

May 16,
2011

THE BOARD OF
BENTON COUNTY
COMMISSIONERS
AGENDA PACKET

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
May 9, 2011, 8:30 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Leo Bowman
Commissioner James Beaver
Commissioner Shon Small
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Keith Mercer; County Engineer Malcolm Bowie; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; Deputy Treasurer Erhiza Rivera; Personnel Manager Melina Wenner; DPA Ryan Brown; Marianne Ophardt, Benton County WSU Extension; DPA Steve Hallstrom; Central Services Manager Randy Reid; Auditor Brenda Chilton; R.J. Lott, Planning.

Workshop Agenda

Commissioner Small reported on his attendance at the LEOFF conference the previous week and thanked the Road Department for installing a stop sign at Hinzerling & McCready. Additionally, he discussed the proposed gang task force and asked the Board if it would support him reviewing this matter further. Chairman Bowman said he was not opposed to it.

Commissioner Beaver said he had discussions with Mr. Sparks about how to fund the task force and anticipated there would be a proposal in front of the Board.

Chairman Bowman said he had the official letter regarding Commute Trip Reduction (CTR) and that Benton County was out until 2013. Commissioner Beaver said it was discussed at the TRIDEC meeting and noted that Commissioner Bowman was instrumental in getting that issue resolved for Benton County.

800 Mhz Report

The Board discussed having legal counsel send a letter to BCES since they had not yet returned the money. The Board requested Mr. Brown work with David Sparks and Loretta Smith Kelty about sending another letter to BCES.

Chairman Bowman reported on his trip to D.C. and said the issue of gangs and the re-entry of Juveniles back into the community was discussed. He provided a written report and said he was excited about having another conversation with the Assistant Attorney General.

The Board briefly recessed, reconvening at 9:00 a.m. for the regular session.

Approval of Minutes

The Minutes of May 2, 2011 were approved.

Consent Agenda

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

Auditor

- a. Line Item Transfer, Fund No. 0000-101, Dept. 102
- b. Line Item Transfer, Fund No. 0106-101, Dept. 000

Central Services

- c. Purchase Authorization for Apple iPad Tablets

Commissioners

- d. Line Item Transfer, Fund No. 0153-101, Dept. 000
- e. Adoption of Mileage, Lodging and Per Diem Rates

Juvenile

- f. Personal Service Contract w/Knowledge Counseling
- g. Agreement w/Pasco School District for Chiawana High School Probation Liaison
- h. Agreement w/Pasco School District for Pasco High School Probation Liaison

Office of Public Defense

- i. Excess Case Compensation for Attorney T Orosco

Public Works

- j. Line Item Transfer, Fund No. 0101-101, Dept. 500
- k. Authorization to Pre-Level Missimer Road in Accordance w/Standard Road Specifications
- l. Authorization to Proceed w/Bituminous Surface Treatment in Accordance w/Specifications
- m. Revision of One Year Road Program for 2011 Regarding Miscellaneous Project Money
- n. Approval of Administrative Authority Letter & Task Assignment for Piert Road
- o. Property Acquisition Documentation for Olympia Street
- p. Easement Supplement for Locust Grove Road
- q. Easement Agreement & Memorandum of Easement for Webber Canyon Underpass
- r. Public Hearing Franchise Authorization for Cascade Natural Gas Corporation
- s. Public Hearing Franchise Authorization for Col Solare, LLP

Sheriff

- t. Authorization for Invitation to Bid for Replacement Sidearm Pistols
- u. Contract Extension w/CORPS for John Day Project

Sustainable Development

v. Line Item Transfer, Fund No. 0135-101, Dept. 000

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

Public Hearing – Short Plat Appeal – SHPA 11-01

Mike Shuttleworth and R.J. Lott said the Planning Department received a short plat application from Bruce Etzel and it was approved with 22 conditions. Mr. Etzel filed an appeal regarding the Short Plat Administrator's requirement to provide a 40-foot private road to serve lot 2 of this short plat. Additionally, he requested removal of the requirement that any new private road easement must be offset at least 15 feet from the short plat boundary so that setback requirements do not encroach upon neighboring properties. Mr. Lott stated that Planning recommended the Board deny the applicant's request to eliminate the requirement of a 40-foot private road easement but approve the appeal for the setback requirements.

Chairman Bowman recused himself from the public hearing because Mr. Etzel was a personal friend. He then left the conference room.

Commissioner Small asked the Planning Department how long it had worked on the issue with Mr. Etzel. It was stated the application was filed on March 7 and went through a 30-day review and then a decision sent out on April 8, 2011 with 22 conditions. Commissioner Small asked if Mr. Etzel had been working with the Planning Department before that time and it was stated that Mr. Etzel was working on a boundary line adjustment and mini-storage project on the same parcel, however, the application for short plat was a different project. Mr. Shuttleworth said they had several conversations with him but could not approve this project until application was made and they went through the requirements. He said they also had conversations with his surveyors and they were aware of the proposed changes to the short plat ordinance.

Commissioner Small delegated responsibility of chairing the public hearing to Commissioner Beaver.

Public Testimony

Bruce Etzel said that he started the short plat process approximately one year ago and went through a year of testing with the Health Department. He said he hired a surveyor and was told to do a property line adjustment, however, when that was presented was told he couldn't do a property line adjustment. He then started the short plat process and then the new ordinance came into effect. He said the problem with getting an additional 10 feet was he would have to ask the property owners for an additional 10 feet and then the road would be within 15 feet of their house. He said it was his view there was plenty of access with two access points (40 feet on one lot and 30 feet into the second lot).

Deb Heintz, Prosser said it was important for this short plat application to go through for economic development. She said it had taken too long with lack of communication and he was

caught in between a change of ordinances. She asked the Board to consider a grandfather clause allowing Mr. Etzel to continue his process under the old rules.

Commissioner Beaver asked DPA Ryan Brown if that was legal. Mr. Brown said the Board would have to have implemented a grandfather clause when the ordinance was adopted.

Commissioner Beaver asked when Mr. Etzel come into to the Planning Office and it was stated many months before the application. He also asked if the Planning Department communicated with the surveyor and the answer was yes.

As there was no one else present to testify, the public hearing was closed.

Commissioner Small said that Mr. Etzel had been working on this for a year and asked what effect there would be if the Board grandfathered this in under the old rules. Mr. Shuttleworth said the Planning Department changed the access easement requirement several times before the final one was approved at public hearing. He stated that he had two accesses and two lots (and it would probably be adequate), but they were required to approve based upon the current ordinance in place and in effect at the time of his application.

Mr. Lott said that Mr. Etzel could have made application to the Planning Department before getting final approval of the Health Department so his application was in before the ordinance changed and commented that other applicants recognized this and made application before the change.

Mr. Brown said the Board could not legally ignore the terms of the ordinance, however, it could amend the ordinance and go through a public hearing for authority for the County to grant variances. He said the hard and fast rule was the date of application because there might be 60 other people working on their short plat, but they didn't get their application in before the requirements changed.

MOTION: Commissioner Beaver moved to deny Bruce Etzel's request to eliminate the requirement of a 40-foot private road easement, including any utility easements, to serve lot 2 of this short plat. Additionally, to approve the applicant's request to remove the last sentence of requirement #6, "Any new private road easements must be offset at least 15 feet from the short plat boundary so that setback requirements do not encroach upon neighboring properties." Commissioner Small seconded.

Discussion

Commissioner Beaver said he had to make his motion based upon legal analysis but he didn't have to like it. He said he knows that rules change and we know those customers and he thinks we can notify them when there is a change made, however, he feels like the Board's hands were tied.

Commissioner Small said he felt the same way.

Upon vote, motion carried.

The Board briefly recessed, reconvening at 9:35 a.m. with Chairman Bowman present.

Benton County WSU Presentation – Online Survey

Marianne Ophardt provided information regarding an online survey and requested each of the Board members to take the survey. She said through WSU and WSAC they were looking at ways to cut down on administration due to budget cuts and the survey was developed by six other commissioners and WSU Extension. She asked the Board to complete the survey by May 13.

Zone Change Request – ZC 11-01

Mike Shuttleworth said this was a closed record hearing (actual hearing was conducted by Planning Commission) and was an application to rezone property from Agriculture to Light Industrial and Interchange Commercial by Cottonwood Commercial Plaza. He said it was consistent with the Comprehensive Plan and the Planning Commission recommended approval.

MOTION: Commissioner Beaver moved to adopt the Planning Commission's recommendations, findings and conclusions as their own and approve the zone change application ZC 11-01. Commissioner Small seconded and upon vote, the motion carried unanimously.

Executive Session – Pending Litigation

The Board went into executive session at 9:45 a.m. for approximately 15 minutes to discuss pending litigation with DPA Ryan Brown. Also present were Steve Hallstrom, David Sparks, Cami McKenzie, Melina Wenner, and Loretta Smith Kelty. The Board came out at 9:52 a.m. Mr. Brown stated the Board took no action.

Executive Session – Pending Litigation

The Board went into executive session at 9:52 a.m. for approximately 20 minutes with special counsel Sarah Perry to discuss pending litigation. Also present were Ryan brown, Melina Wenner, Loretta Smith Kelty and David Sparks. The Board came out at 10:05 a.m. and it was announced the Board took no action.

MOTION: Commissioner Beaver moved to approve the settlement with Patricia E. Yayne and put forth a settlement agreement per the resolution. Commissioner Small seconded and upon vote, the motion carried unanimously.

Ortho Request for Proposal

Mary Phillips, GIS, requested the Board's approval to move ahead with an RFP for 2012 Digital Orthophotography.

She said the last photos were in 2008 and prior to that was 2004 and was looking at a joint project with Franklin County and DOE to reduce costs. Additionally, they were looking at the same partners as in 2008.

MOTION: Commissioner Beaver moved to approve the RFP for 2012 Digital Orthophotography and proceed with advertising. Commissioner Small seconded and upon vote, the motion carried unanimously.

Vouchers

Check Date: 05/05/2011
Taxes #: 10111051-10111053
Warrants #: 33615-33638
Total all funds: \$1,795,856.86

Check Date: 05/05/2011
Warrant #: 232269-232377
Direct Deposit #: 63536-64134
Total all funds: \$2,065,145.55

Check Date: 05/06/2011
Warrant #: 33639-33849
Total all funds: \$333,605.29

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

Resolutions

There being no further business before the Board, the meeting adjourned at approximately 10:15 a.m.

Clerk of the Board

Chairman

a

<u>AGENDA ITEM</u>	<u>ACTION NEEDED</u>	<u>DISCUSSION TYPE</u>
Meeting Date: 16 May 2011 Subject: WSU Extension letter Memo Date: 09 May 2011 Prepared By: AJF Reviewed By:	Execute Contract Pass Resolution Pass Ordinance Pass Motion X Other	Consent Agenda X Public Hearing 1st Discussion 2nd Discussion Other

SUMMARY & BACKGROUND

Letter of congratulations and appreciation for Linda Kirk Fox at WSU Extention.

16 May 2011

Linda Kirk Fox, Associate Dean & Director
Washington State University Extension
Hulbert Hall 411
Post Office Box 248
Pullman, Washington 99164-6248

Dear Director Fox,

We are aware that you have accepted a new position at the University of Georgia and that you will be leaving Washington State University soon. We congratulate you on your new opportunity, and thank you for your ten years of dedicated service at WSU.

Over the past decade, Extension has grown and prospered, but has also faced significant challenges in the most recent years. The excellent staff both in Pullman and throughout the branch offices has been crucial in maintaining a culture of excellence and public service, and your leadership has been instrumental in steering a steady ship on uncertain seas.

We wish you all the best in your new endeavors in Athens, and thank you once again for all of your hard work at WSU Extension over the years.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Leo Bowman, Chairman

Shon Small

Jim Beaver

<u>AGENDA ITEM</u>	<u>ACTION NEEDED</u>	<u>DISCUSSION TYPE</u>
Meeting Date: 16 May 2011 Subject: 770 support letter Memo Date: 09 May 2011 Prepared By: AJF Reviewed By:	Execute Contract Pass Resolution Pass Ordinance Pass Motion X Other	Consent Agenda X Public Hearing 1st Discussion 2nd Discussion Other

SUMMARY & BACKGROUND

Attached for consideration is a general letter of support intended to be included in the package that TRIDEC is assembling that will be presented to USDOE in the near future regarding land transfer in the southeastern corner of the Hanford Site. We are using the "10 CFP 770" process for this. I (County) am working with Diahann Howard (Port of Benton), Gary Ballew (Richland), and Gary Petersen (TRIDEC) on the team. I have also attached the Port (signed) and the City (pending) letters for further background.

FISCAL IMPACT

None.

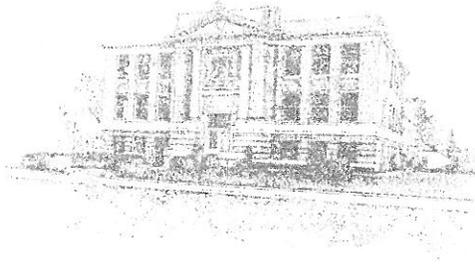
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Leo Bowman
District 1
Shon Small
District 2
James Beaver
District 3

Board of County Commissioners BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator



16 May 2011

Matthew McCormick, Manager
US Department of Energy – Richland Operations Office
Post Office Box 550
Richland, Washington 99352

Re: "770 Request"

Dear Mr. McCormick,

Since the establishment of the Hanford Site in 1943, a number of opportunities have availed themselves over the years for certain properties to be returned by the federal managing agencies to local ownership and control. A couple of examples include the sites previously known as the 1100 Area and the 3000 Area, which were transferred from federal ownership to the Port of Benton for use as commercial, industrial, and research assets for the community. Other examples of transition include the current Richland Airport, the former Columbia Camp and Camp Hanford sites, and indeed the entire city of Richland itself, which was a completely federalized city up until 1957.

Another such opportunity presents itself today. Benton County, along with our community partners – the Port of Benton, City of Richland, and the Tri-Cities Development Council (TRIDEC) – is working on another property transfer per lands located in the southeastern corner of the Hanford Site. This property has high potential for sustainable, long-term, private sector uses; particularly in areas of energy research and production. The property totals 1,341 acres, and is strategically located near existing developed infrastructure and assets.

Our team is using the 10 CFR 770 process in this pursuit, with our "Community Reuse Organization", TRIDEC, as the lead. We thank you for your support of our endeavor, and we look forward to working with you on this and other projects into the future.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Leo Bowman, Chairman

cc: Port of Benton, City of Richland, Tri-Cities Development Council

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	<u>FACILITIES</u>
Meeting Date: 5/16/2011	Execute Contract _____	Consent Agenda <u> X </u>
Subject: Notice of Completion	Pass Resolution _____	Public Hearing _____
Prepared by: L. Small	Pass Ordinance _____	1st Discussion _____
Reviewed by: L. Smith Kelty	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

C

BACKGROUND INFORMATION

As per Resolution 11-065 dated January 24, 2011, the Board of Commissioners entered into a contract with Siefken and Sons Construction, Inc., Richland, WA for the construction of the Tenant Improvement located at the Benton County Health District Building located in Kennewick, WA.

Bernardo-Wills Architects, PC determined the project reached substantial completion as April 19, 2011, with just a few punchlist items left to complete.

Attached is a Resolution and Certificate of Substantial Completion for the Benton County Health Building Tenant Improvement project for approval and signature.

RECOMMENDATION

Accept the project as substantially complete and move forward with approving the resolution and certificate of substantial completion.

FISCAL IMPACT

N/A

MOTION

Move to accept the Benton County Health Building Tenant Improvement project as substantially complete, and authorize the Chairman of the Board to sign the Certificate of Substantial Completion.

RESOLUTION

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

**IN THE MATTER OF THE NOTICE OF SUBSTANTIAL COMPLETION FOR THE
CONSTRUCTION OF THE BENTON COUNTY HEALTH DISTRICT BUILDING TENANT
IMPROVEMENT (TI) PROJECT LOCATED IN KENNEWICK, WA**

WHEREAS, per Resolution 11-065 dated January 24, 2011, the Board of Benton County Commissioners entered into a contract with Siefken and Sons Construction, Inc., Richland, WA - Contractors License No. SIEFKSC198MZ for the construction of the Tenant Improvement located at the Benton County Health District Building located in Kennewick, WA; and

WHEREAS, the project architect, Bernardo-Wills Architects, PC determined the project reached substantial completion as April 19, 2011; **NOW, THEREFORE**

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby accepts the Benton County Health Building Tenant Improvement project substantially complete; and

BE IT FURTHER RESOLVED the Board hereby authorizes the Chairman to sign the attached Certificate of Substantial Completion.

Dated this _____ day of _____, 2011

Chairman of the Board

Member

Member

Attest: _____
Clerk of the Board

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**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: **May 16, 2011**
Presentation length:
Presenting elected office/department: **OPD**
Prepared by: **EH**
Reviewed by: **LSK**

BACKGROUND INFORMATION

Ryan Swinburnson and his law partner Catherine Harkins have, for a number of years, contracted with Benton County in District Court for unfiled felony detentions ("72 hour holds") as well as felonies filed in District Court for resolution purposes. A significant and permanent (80%+) drop in the filing volume of the felonies filed in District Court have made it financially unjustifiable to continue contracting with both attorneys. As such, it is proposed to terminate the contract with Mr. Swinburnson with the understanding that he will continue to provide representation under the existing contract with Ms. Harkins with overages to that contract to be paid by the case.

SUMMARY

It has become financially unjustifiable to continue contracting with both Ryan Swinburnson and Catherine Harkins for their services on felonies filed in District Court.

RECOMMENDATION

Recommend terminating Ryan Swinburnson's District Court felonies contract under the 60 day "no cause" provision of the contract.

ANTICIPATED FISCAL IMPACT

A cost savings in the amount of \$20,000 or more is anticipated for the balance of 2011.

RESOLUTION
BENTON COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

**IN THE MATTER OF TERMINATING PROFESSIONAL SERVICES AGREEMENT
BCDC0710RMS002 FOR INDIGENT DEFENSE SERVICES IN BENTON COUNTY
DISTRICT COURT**

WHEREAS, attorney Ryan Swinburnson (“Attorney”) presently holds professional services agreement (“Agreement”) BCDC0710RMS002 to provide indigent defense services in Benton County District Court; and

WHEREAS, Attorney’s agreement requires him to provide representation on primarily two types of cases: cases involving initial detention of persons arrested but not charged yet; and felony cases filed in District Court for purposes of negotiation; and

WHEREAS, the caseload count for felony cases filed in District Court has dropped from 444 in 2009 (year immediately preceding the signed extension to the Agreement) to 153 in 2010 and is anticipated to not exceed 80 in 2011; and

WHEREAS, in light of the significant drops in caseload as detailed above it is no longer financial tenable and in Benton County’s interests to contract with Attorney for these services; and

WHEREAS, the provisions of the Agreement allow it to be terminated with or without cause with sixty (60) days written notice;

NOW THEREFORE, BE IT RESOLVED THAT the professional services agreement with Attorney, designated BCDC0710RMS002, be terminated effective July 15, 2011 and Resolutions 11-079; 09-637; 10-107 be rescinded.

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

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RESOLUTION

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

IN THE MATTER OF COUNTY FRANCHISES RE: APPLICATION OF ANTONIO HERMOSILLO FOR A FRANCHISE TO CONTINUE AN IRRIGATION WATERLINE SYSTEM AND ALL FACILITIES IN COUNTY ROAD RIGHT OF WAY,

WHEREAS, Antonio Hermosillo, has applied to continue a franchise for an irrigation system and all facilities in county road right of way, NOW, THEREFORE,

BE IT RESOLVED that a Public Hearing on the application for franchise be held on Monday, June 6, 2011 at 9:15 a.m. Local Time, in the Board of County Commissioners Meeting Room, Benton County Courthouse, 620 Market Street, Prosser, Washington.

Dated this ¹⁶9th day of May, 2011.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

SWB:lss

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RESOLUTION

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

IN THE MATTER OF COUNTY FRANCHISES RE: GRANTING A FRANCHISE TO FRANK TIEGS, LLC, AND LEWIS AND CLARK RANCH, LLC, FOR A FRANCHISE FOR AN IRRIGATION AND DRAINAGE SYSTEM AND FACILITIES, LOCATED IN BENTON COUNTY;

WHEREAS, a public hearing was held to consider the request of Frank Tiegs, LLC, and Lewis and Clark Ranch, LLC, who has applied to continue a nonexclusive franchise for irrigation and drainage system and facilities in unincorporated Benton County, and

WHEREAS, after hearing the testimony regarding the request for a franchise, the Board finds as follows:

1. The term of the franchise shall be a ten year (10) period, expiring May 31, 2021, with an associated cost of \$500.00;
2. The Grantee is to carry liability insurance with Benton County named as an insured with a minimum limit of \$500,000.00. A copy of the proof of insurance is to be provided to Benton County yearly;
3. Placement of facilities within the right of way shall meet all requirements of Benton County as to location and repair of roads and right of way, including noxious weed control;
4. Should Benton County require utility relocation work because of road construction or maintenance, said work shall be at the Grantee's expense;
5. The franchise is nonexclusive;
6. The Grantee is to sign the Order and Agreement for Nonexclusive Franchise;

WHEREAS, Frank Tiegs, LLC, and Lewis and Clark Ranch, LLC, has agreed to the terms and has signed the Order and Agreement for Nonexclusive Franchise, said Order having been approved as to form by the Prosecuting Attorney's Office, NOW, THEREFORE

BE IT RESOLVED that the franchise be approved and that the Board indicates its approval by its signatures on the Order and Agreement for Nonexclusive Franchise.

9

RESOLUTION

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

IN THE MATTER OF COUNTY FRANCHISES RE: GRANTING A FRANCHISE TO COMPANY 79, FOR A FRANCHISE FOR A IRRIGATION AND DOMESTIC WATER LINES SYSTEM AND FACILITY, LOCATED IN BENTON COUNTY;

WHEREAS, a public hearing was held to consider the request of Company 79, who has applied to continue a nonexclusive franchise for irrigation and domestic water lines system and facility in unincorporated Benton County, and

WHEREAS, after hearing the testimony regarding the request for a franchise, the Board finds as follows:

1. The term of the franchise shall be a ten year (10) period, expiring May 31, 2021, with an associated cost of \$500.00;
2. The Grantee is to carry liability insurance with Benton County named as an insured with a minimum limit of \$500,000.00. A copy of the proof of insurance is to be provided to Benton County yearly;
3. Placement of facilities within the right of way shall meet all requirements of Benton County as to location and repair of roads and right of way, including noxious weed control;
4. Should Benton County require utility relocation work because of road construction or maintenance, said work shall be at the Grantee's expense;
5. The franchise is nonexclusive;
6. The Grantee is to sign the Order and Agreement for Nonexclusive Franchise;

WHEREAS, Company 79, has agreed to the terms and has signed the Order and Agreement for Nonexclusive Franchise, said Order having been approved as to form by the Prosecuting Attorney's Office, NOW, THEREFORE

BE IT RESOLVED that the franchise be approved and that the Board indicates its approval by its signatures on the Order and Agreement for Nonexclusive Franchise.

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>		
Meeting Date:	<u>5/16/11</u>	Execute Contract	<u> X </u>	Consent Agenda
Subject:	<u>2011 Contract with Bergstrom Aircraft</u>	Pass Resolution	<u> X </u>	Public Hearing
Prepared by:	<u>D. Pettey</u>	Pass Ordinance	<u> </u>	1st Discussion
Reviewed by:	<u>Jonathan Young / Keith Mercer</u>	Pass Motion	<u> </u>	2nd Discussion
		Other	<u> </u>	Other

 X

BACKGROUND INFORMATION

The Sheriff's Office had a contract with Bergstrom Aircraft, Inc. for aircraft maintenance, repair and modification, fueling, and pilot supplies in 2010 via Resolution 09-902.

SUMMARY

RECOMMENDATION

The Sheriff's Office recommends entering into another contract for 2011 with Bergstrom Aircraft for "as needed" aircraft maintenance, repair and modification, fueling, and pilot supplies for their office.

FISCAL IMPACT

The maximum total amount payable by the county to the contractor under the attached contract shall not exceed \$20,000.00

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AWARDING THE PERSONAL SERVICE CONTRACT TO BERGSTROM AIRCRAFT, INC. FOR "AS NEEDED" AIRCRAFT MAINTENANCE, REPAIR AND MODIFICATION, FUELING, AND PILOT SUPPLIES FOR THE BENTON COUNTY SHERIFF'S OFFICE

WHEREAS, per resolution 09-814, "...that contracts for non-public works services the county need not advertise or follow a formal competitive bidding procedure, but shall 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 cost"; and

WHEREAS, the Sheriff's Office had a contract with Bergstrom Aircraft, Inc. for aircraft maintenance, repair and modification, fueling, and pilot supplies in 2010 via Resolution 09-902; and

WHEREAS, the Sheriff's Office recommends entering into another contract for 2011; **NOW THEREFORE**

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the Benton County Sheriff's Office recommendation and hereby awards the personal service contract to Bergstrom Aircraft, Inc. for "as needed" aircraft maintenance, repair and modification, fueling, and pilot supplies in an amount not to exceed \$20,000.00 including WSST; and

BE IT FURTHER RESOLVED that the Board authorizes the Chairman to sign the attached Personal Service Contract; and

BE IT FURTHER RESOLVED the term of the attached contract commences January 1, 2011 and expires on December 31, 2011.

Dated this _____ day of _____, 2011.

Chairman of the Board

Member

Member

Constituting the Board of Commissioners
of Benton County, Washington.

Attest.....
Clerk of the Board

Orig: Sheriff's Office
cc: Auditor, R. Ozuna, Bergstrom

Prepared by: D. Pettey

**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 (hereinafter "COUNTY"), and Bergstrom Aircraft, Inc, a for-profit corporation organized under the laws of the State of Washington with its principal offices at 4102 Streaman Avenue, Tri Cities Airport, Pasco, WA 99301 (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. **Terms and Conditions (this contract) only.**

2. DURATION OF CONTRACT

The term of this Contract shall begin January 1, 2011 and shall expire on December 31, 2011 unless earlier terminated pursuant to Section 9 herein. 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

Aircraft maintenance, repair and modification. Aircraft fueling and pilot supplies.

The CONTRACTOR shall perform the following services:

- a. Aircraft maintenance, repair and modification. Aircraft fueling and pilot supplies.
- b. The CONTRACTOR agrees to provide its own labor and materials. Unless otherwise provided for in the Contract, no material, labor, or facilities will be furnished by the COUNTY.
- c. The CONTRACTOR shall perform the work specified in the Contract according to standard industry practice.
- d. The CONTRACTOR shall ensure that only employees who are FAA certified mechanics or employees that are supervised by FAA certified mechanics perform repairs

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>5/16/11</u>	Execute Contract	_____	Consent Agenda	<u>X</u> _____
Subject:	Vehicle Firearm Rack Purchases for Sheriff's Office	Pass Resolution	<u>X</u> _____	Public Hearing	_____
Prepared by:	David V. C. Petty	Pass Ordinance	_____	1st Discussion	_____
Reviewed by:	Keith Mercer	Pass Motion	_____	2nd Discussion	_____
		Other	_____	Other	_____

BACKGROUND INFORMATION

New vehicles purchased for the Sheriff's Office need to be outfitted for proper law enforcement use. This resolution is for the purchase of vehicle firearm racks.

SUMMARY

Every Patrol vehicle purchased needs to be outfitted with a firearm rack. After researching various options (and consulting the vendors list), it was found that Blac-Rac Manufacturing Inc. provides the only firearm rack that includes trigger safety covering, ease of use, and the ability to store firearms with enhanced sights.

RECOMMENDATION

The Patrol Captain has reviewed the attached quote for completeness and recommends purchasing vehicle firearm racks from Blac-Rac Manufacturing Inc.

FISCAL IMPACT

Total cost \$5,189.17 including WSST with an amount not to exceed \$5,500 including WSST.

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE PURCHASE OF VEHICLE FIREARM RACKS FROM BLAC-RAC MANUFACTURING, INC. TO BE INSTALLED IN NEW VEHICLES PURCHASED FOR THE BENTON COUNTY SHERIFF'S OFFICE, KENNEWICK, WASHINGTON

WHEREAS, per resolution 09-812, "if any county department other than Public Works desires to purchase or lease from a vendor on Benton County's vendor list and not advertise and solicit formal sealed bids, it shall secure written quotes from at least three (3) different vendors on the vendor list, unless the product is such that it is not reasonable to obtain three price quotes"; and

WHEREAS, the Benton County Sheriff's Office consulted the vendors list and after a diligent search it was found that Blac-Rac Manufacturing, Inc. is a sole source provider of vehicle firearm racks that can be installed in new vehicles purchased for the Sheriff's Office; and

WHEREAS, Blac-Rac Manufacturing, Inc. firearm racks provide features not available in any other company's product, including trigger safety covering, ease of use, and the ability to store firearms with enhanced sights; and

WHEREAS, Firearm racks manufactured by Blac-Rac Manufacturing, Inc. are only available for purchase directly through the manufacturer; and

WHEREAS, the Patrol Captain has reviewed the quote from Blac-Rac Manufacturing, Inc. for completeness and recommends purchasing vehicle firearm racks for new vehicles for the Sheriff's Office from Blac-Rac Manufacturing, Inc.; **NOW THEREFORE**,

BE IT RESOLVED, the Board of Benton County Commissioners, Benton County Washington, concurs with the Patrol Captain's recommendation and hereby authorizes the purchase of vehicle firearm racks from Blac-Rac Manufacturing, Inc. in the amount of \$5,189.17 including WSST with a total amount not to exceed \$5,500 including WSST.

Dated this _____ day of _____, 2011.

Chairman of the Board

Member

Member

Constituting the Board of Commissioners
of Benton County, Washington.

Attest.....
Clerk of the Board

Orig: Sheriff's Office
cc: Auditor, Purchase file

Prepared by: D. Pettey

BLAC-RAC Manufacturing, Inc.

2110 E. Commercial St., Meridian, ID 83642

Phone: 208-855-9388 • 800-528-8040 • Fax 208-855-9384 • www.blac-rac.com

March 4,2011

Benton County Sheriff's Office
7122 W. Okanogan Pl. Bldg. A
Kennewick, WA 99336

Dear Mr. Petty

Thank you for this opportunity to provide a quotation for the BLAC-RAC Tactical Weapons Mount. The most robust, flexible, universal and innovative rifle rack on the market.

The quotation is as follows:

12 each, BLAC-RAC Model1080E, w/electronic locks, time delay, key override, at \$365.00 each.

12 each, Tube mount, at \$27.01 each (Note: This is a one time price)

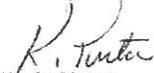
1 lot, Shipping, Common Carrier, Ground, (2 to 3 days) at \$87.36

Lead Time: 10 days, ARO

The BLAC-RAC, 1080E is the system to secure your multiple weapon platforms. With our exclusive microprocessor controlled circuit; there is never a solenoid "burn out" failure.

We appreciate this opportunity. If you should have any questions, please contact me.

Best regards,



Kevin Pintar

President

BLAC-RAC Manufacturing, Inc.

2110 E. Commercial St., Meridian, ID 83642

Phone: 208-855-9388 • 800-528-8040 • Fax 208-855-9384 • www.blac-rac.com

SOLESOURCESTATEMENT

The BLAC-RAC product and associated components are proprietary designs exclusive to Blac-Rac Manufacturing Inc. Blac-Rac is the designer and Sole OEM (Original Equipment Manufacturer) for the BLAC-RAC. It is exclusive and is not licensed to any third parties. It is "Made in USA". Fabrication and assembly is conducted in our facilities in Meridian, Idaho. We do not contract assembly operations to third parties. BLAC-RAC is a registered trademark of Blac-Rac Manufacturing, Inc. and has been issued United States Patent Number 7,568,028.

Blac-Rac conducts business on a direct basis with the end users. At present, Blac-Rac does not employ distributors for the BLAC-RAC product line.

If further information is required, please do not hesitate to contact me.

Respectfully,



George Forbes
CFO

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: <u>5/16/11</u>	Execute Contract _____	Consent Agenda <u>X</u>
Subject: <u>Columbia Cleaners Contract Amendment</u>	Pass Resolution <u>X</u>	Public Hearing _____
Prepared by: <u>D. Pettey</u>	Pass Ordinance _____	1st Discussion _____
Reviewed by: <u>Jonathan Young & Keith Mercer</u>	Pass Motion _____	2nd Discussion _____
	Other <u>X</u>	Other _____

BACKGROUND INFORMATION

The sheriff's office entered into a contract with Columbia Cleaners via resolution 11-103 for the 2011 calendar year.

SUMMARY

The Sheriff's Office desired services by Columbia Cleaners that were not specifically listed on their price sheet within their signed contract (i.e. hemming, zipper replacement, and other alterations). The Sheriff's Office also wanted to ensure that any replacement products used on the items they brought into Columbia Cleaners were replaced with new materials. Thus, this contract amendment was agreed upon by both parties to add additional services to Exhibit A – Compensation and modify the language in Section 3: Services Provided.

RECOMMENDATION

The Sheriff's Office desires to amend the current contract with Columbia Cleaners.

FISCAL IMPACT

The maximum total amount payable by the County to the Contractor remained the same (not to exceed \$60,000).

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AMENDING THE PERSONAL SERVICE CONTRACT BETWEEN BENTON COUNTY AND COLUMBIA CLEANERS FOR UNIFORM CLEANING FOR THE SHERIFF'S OFFICE EMPLOYEES

WHEREAS, the Board awarded and authorized the Chairman to sign the Contract between Benton County (hereinafter "COUNTY") and Columbia Cleaners (hereinafter "CONTRACTOR") for uniform cleaning for the Sheriff's Office employees via Resolution 11-103; and

WHEREAS, the COUNTY now desires additional services not included on the original price list contained within Exhibit A, to the parties' Agreement; and

WHEREAS, the COUNTY additionally wishes to ensure that all replacement products are replaced with new materials; and

WHEREAS, the CONTRACTOR is willing to provide such additional services and assurances; and

WHEREAS, the COUNTY and the CONTRACTOR wish replace EXHIBIT A of the current Contract with the updated EXHIBIT A and include additional language to Section 3: Services Provided **NOW THEREFORE**

BE IT RESOLVED, the Benton County Commissioners hereby approve the attached Contract Amendment between Benton County and Columbia Cleaners and authorize the Chairman of the Board to sign the same.

Dated this _____ day of _____, 2011.

Chairman of the Board

Member

Member

Constituting the Board of Commissioners
of Benton County, Washington.

Attest.....
Clerk of the Board

PERSONAL SERVICE AGREEMENT AMENDMENT

THIS PERSONAL SERVICE AGREEMENT AMENDMENT is made and entered into this ____ day of _____ 2011 by and between Benton County, Washington hereinafter called "COUNTY" and Columbia Cleaners hereinafter called "CONTRACTOR".

WHEREAS, per Resolution 11-103 the parties entered into an Agreement for 2011, whereby the CONTRACTOR would provide uniform cleaning services in 2011 for the Benton County Sheriff's Office employees in Kennewick, Washington; and

WHEREAS, the COUNTY now desires additional services not included on the original price list contained within Exhibit A, to the parties' Agreement, including hemming, zipper replacement, and other alterations; and

WHEREAS, the COUNTY wishes to ensure that all replacement products are replaced with new materials; and

WHEREAS, the CONTRACTOR is willing to provide such additional services and assurances; and

WHEREAS, SECTION #6 of the parties' Agreement provides that an Agreement amendment shall be permitted by way of a written agreement, signed by the parties;

NOW THEREFORE, in consideration of the provisions and agreements set forth herein, the parties agree as follows:

1. Exhibit A, Compensation shall be replaced with an amended Exhibit A, Compensation, attached, that includes additional services and pricing.
2. Section 3. SERVICES PROVIDED shall be replaced in its entirety with the following:

3. SERVICES PROVIDED

The CONTRACTOR shall perform the following services:

- a. Perform dry cleaning services for employees of the Benton County Sheriff's Office;
- b. The CONTRACTOR agrees to provide its own labor and materials. Unless otherwise provided for in the Contract, no material, labor, or facilities will be furnished by the COUNTY.
- c. The CONTRACTOR shall perform the work specified in the Contract according to standard industry practice.
- d. The CONTRACTOR shall complete its work in a timely manner and in accordance with the schedule agreed by the parties.
- e. The CONTRACTOR shall confer with the COUNTY from time to time during the progress of the work. The CONTRACTOR shall prepare and present status reports and other information that may be pertinent and necessary, or as may be requested by the COUNTY.

- f. The CONTRACTOR shall use new materials when replacing products for the full contracted prices stated in Exhibit A, Compensation.
3. All other terms and conditions of the "CONTRACT" shall remain the same.

IN WITNESS WHEREOF the Chairman of the Board of Benton County Commissioners has executed this Agreement Amendment on behalf of the County, and the Contractor has executed this Agreement Amendment, on the day and year first above written.

Date: _____

Date: 5-9-2011

Benton County

Columbia Cleaners

Chairman

Chyngar Bale
Signature

Approved as to content:

[Signature]
Sheriff

CHONG BAK
Name
Owner

Approved as to Form

[Signature]
Jonathan Young,
Deputy Prosecuting Attorney

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>		
Meeting Date:	<u>5/16/11</u>	Execute Contract	<u>X</u>	Consent Agenda <u>X</u>
Subject:	<u>2011-2012</u>	Pass Resolution	<u>X</u>	Public Hearing _____
	<u>Contract with</u>	Pass Ordinance	_____	1st Discussion _____
	<u>Roto Rooter</u>	Pass Motion	_____	2nd Discussion _____
Prepared by:	<u>D. Pettey</u>	Other	_____	Other _____
Reviewed by:	<u>Jonathan</u>			
	<u>Young / Keith</u>			
	<u>Mercer</u>			

BACKGROUND INFORMATION

Benton County Facilities uses Roto Rooter for "as needed" plumbing services .

SUMMARY

Facilities would like to enter into a new contract with Roto-Rooter for "as needed" plumbing services for the 2011 and 2012 calendar years. This would allow Facilities to move forward with services without requiring a contract for each service needed. The contract is on an "as needed" basis.

RECOMMENDATION

FISCAL IMPACT

Total amount payable by the county to the contractor under this agreement is not to exceed \$20,000.

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AWARDING A PUBLIC WORKS CONTRACT TO STRAIGHT-FLUSH INC. DOING BUSINESS AS ROTO-ROOTER SEWER SERVICE FOR "AS NEEDED" PLUMBING REPAIR SERVICES THROUGHOUT ALL BENTON COUNTY FACILITIES.

WHEREAS, per resolution 09-811, any contracts for public works services or materials involving less than twenty-five thousand (\$25,000), advertisement and competitive bidding may be dispensed with, and such contracts may be entered into after direct negotiation and authorization by the Board of Commissioners; and

WHEREAS, Benton County would like to use Straight-Flush Inc., Kennewick, WA – Contractors License #601062011 for "as needed" plumbing repair services and other miscellaneous services they are qualified to perform throughout all Benton County's facilities; **NOW THEREFORE**,

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, the Board awards Straight-Flush Inc. the public works contract for "as needed" services throughout all Benton County facilities in an amount not to exceed \$20,000 including WSST for the duration of the contract; and

BE IT FURTHER RESOLVED the Board hereby authorizes the Chairman to sign the public works contract attached hereto; and

BE IT FURTHER RESOLVED the term of the attached contract begins January 1, 2011 and expires on December 31, 2012.

Dated this _____ day of _____, 2011

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 Straight-Flush Inc., a corporation authorized to do business in the State of Washington, doing business as Roto-Rooter Sewer Service, with its principal offices at 801 S. Clodfelter Road, Kennewick, WA 99336, (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 - Washington State Prevailing Wage Rates for Public Works Contracts

2. DURATION OF CONTRACT

The term of this Contract shall begin January 1, 2011 and shall expire on December 31, 2012. 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 provide "as needed" plumbing services for all Benton County locations in accordance with the CONTRACTORS price rates. In the event that 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 such other contractor. In the event that 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 cost of the permit and any labor time for any of its employees involved in the permitting process, but may not charge any additional processing or other fees that it does not actually incur. Individual jobs or work orders for plumbing services shall be initiated by the COUNTY representative or his

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>		
Meeting Date:	<u>May 16, 2011</u>	Execute Contract	<u>X</u>	Consent Agenda
Subject:	WASPC Contract WSMI 10104	Pass Resolution	_____	<u>X</u>
Prepared by:	J. Thompson	Pass Ordinance	_____	Public Hearing
Reviewed by:	<u>J. Young, DPA</u>	Pass Motion	_____	1st Discussion
		Other	_____	2nd Discussion
				Other

BACKGROUND INFORMATION

The Washington Association of Sheriffs & Police Chiefs (WASPC) administers the Washington State Methamphetamine Initiative in effort to provide funding to Washington law enforcement agencies for the policing of methamphetamine.

The Benton County Sheriff's Office submitted a Budget Summary for the 2011 Washington State Methamphetamine Initiative and has been awarded \$18,525 to be used towards personnel related expenses.

However, the Sheriff's Office can modify where the money is spent based off of the needs of the Sheriff's Office at a particular time. A budget adjustment form must be submitted to WASPC for their approval before items are considered reimbursable under this grant.

SUMMARY

The Benton County Sheriff's Office has been awarded \$18,525 to be used towards the policing of methamphetamine as part of the 2011 Washington State Methamphetamine Initiative that is administered by the Washington Association of Sheriffs & Police Chiefs (WASPC).

RECOMMENDATION

Approve and sign the attached contract WSMI 10104.

FISCAL IMPACT

- \$0.00 -

Revenue of \$18,525 to Current Expense 0000-101

Expenditures within department 121 Sheriff Patrol will match the revenue received.

Budget Adjustment Needed

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE AGREEMENT BETWEEN WASHINGTON ASSOCIATION OF SHERIFFS & POLICE CHIEFS AND BENTON COUNTY WHICH WILL ALLOW THE BENTON COUNTY SHERIFF'S OFFICE TO PARTICPATE IN THE 2011 WASHINGTON STATE METHAMPHETAMINE INITIATIVE

WHEREAS, the Washington Association of Sheriffs & Police Chiefs (WASPC) administers the Washington State Methamphetamine Initiative; and

WHEREAS, the Benton County Sheriff's Office submitted a Budget Summary for the 2011 Washington State Methamphetamine Initiative; and

WHEREAS, the Benton County Sheriff's Office was awarded \$18,525 for the period of January 1, 2011 through December 31, 2012, **NOW, THEREFORE**

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County, Washington, the Board approves and hereby authorizes the Chairman of the Board to sign the attached contract WSMI 10104 between the Washington Association of Sheriffs & Police Chiefs and Benton County.

BE IT FURTHER RESOLVED, that the term of the attached contract WSMI 10104 is effective from January 1, 2011 and expires on December 31, 2012.

Dated this ____ day of _____, 2011.

Chairman of the Board

Member

Member

Constituting the Board of County Commissioners
of Benton County, Washington

Attest: _____

**AGREEMENT BETWEEN BENTON COUNTY AND
WASHINGTON ASSOCIATION OF SHERIFFS & POLICE CHIEFS**

WASHINGTON ASSOCIATION
OF SHERIFFS & POLICE CHIEFS

WASHINGTON STATE
METHAMPHETAMINE INITIATIVE
FACE SHEET

- | | |
|--|--|
| 1. Contractor's Name and Address:
Benton County Sheriff's Office
7122 Okanogan Place, Bldg. A
Kennewick WA 99336 | 5. Contract Period
1/01/11 – 12/31/12 |
| 2. Tax Identification No: | 6. Funding Authority
U.S. Department of Justice,
Office of Community Oriented
Policing Services
Washington Association of
Sheriffs & Police Chiefs |
| 3. Contract No:
WSMI 10104 | 7. Service Area:
Washington State |
| 4. Contact: <u>Julie Thompson</u>
Title: <u>Administrative Assistant</u>
Telephone: <u>(509) 735-6555</u> | 8. CFDA No: 16.710 |

Requests for reimbursement under this CONTRACT are subject to the following Budget:

A. Personnel:	18,525.00
B. Fringe Benefits:	
C. Travel:	
D. Equipment:	
E. Supplies:	
F. Consultants/Contracts:	
G. Other Expense:	
Total:	\$18,525.00

IN WITNESS WHEREOF, the WASPC and CONTRACTOR acknowledge and accept the terms of this CONTRACT and attachments hereto, and in witness whereof have executed this contract as of the date and year last written below. The rights and obligations of both parties to this CONTRACT are governed by the information on this CONTRACT Face Sheet and other documents incorporated herein by reference: Contract Specific Terms and Conditions, and Contract General Terms and Conditions.

FOR THE WASPC:

FOR THE CONTRACTOR:



Donald G. Pierce, Executive Director
WASPC

Date: March 23, 2010

Name: _____
Title: _____
Date: _____

9:05

**EXHIBIT LIST FOR URBAN GROWTH AREA RESIDENTIAL
DISTRICT ORDINANCE AMENDMENT**

Planning Commission Staff Memo Exhibit List			
		DATED	
PCM1	PCM 1.0	Staff Memo	March 31, 2011
	PCM 1.1	Urban Growth Area Residential Draft Ordinance (UGAR)	March 28, 2011
	PCM 1.2	Zoning Map for UGAR District	
	PCM 1.3	Environmental Checklist	February 22, 2011
	PCM 1.4	Determination of Non Significance	March 22, 2011
	PCM 1.5	Notice of Open Record Hearing	March 25, 2011
	PCM 1.6	Letter from Dept. of Commerce	March 31, 2011
	PCM 1.7	Letter from SVID	March 24, 2011
	PCM 1.8	Draft Definitions Ordinance	March 28, 2011
Planning Commission Hearing Exhibit List			
PCH 1 Includes:	PCH 1.1	Comments from Benton County Public Works Dept.	April 4, 2011
	PCH 1.2	Land Use Zoning Map	April 12, 2011
Board of County Commissioners Exhibit List			
CCM 1 Includes:	CCM 1.1	Board of County Commissioners Agenda Sheet	May 10, 2011
	CCM 1.2	General Commercial Draft Ordinance (GC)	March 28, 2011
	CCM 1.3	Zoning Map for GC District	
	CCM 1.4	Planning Commission Recommendation & Findings	April 19, 2011
	CCM 1.5	Public Hearing Notice	April 29, 2011
Board of County Commissioners Hearing Exhibit List			
CCH 1 Includes:	CCH 1.1		
	CCH 1.2		
	CCH 1.3		
	CCH 1.4		
	CCH 1.5		

**The Exhibit Numbers are found in the
Top Right Hand Corner of each document.**

PCM = Planning Commission Memo Exhibits
PCH = Exhibits submitted during Hearing
CCM = County Commissioner Memo Exhibits
CCH = Exhibits submitted during Hearing

<p><u>AGENDA ITEM</u> HRG. DATE: May 16, 2011 SUBJECT: Urban Growth Area Residential (UGAR) MEMO DATE: May 10, 2011 Prepared By: Susan M. Walker Reviewed By: Michael Shuttleworth</p>	<p><u>TYPE OF ACTION NEEDED</u> Execute Contract Pass Resolutions X Pass Ordinance X Pass Motion X Other</p>	<p>Consent Agenda Public Hearing X 1st Discussion 2nd Discussion Other</p>
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BACKGROUND INFORMATION

The Washington State Growth Management Act (GMA) RCW 36.70A requires that counties and cities adopt zoning and other development regulations that are consistent with, and implement their adopted Comprehensive Plans. Benton County is in the process of meeting these mandates and planning staff with citizen input has prepared draft zoning ordinances and maps proposed to bring the County's zoning code into compliance with the goals and policies of the adopted Benton County Comprehensive Land Use Plan. The new zoning districts and official zoning maps once adopted will become effective September 1, 2011 and will add new chapters to Title 11 of the Benton County Code (BCC) and meet the update requirements of RCW 36.70A.130.

The Zoning Update Program was initiated shortly after the adoption of the County's Comprehensive Plan in June of 1998. The public participation process for the Zoning Update Program began with the creation of maps and ordinances for review by County Planning Area Committees. The ordinances have been reviewed and revised over time to respond to changes in land use activities taking place in the County and for consistency with the GMA. They have been prepared with regard to the visions, goals, and policies shared by the County residents and adopted within the Benton County Comprehensive Land Use Plan.

The Benton County Planning Commission held its open record hearing on April 12th regarding the 2011 Zoning Update Program Group 2A Ordinances and Official Zoning Maps. It is the recommendation of the Planning Commission that the Board of County Commissioners approve the Urban Growth Area Residential District Ordinance (Exhibit CCM 1.2) and the Official Zoning Map (Exhibit CCM 1.3) showing the location and boundaries of the Urban Growth Area Residential District. The Board of Commissioners held its workshop on this Ordinance and Official Zoning Map on April 25, 2011.

SUMMARY

The 2011 Zoning Update Group 2A Ordinances and Maps include the following districts: Urban Growth Area Residential (UGAR), Urban Growth Area Residential (UGAR), General Commercial (GC), and Interchange Commercial (IC). The proposed zoning ordinances and maps classify land into "Districts" (e.g., Urban Growth Area Residential, General Commercial, Interchange Commercial, etc.), according to the land use designations in the County's adopted Comprehensive Plan. Each zoning district ordinance contains a purpose, requirements and standards that govern the use and development of land within the district, and generally include: lot sizes, setbacks, buffers, sizes of building, etc. The review processes include those activities allowed outright, those requiring administrator review, and for those that require conditional use permits. The zoning classification for each parcel of land is delineated on the district's official zoning map.

STAFF REVIEW AND ANALYSIS:

The Urban Growth Area Residential (UGAR) District Ordinance (Exhibit CCM 1.2) provides uses and regulations for the development and transition of lands from urban growth areas to eventual annexation by the cities. Urban Growth Areas (UGA'S) are lands that have been designated by the County through a formal public process for conversion to future urban uses and to meet the twenty-year population growth needs of a city. Cities cannot annex lands, or extend municipal services to lands outside of UGA's, and until annexed, lands within UGA's remain under county land use rule and regulatory authority. This leaves open the possibility that while these lands remain unincorporated they may be put to land uses or land use development patterns which render it difficult or impossible for cities to annex them for the "build-out" the city Plan's intend. To solve this dilemma, the GMA requires that the Comprehensive Plans of a city and county be consistent and that cities and counties jointly prepare development standards for lands within UGA's. In concurrence, the uses, development setbacks, lots size capabilities, the provision of services, etc., within the UGA's utilize the standards compatible with the urban areas. The Urban Growth Area Residential District Ordinance and Map have been reviewed for consistency by each City's planning department.

The UGAR District shown on the proposed Official Zoning Map (Exhibit CCM 1.3) is found in areas immediately adjacent to the City limits and countywide encompass 4,598 acres. The densities, uses and development provisions allowed within this district assure that development prior to annexation by a city results in densities, land uses and development patterns that are consistent with that of the city's Comprehensive Plan. A variety of uses are permitted that are similar to those typically found in the adjacent cities. The UGAR District allows a higher residential density where municipal water and sewer provisions are available and can be utilized.

RECOMMENDATION

It is the recommendation of the Benton County Planning Commission and Planning staff that the Board of County Commissioners approves the Urban Growth Area Residential District Ordinance (Exhibit CCM 1.2) and the Official Zoning Map (Exhibit CCM 1.3) showing the location and boundaries of the Urban Growth Area Residential District. Planning staff believes these actions are necessary to bring Benton County Code Title 11 into compliance with the goals and policies of the adopted Benton County Comprehensive Land Use Plan and meet the update requirements of the GMA.

MOTION

After consideration of testimony received at the public hearing on, May 16th, 2011, the Board adopt a motion to approve the Urban Growth Area Residential District Ordinance shown as (Exhibit CCM 1.2), and the Urban Growth Area Residential District Official Zoning Map (Exhibit CCM 1.3) to be effective September 1, 2011, and adopt the Planning Commission's findings of fact as their own, and direct staff to prepare a Resolution for signature saying the same.

FISCAL IMPACT

No fiscal impacts have been identified regarding this planning proposal.

**EXHIBIT LIST FOR COMMUNITY COMMERCIAL
DISTRICT ORDINANCE AMENDMENT**

Planning Commission Staff Memo Exhibit List			
			DATED
PCM 2	PCM 2.0	Staff Memo	March 31, 2011
	PCM 2.1	Community Commercial Draft Ordinance (CC)	March 28, 2011
	PCM 2.2	Zoning Map for CC District	
	PCM 2.3	Environmental Checklist	February 22, 2011
	PCM 2.4	Determination of Non Significance	March 22, 2011
	PCM 2.5	Notice of Open Record Hearing	March 25, 2011
	PCM 2.6	Letter from Dept. of Commerce	March 31, 2011
	PCM 2.7	Letter from Sunnyside Valley Irrigation District	March 24, 2011
	PCM 2.8	Draft Definitions Ordinance	March 28, 2011
Planning Commission Hearing Exhibit List			
PCH 2 Includes:	PCH 2.1	Comments from Benton County Public Works Dept.	April 4, 2011
	PCH 2.2	Land Use Zoning Map	April 12, 2011
Board of County Commissioners Exhibit List			
CCM 2 Includes:	CCM 2.1	Board of County Commissioners Agenda Sheet	May 10, 2011
	CCM 2.2	General Commercial Draft Ordinance (GC)	March 28, 2011
	CCM 2.3	Zoning Map for GC District	
	CCM 2.4	Planning Commission Recommendation & Findings	April 19, 2011
	CCM 2.5	Public Hearing Notice	April 29, 2011
Board of County Commissioners Hearing Exhibit List			
CCH 2 Includes:	CCH 2.1		
	CCH 2.2		
	CCH 2.3		

**The Exhibit Numbers are found in the
Top Right Hand Corner of each document.**

PCM = Planning Commission Memo Exhibits
PCH = Exhibits submitted during Hearing
CCM = County Commissioner Memo Exhibits
CCH = Exhibits submitted during Hearing

<p>AGENDA ITEM HRG. DATE: May 16, 2011 SUBJECT: Community Commercial District (CC) MEMO DATE: May 10, 2011 Prepared By: Susan M. Walker Reviewed By: Michael Shuttleworth</p>	<p>TYPE OF ACTION <u>NEEDED</u> Execute Contract Pass Resolutions X Pass Ordinance X Pass Motion X Other</p>	<p>Consent Agenda Public Hearing X 1st Discussion 2nd Discussion Other</p>
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BACKGROUND INFORMATION

The Washington State Growth Management Act (GMA) RCW 36.70A requires that counties and cities adopt zoning and other development regulations that are consistent with, and implement their adopted Comprehensive Plans. Benton County is in the process of meeting these mandates and planning staff with citizen input has prepared draft zoning ordinances and maps proposed to bring the County’s zoning code into compliance with the goals and policies of the adopted Benton County Comprehensive Land Use Plan. The new zoning districts and official zoning maps once adopted will become effective September 1, 2011 and will add new chapters to Title 11 of the Benton County Code (BCC) and meet the update requirements of RCW 36.70A.130.

The Zoning Update Program was initiated shortly after the adoption of the County’s Comprehensive Plan in June of 1998. The public participation process for the Zoning Update Program began with the creation of maps and ordinances for review by County Planning Area Committees. The ordinances have been reviewed and revised over time to respond to changes in land use activities taking place in the County and for consistency with the GMA. They have been prepared with regard to the visions, goals, and policies shared by the County residents and adopted within the Benton County Comprehensive Land Use Plan.

The Benton County Planning Commission held its open record hearing on April 12th regarding the 2011 Zoning Update Program Group 2A Ordinances and Official Zoning Maps. It is the recommendation of the Planning Commission that the Board of County Commissioners approve the Community Commercial District Ordinance (Exhibit CCM 2.2) and the Official Zoning Map (Exhibit CCM 2.3) showing the location and boundaries of the Community Commercial District. The Board of Commissioners held its workshop on this Ordinance and Official Zoning Map on April 25, 2011.

SUMMARY

The 2011 Zoning Update Group 2A Ordinances and Maps include the following Districts: Urban Growth Area Residential (UGAR), Community Commercial (CC), General Commercial (GC), and Interchange Commercial (IC). The proposed zoning ordinances and maps classify land into “Districts” (e.g., Community Commercial, General Commercial, Interchange Commercial, etc.), according to the land use designations in the County’s adopted Comprehensive Plan. Each zoning district ordinance contains a purpose, requirements and standards that govern the use and development of land within the

CCM 2.1

district, and generally include: lot sizes, setbacks, buffers, sizes of building, etc. The review processes include those activities allowed outright, those requiring director review, and for those that require conditional use permits. The zoning classification for each parcel of land is delineated on the district's official zoning map.

STAFF REVIEW AND ANALYSIS:

The Community Commercial (CC) District Ordinance (Exhibit CCM 2.2) provides for small-scale commercial activities that serve the retail needs of the rural communities in the County as shown in the corresponding Community Commercial District Official Zoning Map (Exhibit CCM 2.3). The Community Commercial districts are found in the communities of Whitstran, Paterson, Plymouth, and Finley, and encompass 36 acres.

The Comprehensive Plan describes the purpose of Community Commercial Districts as places to "enable businesses to conveniently provide residents with the variety of immediate day-to-day goods and services typically sought outside the context of a weekly shopping trip to the city. Examples of uses are groceries, convenience items, taverns, restaurants, laundry mats, beauty shops, fuel, hardware, etc." The size of the designated area and the uses permitted within the zone are smaller than urban scale and meant to serve the residents of the community and assure harmony with the rural character.

RECOMMENDATION

It is the recommendation of the Benton County Planning Commission and Planning staff that the Board of County Commissioners approves the Community Commercial District Ordinance (Exhibit CCM 2.2) and the Official Zoning Map (Exhibit CCM 2.3) showing the location and boundaries of the Community Commercial District. Planning staff believes these actions are necessary to bring Benton County Code Title 11 into compliance with the goals and policies of the adopted Benton County Comprehensive Land Use Plan and meet the update requirements of the GMA.

MOTION

After consideration of testimony received at the public hearing on, May 16th, 2011, the Board adopt a motion to approve the Community Commercial District Ordinance shown as (Exhibit CCM 2.2), and the Community Commercial District Official Zoning Map (Exhibit CCM 2.3) to be effective September 1, 2011, and adopt the Planning Commission's findings of fact as their own, and direct staff to prepare a Resolution for signature saying the same.

FISCAL IMPACT

No fiscal impacts have been identified regarding this planning proposal.

**EXHIBIT LIST FOR GENERAL COMMERCIAL
DISTRICT ORDINANCE AMENDMENT**

Planning Commission Staff Memo Exhibit List			
		DATED	
PCM1	PCM 3.0	Staff Memo	March 31, 2011
	PCM 3.1	General Commercial Draft Ordinance (GC)	March 28, 2011
	PCM 3.2	Zoning Map for GC District	
	PCM 3.3	Environmental Checklist	February 22, 2011
	PCM 3.4	Determination of Non Significance	March 22, 2011
	PCM 3.5	Notice of Open Record Hearing	March 25, 2011
	PCM 3.6	Letter from Dept. of Commerce	March 31, 2011
	PCM 3.7	Letter from SVID	March 24, 2011
	PCM 3.8	Draft Definitions Ordinance	March 28, 2011
Planning Commission Hearing Exhibit List			
PCH 1 Includes:	PCH 3.1	Comments from Benton County Public Works Dept.	April 4, 2011
	PCH 3.2	Land Use Zoning Map	April 12, 2011
Board of County Commissioners Exhibit List			
CCM 1 Includes:	CCM 3.1	Board of County Commissioners Agenda Sheet	May 10, 2011
	CCM 3.2	General Commercial Draft Ordinance (GC)	March 28, 2011
	CCM 3.3	Zoning Map for GC District	
	CCM 3.4	Planning Commission Recommendation & Findings	April 19, 2011
	CCM 3.5	Public Hearing Notice	April 29, 2011
Board of County Commissioners Hearing Exhibit List			
CCH 1 Includes:	CCH 3.1		
	CCH 3.2		
	CCH 3.3		
	CCH 3.4		
	CCH 3.5		

**The Exhibit Numbers are found in the
Top Right Hand Corner of each document.**

**PCM = Planning Commission Memo Exhibits
PCH = Exhibits submitted during Hearing
CCM = County Commissioner Memo Exhibits
CCH = Exhibits submitted during Hearing**

AGENDA ITEM HRG. DATE: May 16, 2011 SUBJECT: General Commercial District (GC) MEMO DATE: May 10, 2011 Prepared By: Susan M. Walker Reviewed By: Michael Shuttleworth	TYPE OF ACTION NEEDED Execute Contract Pass Resolutions X Pass Ordinance X Pass Motion X Other	Consent Agenda Public Hearing X 1st Discussion 2nd Discussion Other
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BACKGROUND INFORMATION

The Washington State Growth Management Act (GMA) RCW 36.70A requires that counties and cities adopt zoning and other development regulations that are consistent with, and implement their adopted Comprehensive Plans. Benton County is in the process of meeting these mandates and planning staff with citizen input has prepared draft zoning ordinances and maps proposed to bring the County’s zoning code into compliance with the goals and policies of the adopted Benton County Comprehensive Land Use Plan. The new zoning districts and official zoning maps once adopted will become effective September 1, 2011 and will add new chapters to Title 11 of the Benton County Code (BCC) and meet the update requirements of RCW 36.70A.130.

The Zoning Update Program was initiated shortly after the adoption of the County’s Comprehensive Plan in June of 1998. The public participation process for the Zoning Update Program began with the creation of maps and ordinances for review by County Planning Area Committees. The ordinances have been reviewed and revised over time to respond to changes in land use activities taking place in the County and for consistency with the GMA. They have been prepared with regard to the visions, goals, and policies shared by the County residents and adopted within the Benton County Comprehensive Land Use Plan.

The Benton County Planning Commission held its open record hearing on April 12th regarding the 2011 Zoning Update Program Group 2A Ordinances and Official Zoning Maps. It is the recommendation of the Planning Commission that the Board of County Commissioners approve the General Commercial District Ordinance (Exhibit CCM 3.2) and the Official Zoning Map (Exhibit CCM 3.3) showing the location and boundaries of the General Commercial District. The Board of Commissioners held its workshop on this Ordinance and Official Zoning Map on April 25, 2011.

SUMMARY

The 2011 Zoning Update Group 2A Ordinances and Maps include the following districts: Urban Growth Area Residential (UGAR), Community Commercial (GC), General Commercial (GC), and Interchange Commercial (IC). The proposed zoning ordinances and maps classify land into “Districts” (e.g., General Commercial, General Commercial, Interchange Commercial, etc.), according to the land use designations in the County’s adopted Comprehensive Plan. Each zoning district ordinance contains a purpose, requirements and standards that govern the use and development of land within the district, and generally

CCM 3.1

include: lot sizes, setbacks, buffers, sizes of building, etc. The review processes include those activities allowed outright, those requiring administrator review, and for those that require conditional use permits. The zoning classification for each parcel of land is delineated on the district's official zoning map.

STAFF REVIEW AND ANALYSIS:

The General Commercial (GC) District Ordinance (Exhibit CCM 3.2) is designed to provide for a range of retail goods and services that serve the regional, rural, and community trade areas of the County as shown in the corresponding General Commercial District Official Zoning Map (Exhibit CCM 3.3). This zoning District encompasses 624 acres and is found along the I-82 frontage road south of I-82 just west of Prosser, and between Bowles and Haney Roads along SR 397 in the Finley area, and north of Richland in the Hanford 300 area.

Examples of the uses found in the General Commercial (GC) District include rental storage facilities, commercial nurseries, gas stations, equipment rental establishments, etc., which are service-oriented with low demands for utility services. The Comprehensive Plan limits these uses in the unincorporated area because the scale anticipated by these developments and more intense uses usually require municipal services. The ordinance provides a list of uses that are allowed outright and provides a review process for those that require administrator review and conditional use permits. The development standards require specific lot widths and setbacks for locating commercial establishments.

RECOMMENDATION

It is the recommendation of the Benton County Planning Commission and Planning staff that the Board of County Commissioners approves the General Commercial District Ordinance (Exhibit CCM 3.2) and the Official Zoning Map (Exhibit CCM 3.3) showing the location and boundaries of the General Commercial District. Planning staff believes these actions are necessary to bring Benton County Code Title 11 into compliance with the goals and policies of the adopted Benton County Comprehensive Land Use Plan and meet the update requirements of the Growth Management Act.

MOTION

After consideration of testimony received at the public hearing on, May 16th, 2011, the Board adopt a motion to approve the General Commercial District Ordinance shown as (Exhibit CCM 3.2), and the General Commercial District Official Zoning Map (Exhibit CCM 3.3) to be effective September 1, 2011, and adopt the Planning Commission's findings of fact as their own, and direct staff to prepare a Resolution for signature saying the same.

FISCAL IMPACT

No fiscal impacts have been identified regarding this planning proposal.

**EXHIBIT LIST FOR INTERCHANGE COMMERCIAL
DISTRICT ORDINANCE AMENDMENT**

Planning Commission Staff Memo Exhibit List			
		DATED	
PCM1	PCM 4.0	Staff Memo	March 31, 2011
	PCM 4.1	Interchange Commercial Draft Ordinance (IC)	March 28, 2011
	PCM 4.2	Zoning Map for IC District	
	PCM 4.3	Environmental Checklist	February 22, 2011
	PCM 4.4	Determination of Non Significance	March 22, 2011
	PCM 4.5	Notice of Open Record Hearing	March 25, 2011
	PCM 4.6	Letter from Dept. of Commerce	March 31, 2011
	PCM 4.7	Letter from SVID	March 24, 2011
	PCM 4.8	Draft Definitions Ordinance	March 28, 2011
Planning Commission Hearing Exhibit List			
PCH 1 Includes:	PCH 4.1	Comments from Benton County Public Works Dept.	April 4, 2011
	PCH 4.2	Land Use Zoning Map	April 12, 2011
Board of County Commissioners Exhibit List 5/16/11			
CCM 1 Includes:	CCM 4.1	Board of County Commissioners Agenda Sheet	May 10, 2011
	CCM 4.2	Interchange Commercial Draft Ordinance (IC)	March 28, 2011
	CCM 4.3	Zoning Map for IC District	
	CCM 4.4	Planning Commission Recommendation & Findings	April 19, 2011
	CCM 4.5	Notice of Open Record Hearings	April 29, 2011
Board of County Commissioners Hearing Exhibit List			
CCH 1 Includes:	CCH 4.1		
	CCH 4.2		
	CCH 4.3		

**The Exhibit Numbers are found in the
Top Right Hand Corner of each document.**

**PCM = Planning Commission Memo Exhibits
PCH = Exhibits submitted during Hearing
CCM = County Commissioner Memo Exhibits
CCH = Exhibits submitted during Hearing**

AGENDA ITEM HRG. DATE: May 16, 2011 SUBJECT: Interchange Commercial District (IC) MEMO DATE: May 10, 2011 Prepared By: Susan M. Walker Reviewed By: Michael Shuttleworth	TYPE OF ACTION NEEDED Execute Contract Pass Resolution X Pass Ordinance X Pass Motion X Other	Consent Agenda Public Hearing X 1st Discussion 2nd Discussion Other
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BACKGROUND INFORMATION

The Washington State Growth Management Act (GMA) RCW 36.70A requires that counties and cities adopt zoning and other development regulations that are consistent with, and implement their adopted Comprehensive Plans. Benton County is in the process of meeting these mandates and planning staff with citizen input has prepared draft zoning ordinances and maps proposed to bring the County's zoning code into compliance with the goals and policies of the adopted Benton County Comprehensive Land Use Plan. The new zoning districts and official zoning maps once adopted will become effective September 1, 2011 and will add new chapters to Title 11 of the Benton County Code (BCC) and meet the update requirements of RCW 36.70A.130.

The Zoning Update Program was initiated shortly after the adoption of the County's Comprehensive Plan in June of 1998. The public participation process for the Zoning Update Program began with the creation of maps and ordinances for review by County Planning Area Committees. The ordinances have been reviewed and revised over time to respond to changes in land use activities taking place in the County and for consistency with the GMA. They have been prepared with regard to the visions, goals, and policies shared by the County residents and adopted within the Benton County Comprehensive Land Use Plan.

The Benton County Planning Commission held its open record hearing on April 12th regarding the 2011 Zoning Update Program Group 2A Ordinances and Official Zoning Maps. It is the recommendation of the Planning Commission that the Board of County Commissioners approve the Interchange Commercial District Ordinance (Exhibit CCM 4.2) and the Official Zoning Map (Exhibit CCM 4.3) showing the location and boundaries of the Interchange Commercial District. The Board of Commissioners held its workshop on this Ordinance and Official Zoning Map on April 25, 2011.

SUMMARY

The 2011 Zoning Update Group 2A Ordinances and Maps include the following districts: Urban Growth Area Residential (UGAR), Community Commercial (IC), General Commercial (GC), and Interchange Commercial (IC). The proposed zoning ordinances and maps classify land into "Districts" (e.g., Interchange Commercial, Interchange Commercial, Interchange Commercial, etc.), according to the land use designations in the County's adopted Comprehensive Plan. Each zoning district ordinance contains a purpose, requirements and standards that govern the use and development of land within the

CCM 4.1

district, and generally include: lot sizes, setbacks, buffers, sizes of building, etc. The review processes include those activities allowed outright, those requiring administrator review, and for those that require conditional use permits. The zoning classification for each parcel of land is delineated on the district's official zoning map.

STAFF REVIEW AND ANALYSIS:

The Interchange Commercial (IC) District Ordinance (Exhibit CCM 4.2) is applied to areas in the County having Federal highway interchanges as shown on the proposed Official Zoning Map (Exhibit CCM 4.3). The Comprehensive Plan describes the primary purpose of these designations is to serve the traveling public, however interchange commercial designations may provide convenience services to local residents as well.

The Interchange Commercial District encompasses 330 acres countywide and is designed to provide for the development of commercial services that are easily assessable from limited access highways and that primarily rely on the automobile as the principal source of customer access. The IC Districts are designated at the I-82 and Badger Road Interchange west of Kennewick; I-82 and SR-14 Interchange in Plymouth; and three miles east of Prosser at the I-82 and Gibbon Road Interchange. The IC District includes uses convenient to the traveling public, such as: rest area, visitor information centers, truck stops, fueling stations, motels, RV parks, restaurants, fast foods, etc. The ordinance list of uses that are allowed outright and provides a review process for those that require administrative review or conditional use permits. The development standards require specific lot widths and setbacks for locating commercial establishments.

RECOMMENDATION

It is the recommendation of the Benton County Planning Commission and Planning staff that the Board of County Commissioners approves the Interchange Commercial District Ordinance (Exhibit CCM 4.2) and the Official Zoning Map (Exhibit CCM 4.3) showing the location and boundaries of the Interchange Commercial District. Planning staff believes these actions are necessary to bring Benton County Code Title 11 into compliance with the goals and policies of the adopted Benton County Comprehensive Land Use Plan and meet the update requirements of the Growth Management Act.

MOTION

After consideration of testimony received at the public hearing on, May 16th, 2011, the Board adopt a motion to approve the Interchange Commercial District Ordinance shown as (Exhibit CCM 4.2), and the Interchange Commercial District Official Zoning Map (Exhibit CCM 4.3) to be effective September 1, 2011, and adopt the Planning Commission's findings of fact as their own, and direct staff to prepare a Resolution for signature saying the same.

FISCAL IMPACT

No fiscal impacts have been identified regarding this planning proposal.

9:35

AGENDA/WORKSHOP ITEM		TYPE OF ACTION NEEDED	
Meeting Date:	May 16, 2011	Execute Contract	_____
Subject:	Transfer of Position from Human Services to Central Services	Pass Resolution	<u> x </u>
Prepared By:	J. Randall Reid	Pass Ordinance	_____
Reviewed By:	Loretta Smith Kelty	Pass Motion	_____
		Other	<u> x </u>
		Consent Agenda	_____
		Public Hearing	_____
		1 st Discussion	_____
		2 nd Discussion	_____
		Other	_____

BACKGROUND INFORMATION

For many years, Human Services has provided their own information technology (IT) infrastructure. This has included employing a full time support position. Earlier this year (14-Feb), a presentation was made to the Board describing the potential advantages of having the IT support for Human Services provided by Central Services. The goal was to reduce costs by eliminating duplication of infrastructure and taking advantage of some economies of scale. This made even more sense with the move of the Human Services administration offices to the Justice Center campus. The relocation effort has allowed part of the infrastructure to be combined with a more complete merger planned for the future. Another aspect of the discussion included transferring the full time IT position in Human Services to Central Services where there has been a growing need for some additional help. It makes sense at this time to proceed with the transfer of the full time IT support position, benefits of which include:

- Backup IT support for Human Services, which they have not had.
- Reduction to the Human Services budget from dropping some telecommunication services and shifting some personnel expenses to the county.
- Additional help for Central Services.
- Addition of knowledge and experience with technologies not currently employed by the county but likely to be part of the infrastructure in the future.

Attached is a line item transfer to cover the transferred position expenses for the remainder of 2011. At the mid-biennium adjustment, the transferred funds will be replaced and a more permanent funding solution will be implemented. Human Services will be added to the Central Services charge back for the remainder of 2011. Their billing will include half of the transferred position salary and benefits along with the costs for new circuits connecting the Crisis Response Center with the Justice Center and a prorated portion of the internet expenses.

SUMMARY

Line Item Transfer and Salary Request Statement for transferring the full time IT support position in Human Services to Central Services.

RECOMMENDATION

1ST Pass resolution for Line Item Transfer and sign Salary Request Statement.

2nd

FISCAL IMPACT

\$47,880 expenses for Jun-Dec 2011 covered by line item transfer with some offset as part of two quarterly charge back payments to Human Services of \$19,455 each.

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
CENTRAL SERVICES FUND NUMBER 0502-101, DEPARTMENT NUMBER 000.

BE IT RESOLVED, by the Board of Benton County Commissioners, that funds
shall be transferred as outlined in Exhibit "A", attached hereto.

Dated this _____ day of _____, _____

Chairman of the Board

Member

Member

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

Attest: _____
Clerk of the Board

REID

