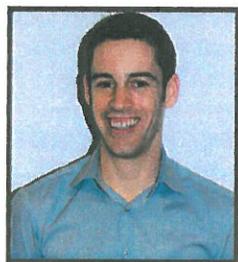
Jane Hagarty, **President**, Port of Benton Commissioner
 Dr. Robert Stevens, **Vice-President**, Director Emeritus, WSU IAREC
 Brian Newhouse, **Treasurer**, CPA, Sattler & Associates
 Shelley Clark, **Secretary**
 Max Benitz Jr., **Past-President**

BOARD MEMBERS

Jeff Andrews, Agriculture
 Troy Berglund, Benton REA
 Candice Bluechel, Skilled Labor
 Dr. Rich Cummins, Higher Education
 Jennifer Ely, Chamber of Commerce
 Scott Hamilton, Prosser City Council
 Bill Jenkin, Historic Downtown Prosser Association
 Tyson Jones, Food Processing
 Josh Mott, Tourism
 Dr. Michelle Moyer, WSU - IAREC
 Julie Petersen, PMH Healthcare
 Scott Pontin, Commercial
 Dick Poteet, Community
 Lisa Schmitt, Quality of Life
 Shon Small, Benton County
 Jenny Sparks, Benton PUD
 Dr. Ray Tolcacher, Prosser Schools
 Dianne Torres, Financial
 Mayor Paul Warden, City of Prosser
 Scott Wingert, Manufacturing

STAFF

Deb Heintz, Executive Director
 Amber Burnett, Office Manager



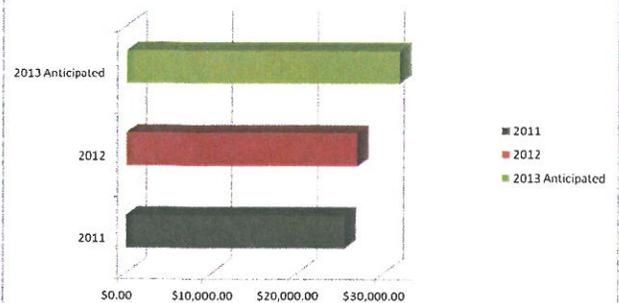
**Prosser EDA
 Contributor of the Year Award
 2012
 Brian Newhouse**

As the new owner of Sattler & Associates, Brian has served as Treasurer on Prosser EDA's Board of Directors for 2 years.
 Thank you for your outstanding support and contributions!

2012 MEMBERSHIP

Airfield Estates Winery
 AmericanWest Bank
 Après Vin
 Benton REA
 Benton PUD
 Ben Franklin Transit
 Bleyhl Farm Services
 Cascade Natural Gas
 Chardonnay Square
 ConAgra/Lamb Weston
 Conover Insurance
 Edward Jones Prosser
 Gap Road Properties LLC
 Heavens Cave Cellars
 Historic Downtown Prosser Association
 Huibregtse, Louman Associates
 Kenyon Zero Storage
 Lower Valley Credit Union
 Milne Fruit Products
 Northwest Farm Credit
 PMH Medical Center
 Prosser Chamber of Commerce
 R.E. Powell Distributing
 R.S. Poteet Insurance Agency, Inc.
 Sattler & Associates
 Ste. Michelle Wine Estates
 Tom Denchel Ford
 Tomlinson Wine Country Real Estate
 TreeTop, Inc.
 WA Assoc. of Wine Grape Growers
 Yakima Federal Savings
 Zirkle Fruit Company

Annual Membership Income



Funding Partners

**City of Prosser * Port of Benton *
 Benton County * Private Sector**

Through partnerships with public entities and private businesses, Prosser EDA creates and promotes a sustainable community by leading projects to create economic growth for our citizens. Our initiatives add value to Prosser by improving the quality of life, stimulating a diverse economy, preserving environmental assets, and forging key alliances which result in measurable increases in vital economic indicators of a healthy, growing community.

BENTON COUNTY AGENDA ITEM

AGENDA ITEM:	Type of Action			
MEETING DATE: 04/23/13 9:05am	Execute Contract		CONSENT AGENDA	
SUBJECT: Trial Court Improvement Fund Expenditure Request and Discussion	Pass Resolution	X	PUBLIC HEARING	X
	Pass Ordinance		1 ST DISCUSSION	
	Pass Motion		2 ND DISCUSSION	
Prepared By: Pat Austin	Other		OTHER	
Reviewed By: L. Smith-Kelty & Keith Mercer	Approve for Hearing			

BACKGROUND INFORMATION

The Trial Court Improvement Committee is presenting the 2013-2014 planned expenditure request approved and recommended by the Trial Court Improvement Committee. Please see attached letter.

SUMMARY

RECOMMENDATION

Recommend approval of expenditure and resolution.

FISCAL IMPACT

None – expenditures paid through the trial court improvement monies. Trial Court Improvement has an approved budget of \$240,000 for 2013-2014.

MOTION

Move to approve the recommended expenditures from the Trial Court Improvement Funds and Resolution No. _____ in the matter of authorizing purchases as identified on the letter from the Trial Court Improvement Fund Committee for expenditures totaling \$80,750.00, utilizing funds from the Benton County Trial Court Improvement Fund.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF AUTHORIZING PURCHASES AS IDENTIFIED ON THE LETTER FROM THE TRIAL COURT IMPROVEMENT FUND COMMITTEE FOR EXPENDITURES FOR 2013 AND 2014 TOTALING \$80,750.00, UTILIZING FUNDS FROM THE BENTON COUNTY TRIAL COURT IMPROVEMENT FUND

WHEREAS, the Benton County Board of Commissioners received a letter from the Trial Court Improvement Committee requesting authorization for expenditures for 2013 and 2014 totaling \$80,750.00; and

WHEREAS, Benton County District Court, Superior Court and the County Clerk desire to purchase equipment and/or professional services for their respective offices as identified on the attached letter; and

WHEREAS, the Board of Benton County Commissioners constitutes the legislative authority of Benton County and deems this to be in the best interest of the County;

NOW THEREFORE, BE IT RESOLVED that the Board of Benton County Commissioners hereby approves the purchases as identified on the attached letter from the Trial Court Improvement Fund Committee for expenditures totaling \$80,750.00, utilizing funds from the Trial Court Improvement Fund, 0156-101; and,

Dated this day of, 20....

Chairman of the Board

Chairman Pro-Tem

Member

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

Attest:
Clerk of the Board

Jerome Delvin
District 1
Shon Small
District 2
James Beaver
District 3

Board of County Commissioners BENTON COUNTY



Support for Yakima Basin Integrated Plan
Discussion ~ Comnr Delvin

County Administrator

Loretta Smith Kelty
Deputy County Administrator

April 23, 2013

Mayor Lloyd Carnahan
City of Benton City
PO Box 70
Benton City, WA 99320

Re: Support for Yakima Basin Integrated Plan

Mayor Carnahan:

Over the last three years substantial and successful efforts have been put forth to form a plan to revitalize the Yakima River Basin and create significant new water supply and storage, while restoring fish habitat and fish passage at the reservoirs. This effort has included numerous stakeholders which have all reached a consensus strategy for future water supply improvements and ecological restoration projects in our basin. This strategy, called the Yakima Basin Integrated Plan (YBIP), is being widely discussed in our region and across the nation. We are working hard to take the next steps in implementing the YBIP and we need your help.

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Currently there is a "first step" funding request before our State Legislators. The request is endorsed by Governor Inslee. Work seeking Federal funding for full implementation is also in progress.

Your support for this effort is important. We are requesting the opportunity to present the YBIP to you and your city council with the goal of receiving an official action of support. For your convenience, we have enclosed a sample resolution. Of course, we encourage you to add or subtract anything according to your preferences.

Please contact Adam Fyall at the number listed below or by email at adam.fyall@co.benton.wa.us to schedule a presentation by several members of the YBIP Work Group at your next available City Council meeting.

For more information on the Yakima River Basin Water Enhancement Plan, please visit <http://www.usbr.gov/pn/programs/yrbwep/index.html> or <http://www.ecy.wa.gov/programs/wr/cwp/YBIP.html>

Respectfully,

BOARD OF BENTON COUNTY COMMISSIONERS

Commissioner Jerome Delvin

Commissioner Shon Small

Commissioner James Beaver

Enclosure

Jerome Delvin
District 1
Shon Small
District 2
James Beaver
District 3

Board of County Commissioners BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator



April 23, 2013

West Richland Chamber of Commerce
May Hays, Executive Director
PO Box 4023
West Richland, WA 99353

Re: Support for Yakima Basin Integrated Plan

Director Hays:

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Respectfully,

BOARD OF BENTON COUNTY COMMISSIONERS

Commissioner Jerome Delvin

Commissioner Shon Small

Commissioner James Beaver

Enclosure

Jerome Delvin
District 1
Shon Small
District 2
James Beaver
District 3

Board of County Commissioners BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator



April 23, 2013

Tri-City Regional Chamber of Commerce
Mike McWhorter, Chair, Board of Directors
7130 W Grandridge Blvd., Suite C
Kennewick, WA 99336

Re: Support for Yakima Basin Integrated Plan

Chair McWhorter:

Over the last three years substantial and successful efforts have been put forth to form a plan to revitalize the Yakima River Basin and create significant new water supply and storage, while restoring fish habitat and fish passage at the reservoirs. This effort has included numerous stakeholders which have all reached a consensus strategy for future water supply improvements and ecological restoration projects in our basin. This strategy, called the Yakima Basin Integrated Plan (YBIP), is being widely discussed in our region and across the nation. We are working hard to take the next steps in implementing the YBIP and we need your help.

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<http://www.usbr.gov/pn/programs/yrbwep/index.html> or <http://www.ecy.wa.gov/programs/wr/cwp/YBIP.html>

Respectfully,

BOARD OF BENTON COUNTY COMMISSIONERS

Commissioner Jerome Delvin

Commissioner Shon Small

Commissioner James Beaver

cc: Lori Mattson, President & CEO
Enclosure

Jerome Delvin
District 1
Shon Small
District 2
James Beaver
District 3

Board of County Commissioners BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator



April 23, 2013

Mayor Steve Young
City of Kennewick
P.O. Box 6108
Kennewick, WA 99336

Re: Support for Yakima Basin Integrated Plan

Mayor Young:

Over the last three years substantial and successful efforts have been put forth to form a plan to revitalize the Yakima River Basin and create significant new water supply and storage, while restoring fish habitat and fish passage at the reservoirs. This effort has included numerous stakeholders which have all reached a consensus strategy for future water supply improvements and ecological restoration projects in our basin. This strategy, called the Yakima Basin Integrated Plan (YBIP), is being widely discussed in our region and across the nation. We are working hard to take the next steps in implementing the YBIP and we need your help.

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Respectfully,

BOARD OF BENTON COUNTY COMMISSIONERS

Commissioner Jerome Delvin

Commissioner Shon Small

Commissioner James Beaver

Enclosure

Jerome Delvin
District 1
Shon Small
District 2
James Beaver
District 3

Board of County Commissioners BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator



April 23, 2013

Kennewick General Hospital
Jim Mefford, President
Board of Commissioners
900 S. Auburn St.
Kennewick, WA 99336

Re: Support for Yakima Basin Integrated Plan

President Mefford:

Over the last three years substantial and successful efforts have been put forth to form a plan to revitalize the Yakima River Basin and create significant new water supply and storage, while restoring fish habitat and fish passage at the reservoirs. This effort has included numerous stakeholders which have all reached a consensus strategy for future water supply improvements and ecological restoration projects in our basin. This strategy, called the Yakima Basin Integrated Plan (YBIP), is being widely discussed in our region and across the nation. We are working hard to take the next steps in implementing the YBIP and we need your help.

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Respectfully,

BOARD OF BENTON COUNTY COMMISSIONERS

Commissioner Jerome Delvin

Commissioner Shon Small

Commissioner James Beaver

cc: Glen Marshall, Chief Executive Officer

Enclosure

Jerome Delvin
District 1
Shon Small
District 2
James Beaver
District 3

Board of County Commissioners BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator



April 23, 2013

Mayor Donna Noski
City of West Richland
3801 W. Van Giesen
West Richland, WA 99353

Re: Support for Yakima Basin Integrated Plan

Mayor Noski:

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Respectfully,

BOARD OF BENTON COUNTY COMMISSIONERS

Commissioner Jerome Delvin

Commissioner Shon Small

Commissioner James Beaver

Enclosure

Jerome Delvin
District 1
Shon Small
District 2
James Beaver
District 3

Board of County Commissioners BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator



April 23, 2013

Mayor John Fox
City of Richland
P.O. Box 190
Richland, WA 99352

Re: Support for Yakima Basin Integrated Plan

Mayor Fox:

Over the last three years substantial and successful efforts have been put forth to form a plan to revitalize the Yakima River Basin and create significant new water supply and storage, while restoring fish habitat and fish passage at the reservoirs. This effort has included numerous stakeholders which have all reached a consensus strategy for future water supply improvements and ecological restoration projects in our basin. This strategy, called the Yakima Basin Integrated Plan (YBIP), is being widely discussed in our region and across the nation. We are working hard to take the next steps in implementing the YBIP and we need your help.

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Respectfully,

BOARD OF BENTON COUNTY COMMISSIONERS

Commissioner Jerome Delvin

Commissioner Shon Small

Commissioner James Beaver

Enclosure

Jerome Delvin
District 1
Shon Small
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James Beaver
District 3

Board of County Commissioners BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator



April 23, 2013

Mayor Paul Warden
City of Prosser
601 7th Street
Prosser, WA 99350

Re: Support for Yakima Basin Integrated Plan

Mayor Warden:

Over the last three years substantial and successful efforts have been put forth to form a plan to revitalize the Yakima River Basin and create significant new water supply and storage, while restoring fish habitat and fish passage at the reservoirs. This effort has included numerous stakeholders which have all reached a consensus strategy for future water supply improvements and ecological restoration projects in our basin. This strategy, called the Yakima Basin Integrated Plan (YBIP), is being widely discussed in our region and across the nation. We are working hard to take the next steps in implementing the YBIP and we need your help.

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Currently there is a "first step" funding request before our State Legislators. The request is endorsed by Governor Inslee. Work seeking Federal funding for full implementation is also in progress.

Your support for this effort is important. We are requesting the opportunity to present the YBIP to you and your city council with the goal of receiving an official action of support. For your convenience, we have enclosed a sample resolution. Of course, we encourage you to add or subtract anything according to your preferences.

Please contact Adam Fyall at the number listed below or by email at adam.fyall@co.benton.wa.us to schedule a presentation by several members of the YBIP Work Group at your next available City Council meeting.

For more information on the Yakima River Basin Water Enhancement Plan, please visit
<http://www.usbr.gov/pn/programs/yrbwep/index.html> or <http://www.ecy.wa.gov/programs/wr/cwp/YBIP.html>

Respectfully,

BOARD OF BENTON COUNTY COMMISSIONERS

Commissioner Jerome Delvin

Commissioner Shon Small

Commissioner James Beaver

Enclosure

Support for the Yakima Basin Integrated Water Resource Management Plan

WHEREAS, the [insert City] Council wishes to express its general support for the goals, concepts and implementation of the Yakima Basin Integrated Water Resource Management Plan (aka “Yakima Basin Integrated Plan); and

WHEREAS, the Yakima Basin Integrated Plan proposes a balanced package of actions rooted in 30 years of collaboration, negotiation, and compromise among diverse stakeholders in the Yakima basin including local irrigators, county commissioners, the Yakama Indian Nation, the Governor’s Office, Washington Department of Ecology, U.S. Bureau of Reclamation, Representative Doc Hasting (R-WA)’s Office, the conservation community, and others; and

WHEREAS, the Yakima Basin Integrated Plan presents an important opportunity to work with a diversity of interests to make these potential water and environmental protections a reality in the Yakima basin; and

WHEREAS, demand for irrigation water cannot always be met in years with below- average runoff, leading to reduced (pro-rationed) irrigation water for junior water-right holders that in turn reduces farm and related income, and puts the basin’s perennial crops at extreme risk; and

WHEREAS, the Integrated Plan also includes an adaptive management framework to address potential future changes in water needs or hydrology, including potential climate change effects; and

WHEREAS, five drought years have occurred in the Yakima Basin since the early 1990s that have severely impacted the basin economy and ecosystem functions, and the potential for future climate change would likely increase the frequency and severity of future droughts; and

WHEREAS, dams, changes in water temperatures, other obstructions, and inadequate stream flows, block fish passage to Yakima tributaries and spawning grounds; and

WHEREAS, floodplain modifications and riparian habitat degradation prevent proper floodplain functions; and

WHEREAS, surface water rights are fully appropriated in the basin, and groundwater pumping for irrigation, domestic and municipal uses can reduce surface water flows in many locations, and hydraulic continuity between groundwater and surface water in the basin creates uncertainty over the status of groundwater rights, with most of these rights junior to surface water rights; and

WHEREAS, the economic vitality and quality of life in [INSERT] is dependent on the Yakima Basin's clean, cold water for agriculture, fish and people as well as the health of our lands that provide for these water values, thriving wildlife populations and provide diverse, world-class recreational experiences; and

WHEREAS, in March 2011 after 21 months of planning, the Yakima River Basin Water Enhancement Project (YRBWEP) Workgroup, comprised of representatives of the Yakama Nation, federal agencies, Washington State and local governments, an environmental organization (American Rivers), a local business organization and five irrigation districts unanimously approved the Integrated Plan elements and actions; and

WHEREAS, the goals of the Integrated Plan are to protect, mitigate and enhance fish and wildlife habitat; provide increased operational flexibility to manage instream flows to meet ecological objectives; and improve the reliability of water supply for irrigation, municipal supply and domestic uses; and

WHEREAS, the Integrated Plan includes seven elements collectively essential for realizing the plan goals: 1) fish passage, 2) structural and operation changes, 3) surface water storage, 4) groundwater storage, 5) habitat protection and enhancement, 6) enhanced water conservation, and 7) market-based reallocation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSLYN, WASHINGTON, AS FOLLOWS:

Section 1. The [insert] City Council endorses the general concepts, goals, objectives and implementation of the Yakima River Basin Integrated Water Resource Management Plan, with the understanding that information on specific projects and funding are still in progress with an opportunity for further comment or support.

Section 2. The [insert] City Council calls on our elected state and federal officials, and government agency leaders to fully support authorization and appropriations necessary to implement the Integrated Plan, including associated environmental reviews, technical analyses, refinements to specific actions, project designs and program development/implementation, and project permitting and construction.

Date: _____
Signed by: _____
Official Title: _____