



City Council Regular Meeting Agenda

September 5, 2023 at 6:30 PM

City Hall Council Chambers - 210 W. 6th Ave and Virtual

The City of Kennewick broadcasts Council meetings on the City's website at <https://www.go2kennewick.com/CouncilMeetingBroadcasts> and via Zoom. If you are unable to attend in person and wish to comment during one of the Visitors sections or if applicable to provide public testimony for a Public Hearing, please register at https://us02web.zoom.us/webinar/register/WN_Y9VMYQqAS1iBE4ispc1TdG. Registrations must be received by 4:00 p.m. on the day of the meeting.

The public can also submit comments by either filling out an online form at <https://www.go2kennewick.com/PublicComments> via e-mail to clerkinfo@ci.kennewick.wa.us, or submitting written comments to P.O. Box 6108, Kennewick, WA 99336. Comments must be received no later than 4:00 p.m. on the Monday before the meeting.

1. CALL TO ORDER

Roll Call/Pledge of Allegiance/Welcome/Invocation

HONORS & RECOGNITIONS

- Attendance Awareness Month Proclamation
- Service Recognition - Dave Hansen 32-years (Public Works)

2. VISITORS

Public comments for item(s) on the agenda not covered under a public hearing. Please limit your comments to three minutes. The public comment period is not an opportunity for dialogue with council members, or for posing questions with the expectation of an immediate answer. Many questions require an opportunity for information-gathering. For this reason, Council will not directly respond to comments, questions or concerns. Records intended for Council (9 copies are required) must be given to the City Clerk by 4:00 p.m. on the Monday before the meeting.

3. APPROVAL OF AGENDA

4. CONSENT AGENDA

All matters listed within the Consent Agenda have been distributed to each member of the Kennewick City Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate discussion.

- a. Meeting Minutes - August 15, 2023

Motion to approve the meeting minutes of August 15, 2023.

- b. Claim Roster - Toyota Center Operations and Box Office Accounts

Motion to approve the Claims Rosters for the Toyota Center Operations and Box Office Accounts for July 2023 in the amount of \$280,747.58 comprised of check numbers 26454-26531 in the amount of \$139,104.90 and electronic transfers in the amount of \$141,642.68.

- c. Claims Roster - Columbia Park Golf Course Account

Motion to approve the Claims Roster for the Columbia Park Golf Course Account for July 2023 in the amount of \$50,128.28, comprised of check numbers 2763-2768 in the amount of \$8,070.23 and electronic transfers in the amount of \$42,058.05.

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs. Please be advised that all Kennewick City Council Meetings are Audio and Video Taped

- d. Payroll Roster Approval
Motion to approve the Payroll Roster for the pay period ending 8/15/2023.
- e. 2023 Byrne JAG Interlocal Agreement
Motion to authorize the Mayor to sign the Interlocal Agreement with Benton County and the City of Richland for the 2023 Edward Byrne Justice Assistance Grant (JAG) Program Award.
- f. License Agreement - 326 N. Columbia Center Blvd
Motion to authorize the City Manager to sign the License Agreement for 326 North Columbia Center Boulevard with SR McConnell, LLC (Sporthaus).
- g. License Agreement - 7605 W. Deschutes Ave
Motion to authorize the City Manager to sign the License Agreement for 7605 West Deschutes Avenue with Basin Investment Group LLP (Pizza Hut)
- h. 2022 City-Wide Asphalt Overlay Contract
Motion to accept the work of Inland Asphalt Company for contract P2123, 2022 Asphalt Overlay Contract, in the amount of \$1,637,953.37.
- i. Annual Complete Streets Report
Motion to approve the Annual Complete Streets Report.
- j. Work Crew Agreement with Benton County
Motion to authorize the City Manager to sign the Work Crew Agreement with Benton County.
- k. Agreement with DEA for Construction Engineering
Motion to authorize the Mayor to execute Supplemental Agreement No. 3 to extend the completion date for the existing agreement with David Evans & Assoc. to perform construction engineering services for the US 395/Ridgeline Interchange Project.
- l. Quinault/CCB Intersection - Supplement No. 2
I move to authorize the Mayor to sign the Local Agency Supplement #2 to purchase signal equipment for the P2011 Quinault Ave. and Columbia Center Blvd. Intersection Project.

5. ORDINANCES/RESOLUTIONS

- a. Ordinance 6032: Change of Zone (COZ-2023-0005) from Public Facility (PF) to Justice Facility (JF) located at 7400 W. Quinault Ave
- b. Ordinance 6033: Change of Zone (COZ-2023-0006) from Industrial, Light (IL) to Commercial, Community (CC) located at 8920 W Clearwater Ave

6. PUBLIC HEARINGS/MEETINGS

7. NEW BUSINESS

- a. Development Code Amendment DCA-2023-0001 to amend KMC 18.12.010 A.1 for Day Care Centers

8. UNFINISHED BUSINESS

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9. VISITORS

Public comments for any item(s) the public wants to bring to Council. Please limit your comments to three minutes. The public comment period is not an opportunity for dialogue with council members, or for posing questions with the expectation of an immediate answer. Many questions require an opportunity for information-gathering. For this reason, Council will not directly respond to comments, questions or concerns. Records intended for Council (9 copies are required) must be given to the City Clerk by 4:00 p.m. on the Monday before the meeting.

10. COUNCIL COMMENTS/DISCUSSION**11. EXECUTIVE SESSION**

- a. PER RCW 42.30.110(1)(g) to evaluate the qualifications of an applicant for public employment (City Manager position) - 60 minutes.

12. ADJOURNMENT



Proclamation

WHEREAS, good attendance in school is essential to student achievement, learning and progress toward graduation; and

WHEREAS, chronic absence – missing 10 percent, two or three days a month, or more – is a proven predictor of academic trouble and dropout rates, and weakens our communities and our local economy; and

WHEREAS, the impact of chronic absence hits low-income students and children of color particularly hard and exacerbates the achievement gap that separates these students from their peers if they lack the resources to make up lost time, or face systemic barriers to getting to school; such as unreliable transportation, lack of access to health care, unstable or unaffordable housing; and

WHEREAS, absenteeism also undermines efforts to improve struggling schools, since it is hard to measure improvements in classroom instruction if students are not in class to benefit from them; and

WHEREAS, schools and community partners can reach out more frequently to absent students to determine why they are missing school and what would help them attend more regularly; and

WHEREAS, all students, even those who show up regularly, are affected by chronic absence because teachers must spend time reviewing for students who missed lessons; and

WHEREAS, chronic absence can be significantly reduced when schools, parents and communities work together to monitor and promote good attendance and address hurdles that keep children from getting to school, NOW, THEREFORE,

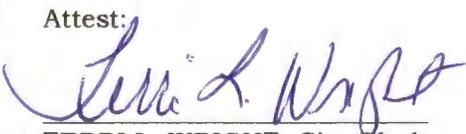
I, BILL MCKAY, Mayor of the City of Kennewick, Washington, do hereby proclaim our city will stand with the nation in recognizing September as

“ATTENDANCE AWARENESS MONTH”

in the City of Kennewick and encourage all members of our community to focus on reducing absenteeism to give all children an equal opportunity to learn, grow, and thrive.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Kennewick, Washington, to be hereunto affixed this 5th day of September 2023.


W.D. (BILL), Mayor

Attest:

TERRI L. WRIGHT, City Clerk



DRAFT

CITY OF KENNEWICK
CITY COUNCIL
REGULAR MEETING
August 15, 2023

1. CALL TO ORDER

Mayor Pro Tem Crawford called the meeting to order at 6:30 p.m.

City Council and Staff Present:

Councilmember John Trumbo	Marie Mosley	Nick Farline
Councilmember Chuck Torelli	Lisa Beaton	Chad Michael
Councilmember Jim Millbauer	Cary Roe	Chris Guerrero
Councilmember Brad Beauchamp	Anthony Muai	Steve Donovan
Councilmember Loren Anderson	Krystal Townsend	Evelyn Lusignan
Mayor Pro Tem Gretl Crawford	Dan Legard	Jeremy Lustig

Mr. Torelli moved, seconded by Mr. Anderson, to excuse the absence of Mayor McKay. The motion passed unanimously 6-0 (Mayor McKay absent-excused).

Mr. Torelli led the Pledge of Allegiance.

Norbert Rossi provided the invocation.

2. VISITORS – None.

3. APPROVAL OF AGENDA

Mr. Torelli moved, seconded by Mr. Anderson, to approve the agenda as presented. The motion passed unanimously 6-0 (Mayor McKay absent-excused).

4. APPROVAL OF CONSENT AGENDA

Mr. Torelli moved, seconded by Mr. Trumbo, to approve the consent agenda as presented. The motion passed unanimously 6-0 (Mayor McKay absent-excused).

- a. Motion to approve the meeting minutes of July 18, 2023.
- b. Motion to approve the Claims Roster for July 2023 in the amount of \$7,166,992.25, comprised of electronic payments and check numbers 310500-310937.
- c. Motion to approve the Claims Rosters for the Toyota Center Operations and Box Office Accounts for June 2023 in the amount of \$114,352.07 comprised of check numbers 26399-26453 in the amount of \$93,907.53 and electronic transfers in the amount of \$20,444.54.
- d. Motion to approve the Claims Roster for the Columbia Park Golf Course Account for June 2023 in the amount of \$52,826.93, comprised of check numbers 2755-2762 and 312 in the amount of \$11,127.48 and electronic transfers in the amount of \$41,699.45.
- e. Motion to approve the Payroll Roster for the pay periods ending 7/15/2023 and 7/31/2023.
- f. Motion to accept the recommendation of the Tri-Cities Hotel & Lodging Association to reappoint Nic Woody to serve a 2-year term as Kennewick's representative on the Tri-City Regional Hotel Motel Commission.

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- g. Motion to authorize the City Manager to sign the joint funding agreement with USGS for the Harmful Algal Bloom study.
- h. Motion to authorize the City Manager to sign the Supplemental Agreement No. 1 with J-U-B Engineers, Inc., for the design of the Light Industrial Area Utilities Extensions project.
- i. Motion to authorize the City Manager to sign the agreement with Black and Veatch for the design of the SCADA Master Plan (P2309).
- j. Motion to authorize the purchase of equipment from NOV Fiber Glass System in the amount of \$681,291.38.
- k. Motion to authorize the City Manager to sign the Supplemental Agreement No. 1 with HDR Engineering, Inc., for the design of the Zone 3 West Transmission Pipeline project (P1905).
- l. Motion to award Contract P2027-23 Metaline & Keller/Johnson/Irby Sewer Replacement Project to Roach Construction Co. in the amount of \$412,107.79, plus a 10% contingency amount of \$41,210.78, for a total amount of \$453,318.57.

5. ORDINANCES & RESOLUTIONS

a. Resolution 23-11: Public Safety Sales Tax

Chief Guerrero presented a staff report and outlined details of the resolution. Council asked clarifying questions of staff.

Deputy City Clerk Townsend read Resolution 23-11 by title.

RESOLUTION 23-11

A RESOLUTION IN SUPPORT OF A PROPOSITION TO BE VOTED ON BY BENTON COUNTY TAXPAYERS FOR THE CONTINUATION OF A 0.3% LOCAL SALES AND USE TAX FOR THE CRIMINAL JUSTICE SYSTEM

Mr. Millbauer moved, seconded by Mr. Anderson, to adopt Resolution 23-11. The motion passed unanimously 6-0 (Mayor McKay absent-excused).

6. PUBLIC HEARINGS/MEETINGS

a. Ordinance 6030: Steptoe Street Annexation Hearing AZ-2023-0001

1. Ordinance 6031: Garbage Franchise with Basin Disposal for Steptoe Street Annexation AZ-2023-0001

Steve Donovan, Senior Planner, presented a staff report and outlined details of Ordinance 6030. Mr. Muai gave an overview of Ordinance 6031 and explained its relevance to Ordinance 6030.

Council asked clarifying questions of staff.

Mayor Pro Tem Crawford opened the public hearing at 6:55 p.m.

Larry Lawry provided testimony in support of the annexation.

Mayor Pro Tem Crawford closed the public hearing at 6:57 p.m.

Deputy City Clerk Krystal Townsend read the ordinance title into the record:

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ORDINANCE NO. 6030

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY LOCATED AT 801 AND 721 S. STEPTOE STREET AND PROVIDING FOR ZONING CLASSIFICATION THEREOF OF RESIDENTIAL, LOW (RL) (AZ 2023-0001, Dennis King, Debra and Larry Lowry)

Mr. Torelli moved, seconded by Mr. Anderson, to adopt Ordinance No. 6030. The motion passed unanimously 6-0 (Mayor McKay absent-excused).

Deputy City Clerk Krystal Townsend read the companion ordinance title into the record:

ORDINANCE NO. 6031

AN ORDINANCE GRANTING A FRANCHISE TO BASIN DISPOSAL, INC. FOR THE COLLECTION OF GARBAGE AND REFUSE IN THE CITY OF KENNEWICK (AZ 2023-0001, Dennis King, Debra and Larry Lowry)

Mr. Torelli moved, seconded by Mr. Beauchamp, to adopt Ordinance No. 6031. The motion passed unanimously 6-0 (Mayor McKay absent-excused).

7. NEW BUSINESS

a. A-1 Pearl Development Group Purchase and Sale Agreement

Ms. Beaton presented a staff report. Council asked clarifying questions of staff and discussed the topic at length.

Mr. Torelli moved, seconded by Mr. Trumbo, to table the topic to a Special Council Meeting on August 22, 2023 at 5:45 p.m. The motion failed 3-3 (Mayor Pro Tem Crawford, Mr. Anderson and Mr. Millbauer dissenting; Mayor McKay absent-excused).

Discussion continued at length.

Mr. Millbauer moved, seconded by Mr. Torelli, to authorize the Mayor to sign Addendum No. 5 to the Purchase and Sale Agreement. The motion passed 5-1 (Mr. Trumbo dissenting; Mayor McKay absent-excused).

b. Waste Water Treatment Plant (WWTP) Phase 2 - PDB Step 1/ Design, Amendment #1

Mr. Lustig presented a staff report and answered Council questions.

Mr. Torelli moved, seconded by Mr. Anderson, to authorize the City Manager to sign the Progressive Design Build (PDB) Agreement Amendment #1 with Merrell Bros, Inc. for the WWTP Phase 2, Step 1 early release package procurement. The motion passed unanimously 6-0 (Mayor McKay absent-excused).

8. UNFINISHED BUSINESS – None.

9. VISITORS

Mark Christensen, Kennewick: Spoke about his views on the current affairs.

Tina Gregory, Kennewick: Spoke about current affairs and political and religious concerns.

10. COUNCIL COMMENTS/DISCUSSION

Council members reported on their respective activities.

11. ADJOURNMENT

The meeting concluded at 8:51 p.m.

Krystal Townsend, CMC, CPRO
Deputy City Clerk

Council Agenda Coversheet	Agenda Item Number: 4.b. Council Date: 9/5/2023 Agenda Item Type: General Business Item	Category: Consent Agenda
	Subject: Claim Roster - Toyota Center Operations and Box Office Accounts Department: Finance Ord/Reso # Contract # Project # Permit #	
<p><u>Recommendation</u> Staff recommends that Council approve the Claims Rosters for the Toyota Center Operations and Box Office Accounts for July 2023.</p> <p><u>Motion for Consideration</u> Motion to approve the Claims Rosters for the Toyota Center Operations and Box Office Accounts for July 2023 in the amount of \$280,747.58 comprised of check numbers 26454-26531 in the amount of \$139,104.90 and electronic transfers in the amount of \$141,642.68.</p> <p><u>Summary</u> None.</p> <p><u>Alternatives</u> None.</p> <p><u>Fiscal Impact</u> Total - \$280,747.58.</p>		
Attachments: 1. Claims Roster		

Toyota Center and Arena
Claims Roster
July 2023

Date	Check	Method	Name	Amount
<u>TOYO Sterling Operating Account</u>				
07/03/2023	26454	Auto Check	Kiwanis Club of Horse Heaven Hills Foundation (00003082)	1,500.00
07/03/2023	23130		Shuttle Service -River of Fire	1,500.00
	101650	• 3rd Party Event Expense Holding Account	Shuttle Service -River of Fire	1,500.00
07/03/2023	26455	Auto Check	Knockerball Tricities LLC (00003530)	2,000.00
07/03/2023	7/4/2023		Inflatables - River of Fire	2,000.00
	101650	• 3rd Party Event Expense Holding Account	Inflatables - River of Fire	2,000.00
07/03/2023	26456	Auto Check	Luis M Villa Martinez (00003529)	750.00
07/03/2023	23-0627		Entertainment - River of Fire	750.00
	101650	• 3rd Party Event Expense Holding Account	Entertainment - River of Fire	750.00
07/03/2023	26457	Auto Check	Tabitha Pennington (00003528)	2,000.00
07/03/2023	23-0629		Entertainment - River of Fire	2,000.00
	101650	• 3rd Party Event Expense Holding Account	Entertainment - River of Fire	2,000.00
07/03/2023	26458	Auto Check	Three Rivers Sound (00003531)	1,200.00
07/03/2023	06.19.23		Live Sound - River of Fire	1,200.00
	101650	• 3rd Party Event Expense Holding Account	Live Sound - River of Fire	1,200.00
07/06/2023	26459	Auto Check	8x8, INC (00002829)	1,077.28
07/06/2023	3920509		Phone Services: June	1,077.28
	107205	• Communications	Phone Services: June	538.64
			Due To/From TRCC	538.64
07/06/2023	26460	Auto Check	Advanced Protection Services, Inc. (00002751)	721.51
07/06/2023	R144092		Vault Monitoring JUL 23	43.43
	107209	• Security & Fire Alarm System	Vault Monitoring JUL 23	43.43
07/06/2023	R144091		Temp Monitoring JUL 23	43.43
	107209	• Security & Fire Alarm System	Temp Monitoring JUL 23	43.43
07/06/2023	R144090		OpenEye JUL 23	418.50
	107209	• Security & Fire Alarm System	OpenEye JUL 23	418.50
07/06/2023	R144089		Fire Monitoring JUL 23	73.86
	107209	• Security & Fire Alarm System	Fire Monitoring JUL 23	73.86
07/06/2023	R144088		Ammonia Monitoring JUL 23	68.43
	107209	• Security & Fire Alarm System	Ammonia Monitoring JUL 23	68.43
07/06/2023	R144087		TA Fire Monitoring JUL 23	73.86
	107209	• Security & Fire Alarm System	TA Fire Monitoring JUL 23	73.86
07/06/2023	26461	Auto Check	Apollo Heating and Air Conditioning (00002933)	1,246.68
07/06/2023	KS-940050262		HVAC Repair	1,246.68
	107210	• HVAC Repairs & Maintenance	HVAC Repair	1,246.68
07/06/2023	26462	Auto Check	Apple Valley Broadcasting Inc (00003532)	1,469.65
07/06/2023	265326-1		TV Ads - River of Fire	109.65
	101650	• 3rd Party Event Expense Holding Account	TV Ads - River of Fire	109.65
07/06/2023	265321-1		TV Ads - River of Fire	1,360.00
	101650	• 3rd Party Event Expense Holding Account	TV Ads - River of Fire	1,360.00
07/06/2023	26463	Auto Check	Association of Washington Business (00003057)	750.00
07/06/2023	233683		Membership Dues	750.00
	107106	• Dues & Subscriptions	Membership Dues	375.00
			Due To/From TRCC	375.00
07/06/2023	26464	Auto Check	Batteries Plus Bulbs (00002790)	249.72
07/06/2023	P63607469		PO4240 - Batteries	140.93
	107201	• Tools & Supplies	Batteries	140.93
07/06/2023	P63700365		PO 4243 - Batteries	108.79
	101650	• 3rd Party Event Expense Holding Account	Batteries	108.79
07/06/2023	26465	Auto Check	Becker Arena Products, Inc (00002755)	8,966.13
07/06/2023	609136		PO4204 - Replacement Glass	6,754.08
	107601	• Ice-Related Expenses	Replacement Glass	6,754.08

07/06/2023	609135		PO4203 - Rental Skates			2,212.05	2,212.05
	107601	• Ice-Related Expenses	Rental Skates			2,212.05	
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07/06/2023	26466	Auto Check	Brashear Electric, Inc. (00002756)				896.78
07/06/2023	39944		Stage Set-Up - REO			896.78	896.78
	104327	• Reimbursed Contract Labor	Stage Set-Up - REO			896.78	
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07/06/2023	26467	Auto Check	Bullseye Merchandising (00003523)				8,117.16
07/06/2023	Los Temerarios merch proceeds		Los Temerarios merch proceeds			8,117.16	8,117.16
	102150	• A/P Settlements				8,117.16	
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07/06/2023	26468	Auto Check	Chem-Aqua (00002759)				4,021.80
07/06/2023	8278937		Water Treatment Program			4,021.80	4,021.80
	107304	• Contracted Services	Water Treatment Program			4,021.80	
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07/06/2023	26469	Auto Check	Chisholm's Saw & Supply, Inc. (00002760)				182.46
07/06/2023	81632		Zamboni Knives Maintenance			182.46	182.46
	107201	• Tools & Supplies	Zamboni Knives Maintenance			182.46	
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07/06/2023	26470	Auto Check	CI Information Management (00002840)				94.39
07/06/2023	0152413		Shred Service 6/6/23			94.39	94.39
	107304	• Contracted Services	Shred Service 6/6/23			94.39	
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07/06/2023	26471	Auto Check	City of Kennewick - Misc (00002830)				2,409.94
07/06/2023	15489		Security Services - MAY 2023			1,075.00	1,075.00
	107404	• Event Contracted Labor	Security Services			200.00	
	104327	• Reimbursed Contract Labor	Security Services			450.00	
	104327	• Reimbursed Contract Labor	Security Services			425.00	
07/06/2023	15497		Leasehold Tax - 2nd QTR 2023			1,334.94	1,334.94
	102330	• Leasehold Tax Payable - COK	Leasehold Tax - 2nd QTR 2023			1,334.94	
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07/06/2023	26472	Auto Check	Cougar Digital Marketing & Design (00002861)				159.00
07/06/2023	11777		Website Maintenance			159.00	159.00
	107302	• Venue Marketing & Non-Event Advertising	Website Maintenance			159.00	
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07/06/2023	26473	Auto Check	Culligan Water Conditioning (00002766)				27.19
07/06/2023	132972		Coolers			27.19	27.19
	107201	• Tools & Supplies	Coolers			27.19	
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07/06/2023	26474	Auto Check	Dependable Appliance NW, LLC (00003534)				129.35
07/06/2023	102854		Service Request			129.35	129.35
	107211	• Equipment Repairs & Maintenance	Service Request			129.35	
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07/06/2023	26475	Auto Check	Ford Audio Service (00003049)				733.06
07/06/2023	3622		Sound System Rental			733.06	733.06
	104370	• Reimbursed Outside Event Expense	Sound System Rental			733.06	
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07/06/2023	26476	Auto Check	KNDO/KNDU (00002825)				672.35
07/06/2023	214520A-1		TV Ads - River of Fire			672.35	672.35
	101650	• 3rd Party Event Expense Holding Account	TV Ads - River of Fire			672.35	
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07/06/2023	26477	Auto Check	Lancaster Consulting Group (00003140)				5,850.00
07/06/2023	192		Sponsorship Support - RoF			5,850.00	5,850.00
	101650	• 3rd Party Event Expense Holding Account	Sponsorship Support - RoF			5,850.00	
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07/06/2023	26478	Auto Check	Loomis (00002895)				242.50
07/06/2023	13280159		Armored Car Service			242.50	242.50
	107304	• Contracted Services	Armored Car Service			121.25	
				Due To/From TRCC		121.25	
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07/06/2023	26479	Auto Check	Lowe's Commercial Services (00002776)				2,207.01
07/06/2023	916815		PO4135 - Supplies			70.66	70.66
	107201	• Tools & Supplies	Supplies			70.66	
07/06/2023	994271		PO4180 - LED Bulbs			1,192.92	1,192.92
	107201	• Tools & Supplies	LED Bulbs			1,192.92	
07/06/2023	916457		PO4124 - Supplies			78.37	78.37
	107201	• Tools & Supplies	Supplies			78.37	
07/06/2023	920178		PO4124 - Twine			37.09	37.09
	107201	• Tools & Supplies	Twine			37.09	

07/06/2023	916717		PO4193 - Tools				151.22
	107201	Tools & Supplies	Tools		75.61		
				Due To/From TRCC	75.61		
07/06/2023	916316		PO4124 - Supplies				108.77
	107201	Tools & Supplies	Supplies		108.77		
07/06/2023	911304		Sheathing				-11.88
	107201	Tools & Supplies	Sheathing		-11.88		
07/06/2023	942747		Sheathing				11.88
	107201	Tools & Supplies	Sheathing		11.88		
07/06/2023	910308		PO4200 - Tools & Supplies				163.91
	107201	Tools & Supplies	Tools & Supplies		163.91		
07/06/2023	916639		Tools & Supplies				96.72
	107201	Tools & Supplies	Tools & Supplies		96.72		
07/06/2023	916078		PO4222 - Supplies - RoF				121.61
	101650	3rd Party Event Expense Holding Account	Supplies - RoF		121.61		
07/06/2023	916295		PO4200 - Supplies				25.92
	107201	Tools & Supplies	Supplies		25.92		
07/06/2023	916009		PO4200 - Tools				159.82
	107201	Tools & Supplies	Tools		159.82		
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07/06/2023	26480	Auto Check	Mid Columbia Hockey Officials Association (00002777)				3,450.00
	07/06/2023	23-009	Games Worked - May 2023			3,450.00	
		107304	Contracted Services	Games Worked - May 2023			
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07/06/2023	26481	Auto Check	Petty Cash (00002963)				1,153.08
	07/06/2023	Receipts as of 5/31					899.14
		101620	Cash Advances for Events	REO Speedwagon advance	300.00		
		104510	Concessions Sales - Food	REO backstage prep	568.70		
		107111	Employee Development & Recognition	Supplies for staff lunch meeting	15.22		
				Due To/From TRCC	15.22		
	07/06/2023	June 2023 Receipts					253.94
		107214	Fuel & Vehicle Costs	Gas for campus equipment	141.00		
		107211	Equipment Repairs & Maintenance	Metal for cart repairs	112.94		
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07/06/2023	26482	Auto Check	Pitney Bowes Global Financial Services LLC (00002894)				102.43
	07/06/2023	3317620711	Mailstation 7/20-10/19/23				102.43
		107101	Postage & Shipping	Mailstation 7/20-10/19/23	51.22		
				Due To/From TRCC	51.21		
<hr/>							
07/06/2023	26483	Auto Check	Potts, Joe (00000006)				1,489.40
	07/06/2023	Travel Request: UB Conf 23	Travel Request: UB Conf 23				1,489.40
		107107	Employee Training	Travel Request: UB Conf 23	595.76		
				Due To/From TRCC	893.64		
<hr/>							
07/06/2023	26484	Auto Check	Purchase Power (00002904)				100.00
	07/06/2023	Postage Fees: June 23	Postage Fees: June 23				100.00
		107101	Postage & Shipping	Postage Fees: June 23	50.00		
				Due To/From TRCC	50.00		
<hr/>							
07/06/2023	26485	Auto Check	Sparkling Clean Windows, LLC (00002999)				1,800.00
	07/06/2023	1378061923	Window Cleaning				1,800.00
		107212	Building Repairs & Maintenance	Window Cleaning	1,800.00		
<hr/>							
07/06/2023	26486	Auto Check	Spotlight Productions LLC (00003467)				1,194.60
	07/06/2023	1000	Confetti Canon Rental				1,194.60
		107406	Event Supplies	Confetti Canon Rental	1,194.60		
<hr/>							
07/06/2023	26487	Auto Check	Stephens Media Group (00002844)				2,000.00
	07/06/2023	IN-1230610951	Radio Ads - River of Fire				2,000.00
		101650	3rd Party Event Expense Holding Account	Radio Ads - River of Fire	2,000.00		
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07/06/2023	26488	Auto Check	Sunbelt Rentals, Inc. (00002783)				1,880.38
	07/06/2023	140087702-0001	Manlift				940.19
		104370	Reimbursed Outside Event Expense	Manlift	940.19		
	07/06/2023	140077320-0001	Manlift				940.19
		104370	Reimbursed Outside Event Expense	Manlift	940.19		
<hr/>							
07/06/2023	26489	Auto Check	Tri City Regional Chamber of Commerce (00002846)				372.00
	07/06/2023	84308	Annual Entrepreneur Membership				372.00
		107106	Dues & Subscriptions	Annual Entrepreneur Membership	186.00		
				Due To/From TRCC	186.00		

07/06/2023	26490	Auto Check	USA Hockey (00003119)				250.00
07/06/2023	Sanction Fee 2023		USA Hockey Sanction Fee			250.00	250.00
107414	• Other Event Expense		USA Hockey Sanction Fee			250.00	
<hr/>							
07/06/2023	26491	Auto Check	Velasa Sports Inc dba Sparx Hockey (00002813)				331.46
07/06/2023	11509		PO4186 - Radius Rings				331.46
107201	• Tools & Supplies		Radius Rings			331.46	
<hr/>							
07/10/2023	26492	Auto Check	Michelle Gustafson (00002670)				174.00
07/10/2023	Travel Request: F&B Meetings		Travel Request: F&B Meetings				174.00
107107	• Employee Training		Travel Request: F&B Meetings			87.00	
			Due To/From TRCC			87.00	
<hr/>							
07/10/2023	26493	Auto Check	Pearson, Corey (00000007)				170.91
07/10/2023	Reimbursement: River of Fire		REIMB: River of Fire Expenses				170.91
101650	• 3rd Party Event Expense Holding Account		REIMB: River of Fire Expenses			170.91	
<hr/>							
07/10/2023	26494	Auto Check	Rob Gierke (00002700)				385.14
07/10/2023	Reimbursement: Mileage RoF		REIMB: Mileage River of Fire				205.41
101650	• 3rd Party Event Expense Holding Account		REIMB: Mileage River of Fire			205.41	
07/10/2023	Reimbursement: Meals		REIMB: Meals				179.73
107112	• Travel & Entertainment		REIMB: Meals			179.73	
<hr/>							
07/10/2023	26495	Auto Check	Steve Roberts (00003139)				320.00
07/10/2023	Travel Request: Meals NHPA		Travel Request: Meals NHPA				320.00
107107	• Employee Training		Travel Request: Meals NHPA			320.00	
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07/20/2023	26496	Auto Check	3 City Cornhole, LLC (00003541)				250.00
07/20/2023	River of Fire:Tournament Prize		Tournament Prize - RoF				250.00
101650	• 3rd Party Event Expense Holding Account		Tournament Prize - River of Fire			250.00	
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07/20/2023	26497	Auto Check	Apollo Heating and Air Conditioning (00002933)				3,583.95
07/20/2023	KS-940050847		HVAC Maintenance Contract				3,583.95
107210	• HVAC Repairs & Maintenance		HVAC Maintenance Contract			3,583.95	
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07/20/2023	26498	Auto Check	Apple Valley Broadcasting Inc (00003532)				229.50
07/20/2023	265321-2		TV Ads - River of Fire				206.55
101650	• 3rd Party Event Expense Holding Account		TV Ads - River of Fire			206.55	
07/20/2023	265326-2		TV Ads - River of Fire				22.95
101650	• 3rd Party Event Expense Holding Account		TV Ads - River of Fire			22.95	
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07/20/2023	26499	Auto Check	Ascentis Corporation (00002983)				746.81
07/20/2023	SI-150476		NOVA5000 - JUN				746.81
107070	• Payroll Processing		NOVA5000			373.41	
			Due To/From TRCC			373.40	
<hr/>							
07/20/2023	26500	Auto Check	Backstage Electric, Inc. (00002752)				3,804.50
07/20/2023	2559		Sound System - River of Fire				3,804.50
101650	• 3rd Party Event Expense Holding Account		Sound System - River of Fire			3,804.50	
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07/20/2023	26501	Auto Check	Becker Arena Products, Inc (00002755)				568.98
07/20/2023	609370		PO4267 - Hockey Pucks				568.98
107601	• Ice-Related Expenses		PO4267 - Hockey Pucks			568.98	
<hr/>							
07/20/2023	26502	Auto Check	Bennett Rentals (00002791)				119.57
07/20/2023	185407		PO4241- Chairs - River of Fire				119.57
101650	• 3rd Party Event Expense Holding Account		Chairs - River of Fire			119.57	
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07/20/2023	26503	Auto Check	Benton PUD (00000121)				18,634.94
07/20/2023	6/8/2023-7/8/2023		Small Gen Service - 6/8-7/8/23				405.44
107216	• Electricity		Small Gen Service - 6/8-7/8/23			405.44	
07/20/2023	6595		Large Gen Service - 6/8-7/8/23				18,229.50
107216	• Electricity		Large Gen Service - 6/8-7/8/23			18,229.50	
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07/20/2023	26504	Auto Check	Blue Room (00003167)				3,700.00
07/20/2023	4864021		Portables - River of Fire				3,700.00
101650	• 3rd Party Event Expense Holding Account		Portables - River of Fire			3,700.00	

07/20/2023	26505	Auto Check	Brashear Electric, Inc. (00002756)					403.24
07/20/2023	39987		Generator - River of Fire					403.24
	101650	• 3rd Party Event Expense Holding Account	Generator - River of Fire			403.24		
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07/20/2023	26506	Auto Check	Canon Financial Services, Inc (00002793)					327.41
07/20/2023	30858618		Copier Contract					327.41
	107105	• Printing / Copying	Copier Contract					
						163.70		
						163.71		
<hr/>								
07/20/2023	26507	Auto Check	Canon Solutions (00002757)					46.19
07/20/2023	6004846587		UMT Copier Maintenance					8.90
	107105	• Printing / Copying	UMT Copier Maintenance			8.90		
07/20/2023	6004792449		QHM Copier Maintenance					37.29
	107105	• Printing / Copying	QHM Copier Maintenance			37.29		
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07/20/2023	26508	Auto Check	Cascade Natural Gas (00000161)					996.67
07/20/2023	06/10/20203-7/10/2023		Gen Com Service					996.67
	107217	• Natural Gas	Gen Com Service			996.67		
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07/20/2023	26509	Auto Check	Cascade Natural Gas (00000161)					600.94
07/20/2023	6/10/2023-7/10/2023		TA Gen Com Service					600.94
	107217	• Natural Gas	TA Gen Com Service			600.94		
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07/20/2023	26510	Auto Check	City of Kennewick (00003168)					1.00
07/20/2023	River of Fire		Usage Fee - River of Fire					1.00
	101650	• 3rd Party Event Expense Holding Account	Usage Fee - River of Fire			1.00		
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07/20/2023	26511	Auto Check	City of Kennewick - Water (00002858)					5,663.72
07/20/2023	4/25/23-6/26/23		Water Service					5,663.72
	107219	• Water	Water Service			5,663.72		
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07/20/2023	26512	Auto Check	Columbia Basin Ice, LLC (00003116)					698.00
07/20/2023	00-317613		Trailer Rental - River of Fire					698.00
	101650	• 3rd Party Event Expense Holding Account	Trailer Rental - River of Fire			698.00		
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07/20/2023	26513	Auto Check	Columbia Safety LLC (00002876)					1,782.00
07/20/2023	KP2023-2044		EMTs - River of Fire					1,782.00
	101650	• 3rd Party Event Expense Holding Account	EMTs - River of Fire			1,782.00		
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07/20/2023	26514	Auto Check	Culligan Water Conditioning (00002766)					125.01
07/20/2023	133771		Bottle Water					125.01
	107201	• Tools & Supplies	Bottle Water			125.01		
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07/20/2023	26515	Auto Check	Department of L&I - Elevator Program (00003134)					161.65
07/20/2023	324957		Annual Operating Certificate					161.65
	107212	• Building Repairs & Maintenance	Annual Operating Certificate			161.65		
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07/20/2023	26516	Auto Check	DevFuzion (00000278)					5,662.83
07/20/2023	22804		Network Support					5,662.83
	107104	• IT Support Services	Network Support			2,831.41		
						2,831.42		
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07/20/2023	26517	Auto Check	Ferrell Gas (00002769)					877.06
07/20/2023	1123495382		Propane					365.88
	107214	• Fuel & Vehicle Costs	Propane			182.94		
						182.94		
07/20/2023	2032944166		Propane					511.18
	107214	• Fuel & Vehicle Costs	Propane			255.59		
						255.59		
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07/20/2023	26518	Auto Check	Kennewick Ranch & Home (00003069)					30.00
07/20/2023	2306-866797		Engraving					30.00
	107111	• Employee Development & Recognition	Engraving			15.00		
						15.00		
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07/20/2023	26519	Auto Check	Kennewick Union Firefighters L-1296 (00003455)					3,055.00
07/20/2023	6-30-23		EMT Services - June 2023					3,055.00
	107404	• Event Contracted Labor	EMT Services			520.00		
	107404	• Event Contracted Labor	EMT Services			845.00		

	107404	• Event Contracted Labor	EMT Services	1,170.00	
	107404	• Event Contracted Labor	EMT Services	520.00	
07/20/2023	26520	Auto Check	Legacy (00003545)		2,462.07
	07/20/2023	234201490011	Generator Inspection		2,462.07
	107211	• Equipment Repairs & Maintenance	Generator Inspection	1,231.04	
			Due To/From TRCC	1,231.03	
07/20/2023	26521	Auto Check	Overhead Door Co (00002907)		632.09
	07/20/2023	29913	Service Calls for Roll Up Door		632.09
	107212	• Building Repairs & Maintenance	Service Calls for Roll Up Door	632.09	
07/20/2023	26522	Auto Check	Performance Digital (00002778)		2,000.00
	07/20/2023	4036	Advertising - River of Fire		2,000.00
	101650	• 3rd Party Event Expense Holding Account	Advertising - River of Fire	2,000.00	
07/20/2023	26523	Auto Check	Roto-Rooter (00002782)		2,364.77
	07/20/2023	51205514	Plumbing Repair		2,364.77
	107212	• Building Repairs & Maintenance	Plumbing Repair	2,364.77	
07/20/2023	26524	Auto Check	Steve Roberts (00003139)		168.00
	07/20/2023	Reimbursement: Gas & Parking	REIMB: Horseshoe Gas & Parking		168.00
	107111	• Employee Development & Recognition	REIMB: Horseshoe Gas & Parking	168.00	
07/20/2023	26525	Auto Check	Sunbelt Rentals, Inc. (00002783)		2,043.00
	07/20/2023	141542002-0002	Generator - River of Fire		233.51
	101650	• 3rd Party Event Expense Holding Account	Generator - River of Fire	233.51	
	07/20/2023	141542002-0001	Generator - River of Fire		370.21
	101650	• 3rd Party Event Expense Holding Account	Generator - River of Fire	370.21	
	07/20/2023	141542002-0003	Solar Light Towers - RoF		1,439.28
	101650	• 3rd Party Event Expense Holding Account	Solar Light Towers - RoF	1,439.28	
07/20/2023	26526	Auto Check	Tabitha Pennington (00003528)		1,000.00
	07/20/2023	Entertainment: River of Fire	Entertainment: River of Fire		1,000.00
	101650	• 3rd Party Event Expense Holding Account	Entertainment: River of Fire	1,000.00	
07/20/2023	26527	Auto Check	Tri-City Sign and Barricade (00003099)		354.80
	07/20/2023	27135	Cones - River of Fire		354.80
	101650	• 3rd Party Event Expense Holding Account	Cones - River of Fire	354.80	
07/20/2023	26528	Auto Check	US Foods (00002786)		813.95
	07/20/2023	5339649	Staff Meals - River of Fire		813.95
	101650	• 3rd Party Event Expense Holding Account	Staff Meals - River of Fire	813.95	
07/20/2023	26529	Auto Check	VenuWorks, Inc. (00000894)		10,406.41
	07/20/2023	18737	Management Fee - July 23		10,406.41
	107306	• VenuWorks Management Fee	Management Fee - July 23	10,406.41	
07/20/2023	26530	Auto Check	WCP Solutions (00002788)		1,171.65
	07/20/2023	13283198	PO4224 - Janitorial Supplies		82.46
	107203	• Janitorial Supplies	Janitorial Supplies	82.46	
	07/20/2023	13284791	PO4255 - Janitorial Supplies		779.94
	107203	• Janitorial Supplies	Janitorial Supplies	779.94	
	07/20/2023	13284792	PO4255 - Janitorial Supplies		81.09
	107203	• Janitorial Supplies	Janitorial Supplies	81.09	
	07/20/2023	13284790	PO4225 - Janitorial Supplies		228.16
	107203	• Janitorial Supplies	Janitorial Supplies	228.16	
07/25/2023		Wire Transfer	Washington State Department of Revenue (00002989)		4,595.04
	07/25/2023	TOYO B&O taxes June, paid July			4,595.04
	102325	• B&O Tax Payable	TOYO B&O taxes June, paid July	1,267.88	
	102310	• Sales Tax Payable - State	TOYO B&O taxes June, paid July	2,684.20	
	107603	• B&O Taxes	TOYO B&O taxes June, paid July	642.96	
07/27/2023	26531	Auto Check	Purple Star Winery (00003384)		771.83
	07/27/2023	6717	Wine Bottles - Grupo Frontera		771.83
	107406	• Event Supplies	Wine Bottles	771.83	

07/31/2023	Wire Transfer	Holmes Murphy (00002842)			134,122.13
07/31/2023	717423	Renewal Package		94,898.56	
	101660	• Prepaid Expenses - Manual	Renewal Package	56,939.14	
			Due To/From TRCC	37,959.42	
07/31/2023	716508	Professional Lia Premium		350.20	
	101660	• Prepaid Expenses - Manual	Professional Liability Annual Premium	210.12	
			Due To/From TRCC	140.08	
07/31/2023	717340	Excess Liability Premium		36,225.00	
	101660	• Prepaid Expenses - Manual	Excess Liability Premium	21,735.00	
			Due To/From TRCC	14,490.00	
07/31/2023	716544	Crime & Cyber Annual Premium		810.37	
	101660	• Prepaid Expenses - Manual	Crime & Cyber Annual Premium	486.22	
			Due To/From TRCC	324.15	
07/31/2023	717381	Active Assailant Premium		1,838.00	
	101660	• Prepaid Expenses - Manual	Active Assailant Annual Premium	1,102.80	
			Due To/From TRCC	735.20	

07/31/2023	Wire Transfer	American Payment Solutions - APS (00002969)			290.70
07/31/2023	APS CC Fees TOYO	APS CC Fees TOYO		290.70	
	107310	• Credit Card Fees	APS CC Fees TOYO	290.70	

07/31/2023	Wire Transfer	Revel Systems (00003299)			2,611.44
07/31/2023	Revel POS Fees	Revel POS Fees		2,383.68	
	107510	• F&B Tools, Supplies & Equipment	Revel POS Fees	2,383.68	
07/31/2023	Arena CC Fees	Arena CC Fees		227.76	
	107311	• Banking Fees	Arena CC Fees	227.76	

07/31/2023	Wire Transfer	Fintech (00003296)			23.37
07/31/2023	Fintech Fees TOYO	Fintech Fees TOYO		23.37	
	107311	• Banking Fees	Fintech Fees TOYO	23.37	

Total Paid - TOYO Operating: 280,747.58

TOYO Sterling Box Office Account

07/31/2023	No transactions for July 2023				0.00
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Total Paid - TOYO Box Office: 0.00

Total Paid - Combined: 280,747.58

I, Dan Legard, Finance Director, do hereby certify that the merchandise or services hereinbefore specified have been received, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation and that the vouchers listed above are approved for payment this day.



Dan Legard, Finance Director

The payments on this claims roster are comprised of the following:

Check numbers 26454-26531	\$	139,104.90
Electronic transfers - Operations		141,642.68
Electronic transfers - Box Office		-
Total	\$	<u><u>280,747.58</u></u>

Exceptions:

Council Agenda Coversheet	Agenda Item Number: 4.c. Council Date: 9/5/2023 Agenda Item Type: General Business Item	Category: Consent Agenda
	Subject: Claims Roster - Columbia Park Golf Course Department: Finance Ord/Reso # Contract # Project # Permit #	

Recommendation

That Council approve the Claims Roster for the Columbia Park Golf Course Account for July 2023.

Motion for Consideration

Motion to approve the Claims Roster for the Columbia Park Golf Course Account for July 2023 in the amount of \$50,128.28, comprised of check numbers 2763-2768 in the amount of \$8,070.23 and electronic transfers in the amount of \$42,058.05.

Summary

The first page of the roster is a summary of check and electronic transfer activity, with the following pages presenting more detailed information.

Alternatives

None.

Fiscal Impact

\$50,128,28.

Attachments:

1. Claims Roster

COLUMBIA PARK GOLF COURSE FUND
CHECK REGISTER
JULY 2023

Check Number	Vendor Check Name	Check Date	Amount	Type
2763	COLUMBIA POINT GOLF COURSE	7/5/2023	\$384.60	Check
2764	COURSECO, INC	7/5/2023	\$2,197.64	Check
2765	KENNEWICK GOLF CORPORATION	7/5/2023	\$5,106.45	Check
2766	COLUMBIA POINT GOLF COURSE	7/18/2023	\$203.59	Check
2767	TOTAL E INTEGRATED INC.	7/18/2023	\$137.95	Check
2768	YELP	7/18/2023	\$40.00	Check
ADPTS 2730258	ADP TOTAL SOURCE (AUTOPAY)	7/10/2023	\$4,133.47	EFT
NATIONWIDE 0723	NATIONWIDE	7/1/2023	\$753.36	EFT
WA DOR 0034418927	DEPARTMENT OF REVENUE	7/18/2023	\$6,571.96	EFT
471783	CITY OF KENNEWICK ELECTRICAL	7/6/2023	\$295.78	EFT
471802	SAFEGUARD BUSINESS SYSTEMS	7/6/2023	\$155.84	EFT
472439	IT HAVEN	7/12/2023	\$135.88	EFT
472895	CLEVELAND GOLF / SRIXON	7/19/2023	\$5,200.00	EFT
474016	WAMBEKE WINDOW WASHING	7/31/2023	\$25.00	EFT
474427	FOREUP GOLF SOFTWARE BILLING	7/31/2023	\$447.00	EFT
Paid by ACH	CINTAS CORPORATION #608	7/7/2023	\$107.02	EFT
Paid by ACH	COLEMAN OIL COMPANY	7/7/2023	\$399.97	EFT
Paid by ACH	PEPSI COLA BOTTLING CO. OF PASCO	7/7/2023	\$140.15	EFT
Paid by ACH	WESTERN EQUIPMENT	7/7/2023	\$632.73	EFT
Paid by ACH	COLEMAN OIL COMPANY	7/13/2023	\$610.55	EFT
Paid by ACH	PEPSI COLA BOTTLING CO. OF PASCO	7/13/2023	\$272.64	EFT
Paid by ACH	WESTERN EQUIPMENT	7/20/2023	\$576.38	EFT
Paid by ACH	CINTAS CORPORATION #085	7/26/2023	\$107.02	EFT
Paid by ACH	MERCANTILE SYSTEMS, INC.	7/26/2023	\$233.00	EFT
Paid by ACH	PEPSI COLA BOTTLING CO. OF PASCO	7/26/2023	\$334.84	EFT
Paid by ACH	BRIDGESTONE GOLF, INC	7/31/2023	\$321.74	EFT
Paid by ACH	CINTAS CORPORATION #608	7/31/2023	\$107.02	EFT
Paid by ACH	COLEMAN OIL COMPANY	7/31/2023	\$376.63	EFT
Paid by ACH	ADP TOTAL SOURCE (AUTOPAY)	7/14/2023	\$8,301.39	EFT
Paid by ACH	ADP TOTAL SOURCE (AUTOPAY)	7/28/2023	\$8,874.61	EFT
Paid by ACH	ELAN (MONTHLY CREDIT CARD CHGS)	7/31/2023	\$1,395.90	EFT
Bank Deduction	MERCHANT SERVICES	7/1/2023	\$1,496.84	EFT
Bank Deduction	US Bank	7/16/2023	\$51.33	EFT
			\$50,128.28	

I, Dan Legard, Finance Director, do hereby certify that the merchandise or services hereinbefore specified have been received, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation and that the vouchers listed above are approved for payment this day.



 Dan Legard, Finance Director

The payments on this claims roster are comprised of the following:

Check numbers 2763-2768	\$ 8,070.23
Electronic transfers	42,058.05
Total	\$ 50,128.28

Exceptions:

Check	Vendor	Date	Amount	Debit	Credit
2763	COLUMBIA POINT GOLF COURSE	7/5/2023		\$384.60	
	PAY	20005-000-244-00	ACCOUNTS PAYABLE - GP		\$384.60
	PURCH	50100-060-244-00	SALARIES	\$192.30	
	PURCH	50100-080-244-00	SALARIES	\$192.30	
2764	COURSECO, INC	7/5/2023		\$2,197.64	
	PAY	20005-000-244-00	ACCOUNTS PAYABLE - GP		\$2,197.64
	PURCH	51500-050-244-00	TRAVEL LODGING & ENT	\$1,098.82	
	PURCH	51500-060-244-00	TRAVEL LODGING & ENT	\$1,098.82	
2765	KENNEWICK GOLF CORPORATION	7/5/2023		\$5,106.45	
	PAY	20005-000-244-00	ACCOUNTS PAYABLE - GP		\$5,106.45
	PURCH	59600-080-244-00	ACCOUNTING FEES	\$1,277.20	
	PURCH	59610-080-244-00	MANAGEMENT FEE	\$3,829.25	
2766	COLUMBIA POINT GOLF COURSE	7/18/2023		\$203.59	
	PAY	20005-000-244-00	ACCOUNTS PAYABLE - GP		\$203.59
	PURCH	50100-060-244-00	SALARIES	\$192.30	
	PURCH	50100-080-244-00	SALARIES	\$192.30	
	PURCH	50200-050-244-00	HOURLY WAGES		\$181.01
2767	TOTAL E INTEGRATED INC.	7/18/2023		\$137.95	
	PAY	20005-000-244-00	ACCOUNTS PAYABLE - GP		\$137.95
	PURCH	51900-050-244-00	CONTRACT SERVICES	\$137.95	
2768	YELP	7/18/2023		\$40.00	
	PAY	20005-000-244-00	ACCOUNTS PAYABLE - GP		\$40.00
	PURCH	53100-080-244-00	ADVERTISING & MARKETING	\$40.00	
ADPTS 2730258	ADP TOTAL SOURCE (AUTOPAY)	7/10/2023		\$4,133.47	
	PAY	20005-000-244-00	ACCOUNTS PAYABLE - GP		\$4,133.47
	PURCH	50800-050-244-00	HEALTH BENEFITS	\$2,069.97	
	PURCH	50800-060-244-00	HEALTH BENEFITS	\$2,063.50	
NATIONWIDE 0723	NATIONWIDE	7/1/2023		\$753.36	
	PAY	20005-000-244-00	ACCOUNTS PAYABLE - GP		\$753.36
	PURCH	18400-000-244-00	PREPAID GEN LIAB INS	\$753.36	
WA DOR 0034418927	DEPARTMENT OF REVENUE	7/18/2023		\$6,571.96	
	PAY	20005-000-244-00	ACCOUNTS PAYABLE - GP		\$6,571.96
	PURCH	20300-000-244-00	SALES TAX PAYABLE	\$4,418.51	
	PURCH	91101-000-244-00	OTHER STATE TAXES	\$2,153.45	
471783	CITY OF KENNEWICK ELECTRICAL	7/6/2023		\$295.78	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$295.78
	PURCH	52200-060-244-00	UTILITIES - GAS & ELECTRIC	\$40.85	
	PURCH	52210-060-244-00	IRRIGATION ELECTRICITY	\$254.93	
471802	SAFEGUARD BUSINESS SYSTEMS	7/6/2023		\$155.84	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$155.84
	PURCH	52900-050-244-00	PRINTING	\$155.84	
472439	IT HAVEN	7/12/2023		\$135.88	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$135.88
	PURCH	51800-050-244-00	PROFESSIONAL SERVICES	\$135.88	
472895	CLEVELAND GOLF / SRIXON	7/19/2023		\$5,200.00	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$5,200.00
	PURCH	55400-050-244-00	RANGE BALLS	\$5,200.00	
474016	WAMBEKE WINDOW WASHING	7/31/2023		\$25.00	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$25.00
	PURCH	51900-080-244-00	CONTRACT SERVICES	\$25.00	
474427	FOREUP GOLF SOFTWARE BILLING	7/31/2023		\$447.00	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$447.00
	PURCH	51900-050-244-00		\$447.00	
Paid by ACH	CINTAS CORPORATION #608	7/7/2023		\$107.02	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$107.02
	PURCH	51900-080-244-00	CONTRACT SERVICES	\$66.78	
	PURCH	51900-060-244-00	CONTRACT SERVICES	\$40.24	
Paid by ACH	COLEMAN OIL COMPANY	7/7/2023		\$399.97	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$399.97
	PURCH	58300-060-244-00	FUEL & OIL MAINTENANCE	\$339.97	
	PURCH	58300-050-244-00	FUEL & OIL MAINTENANCE	\$60.00	
Paid by ACH	PEPSI COLA BOTTLING CO. OF PASCO	7/7/2023		\$140.15	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$140.15
	PURCH	49150-070-244-00	COGS - PACKAGED FOOD	\$45.00	
	PURCH	49200-070-244-00	COGS - SOFT BEVERAGE	\$95.15	

Check	Vendor	Date	Amount	Debit	Credit
Paid by ACH	WESTERN EQUIPMENT	7/7/2023		\$632.73	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$632.73
	PURCH	58100-060-244-00	EQUIPMENT PARTS	\$632.73	
Paid by ACH	COLEMAN OIL COMPANY	7/13/2023		\$610.55	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$610.55
	PURCH	58300-060-244-00	FUEL & OIL MAINTENANCE	\$530.55	
	PURCH	58300-050-244-00	FUEL & OIL MAINTENANCE	\$80.00	
Paid by ACH	PEPSI COLA BOTTLING CO. OF PASCO	7/13/2023		\$272.64	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$272.64
	PURCH	51900-060-244-00	CONTRACT SERVICES	\$9.50	
	PURCH	49150-070-244-00	COGS - PACKAGED FOOD	\$29.50	
	PURCH	49200-070-244-00	COGS - SOFT BEVERAGE	\$233.64	
Paid by ACH	WESTERN EQUIPMENT	7/20/2023		\$576.38	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$576.38
	PURCH	58100-060-244-00	EQUIPMENT PARTS	\$576.38	
Paid by ACH	CINTAS CORPORATION #085	7/26/2023		\$107.02	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$107.02
	PURCH	51900-080-244-00	CONTRACT SERVICES	\$66.78	
	PURCH	51900-060-244-00	CONTRACT SERVICES	\$40.24	
Paid by ACH	MERCANTILE SYSTEMS, INC.	7/26/2023		\$233.00	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$233.00
	PURCH	51800-080-244-00	PROFESSIONAL SERVICES	\$233.00	
Paid by ACH	PEPSI COLA BOTTLING CO. OF PASCO	7/26/2023		\$334.84	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$334.84
	PURCH	49150-070-244-00	COGS - PACKAGED FOOD	\$42.00	
	PURCH	49200-070-244-00	COGS - SOFT BEVERAGE	\$292.84	
Paid by ACH	BRIDGESTONE GOLF, INC	7/31/2023		\$321.74	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$321.74
	PURCH	47150-050-244-00	COGS MERCHANDISE	\$321.74	
Paid by ACH	CINTAS CORPORATION #608	7/31/2023		\$107.02	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$107.02
	PURCH	51900-080-244-00	CONTRACT SERVICES	\$56.08	
	PURCH	51900-060-244-00	CONTRACT SERVICES	\$50.94	
Paid by ACH	COLEMAN OIL COMPANY	7/31/2023		\$376.63	
	PAY	20006-000-244-00	ACCOUNTS PAYABLE - GP		\$376.63
	PURCH	58300-060-244-00	FUEL & OIL MAINTENANCE	\$294.43	
	PURCH	58300-050-244-00	FUEL & OIL MAINTENANCE	\$82.20	
Paid by ACH	ADP TOTAL SOURCE (AUTOPAY)	7/14/2023		\$8,301.39	
	PAY	50000-000-244-00	TEMPORARY ACCT		\$8,301.39
	PURCH	50200-050-244-00	HOURLY WAGES	\$4,183.68	
	PURCH	50200-060-244-00	HOURLY WAGES	\$3,534.73	
	PURCH	50800-050-244-00	HEALTH BENEFITS		\$406.21
	PURCH	50800-060-244-00	HEALTH BENEFITS		\$403.22
	PURCH	50950-050-244-00	COMBINED ADMIN, TAXES, W/C	\$779.50	
	PURCH	50950-060-244-00	COMBINED ADMIN, TAXES, W/C	\$556.30	
	PURCH	50950-080-244-00	COMBINED ADMIN, TAXES, W/C	\$28.91	
	PURCH	52100-050-244-00	CELL PHONE	\$27.70	
	Paid by ACH	ADP TOTAL SOURCE (AUTOPAY)	7/28/2023		\$8,874.61
PAY		50000-000-244-00	TEMPORARY ACCT		\$8,874.61
PURCH		50200-050-244-00	HOURLY WAGES	\$4,518.77	
PURCH		50200-060-244-00	HOURLY WAGES	\$3,730.59	
PURCH		50800-050-244-00	HEALTH BENEFITS		\$406.21
PURCH		50800-060-244-00	HEALTH BENEFITS		\$403.22
PURCH		50950-050-244-00	COMBINED ADMIN, TAXES, W/C	\$796.55	
PURCH		50950-060-244-00	COMBINED ADMIN, TAXES, W/C	\$582.88	
PURCH		50950-080-244-00	COMBINED ADMIN, TAXES, W/C	\$27.55	
PURCH		52100-050-244-00	CELL PHONE	\$27.70	
Paid by ACH		ELAN (MONTHLY CREDIT CARD CHGS)	7/31/2023		\$1,395.90
	PURCH	50000-000-244-00	TEMPORARY ACCT		\$1,395.90
	PURCH	51900-050-244-00	CONTRACT SERVICES	\$464.60	
	PURCH	52100-060-244-00	TELECOMMUNICATIONS	\$52.81	
	PURCH	52300-060-244-00	GARBAGE & DEBRIS REMOVAL	\$253.00	
	PURCH	52800-080-244-00	SUBSCRIPTIONS & PUBLICATIONS	\$9.26	
	PURCH	53100-080-244-00	ADVERTISING & MARKETING	\$106.41	
	PURCH	53200-080-244-00	PROMO & ENTER	\$255.48	
	PURCH	55850-050-244-00	COURSE ACCESSORIES GOLF	\$254.34	
Bank Deduction	MERCHANT SERVICES	7/1/2023		\$1,496.84	
	PAY	10420-000-244-00	OPERATING CHECKING ACCT - US Bank		\$1,496.84
	PURCH	54000-080-244-00	BANK CHARGES	\$1,496.84	
Bank Deduction	US Bank	7/16/2023		\$51.33	
	PAY	10420-000-244-00	OPERATING CHECKING ACCT - US Bank		\$51.33
	PURCH	54000-080-244-00	BANK CHARGES	\$51.33	

Council Agenda Coversheet	Agenda Item Number: 4.d. Council Date: 9/5/2023 Agenda Item Type: General Business Item	Category: Consent Agenda
	Subject: Payroll Roster Department: Finance Ord/Reso # Contract # Project # Permit #	
<u>Recommendation</u> Staff recommends that Council approve the Payroll Roster. <u>Motion for Consideration</u> Motion to approve the Payroll Roster for the pay period ending 8/15/2023. <u>Summary</u> None. <u>Alternatives</u> None. <u>Fiscal Impact</u> Total: \$2,557,415.54.		
<u>Attachments:</u> 1. Roster		

September 5, 2023

All Departments:

August 15, 2023

ADMINISTRATIVE TEAM		3,682.37
CITY COUNCIL		4,787.50
CITY MANAGER		13,416.50
CIVIL SERVICE		1,784.75
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT		27,914.95
EMPLOYEE & COMMUNITY RELATIONS		73,683.35
ENGINEERING		58,828.17
FACILITIES & GROUNDS		96,478.46
FINANCE		54,271.67
FIRE		119,679.32
LEGAL SERVICES		19,653.56
MANAGEMENT SERVICES		105,230.09
POLICE		530,485.30
	Subtotal General Fund	<u>1,109,895.99</u>
STREETS		23,537.96
TRAFFIC		17,345.25
	Subtotal Street Fund	<u>40,883.21</u>
BI-PIN		11,398.44
BUILDING SAFETY		51,486.05
COMMUNITY DEVELOPMENT		3,232.95
CRIMINAL JUSTICE		92,263.10
EQUIPMENT RENTAL		14,149.25
MEDICAL SERVICES		389,819.82
RISK MANAGEMENT		4,078.73
STORMWATER UTILITY		25,510.28
WATER & SEWER		142,733.61
	Subtotal Other Funds	<u>734,672.23</u>
	Total Salaries and Wages	<u>1,885,451.43</u>
<u>Benefits:</u>		
Dental Insurance		24,080.65
Industrial Insurance		58,018.14
Life Insurance		4,902.75
Long Term Disability Insurance		5,885.47
Medical Insurance		332,473.80
Medical Retirement Account		3,337.50
Retirement		126,991.34
Social Security (FICA)		108,832.04
Vision Insurance		3,511.44
WA Family Leave		3,930.98
	Total Benefits	<u>671,964.11</u>
	Grand Total	<u><u>\$2,557,415.54</u></u>

I, Dan Legard, Finance Director, at the direction of the Council, do hereby certify that the Payroll hereinabove specified is approved for payment in the amount of \$2,557,415.54 comprised of check numbers 76731 through 76736 and direct deposit numbers 216015 through 216501.

Approved for payment:



Dan Legard, Finance Director

Council Agenda Coversheet	Agenda Item Number: 4.e. Council Date: 9/5/2023	Category: Consent Agenda
	Agenda Item Type: Contract/Agreement/Lease Subject: 2023 Byrne JAG Interlocal Agreement Department: Police Department Ord/Reso # Contract # Project # Permit #	
<p><u>Recommendation</u> Council approve the 2023 Justice Assistance Grant (JAG) Interlocal Agreement and authorize the City Manager the interlocal agreement.</p> <p><u>Motion for Consideration</u> Motion to authorize the Mayor to sign the Interlocal Agreement with Benton County and the City of Richland for the 2023 Edward Byrne Justice Assistance Grant (JAG) Program Award.</p> <p><u>Summary</u> The Kennewick Police Department is applying for the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) funding from the Bureau of Justice Assistance. If received, this grant will be shared with Benton County and the City of Richland as the City of Kennewick is certified disparate. The City of Kennewick will be the fiscal agent for this grant, ensuring all draw downs and expenditures are tracked separately from other funding. The City of Kennewick will also ensure reporting requirements are met.</p> <p>The 2023 total JAG award to the City of Kennewick, City of Richland, and Benton County is \$43,925 and will be divided as follows: City of Kennewick (60%); City of Richland (25%) and Benton County (15%), as we are certified disparate, therefore requiring one application for the shared award.</p> <p>The City of Kennewick Police Department intends to use the funds from this award to purchase ten (10) new Motorola police portable radios.</p> <p><u>Alternatives</u> None</p> <p><u>Fiscal Impact</u> Provides funding for the City of Kennewick Police Department to purchase ten (10) new Motorola police portable radios.</p>		
<p>Attachments: 1. Interlocal Agreement</p>		

**THE STATE OF WASHINGTON
COUNTY OF BENTON**

KNOW ALL BY THESE PRESENT

**INTERLOCAL AGREEMENT
BETWEEN
THE CITY OF KENNEWICK, WA
THE CITY OF RICHLAND, WA
AND
COUNTY OF BENTON, WA**

2023 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Agreement is made and entered into this 5th of September 2023, by and between The County of Benton, acting by and through its governing body, the Benton County Commissioners (hereinafter referred to as COUNTY) and the City of Kennewick, acting by and through its governing body, the Kennewick City Council (hereinafter referred to as KENNEWICK), and Richland, acting by and through its governing body, the Richland City Council (hereinafter referred to as RICHLAND), all three of Benton County, State of Washington, witnesseth:

WHEREAS, this Agreement is made under the authority of RCW 39.34 and,

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and,

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and,

WHEREAS, the total award to KENNEWICK, RICHLAND and COUNTY is \$43,925, which will be shared between KENNEWICK, RICHLAND, and COUNTY, as they are certified as disparate, therefore requiring one application and award to be shared between all three jurisdictions; and,

WHEREAS, KENNEWICK, RICHLAND and COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, KENNEWICK, RICHLAND and COUNTY agree as follows:

Section 1.

KENNEWICK is the fiscal agent for this grant as only one jurisdiction can make application for the funds. KENNEWICK agrees to pay RICHLAND a total of \$10,981 and COUNTY a total of \$6,589 of JAG funds from the 2023 award.

Section 2.

COUNTY agrees to use \$6,589 for ballistic helmets and infrared laser lights.

Section 3.

RICHLAND agrees to use \$10,981 for LIDAR (Light Detection and Ranging) readers for the Traffic Safety Unit.

Section 4.

KENNEWICK agrees to use \$26,355 to purchase police radios.

Section 5.

RICHLAND and COUNTY agree to submit timely quarterly reports to KENNEWICK, the grantee/fiscal agency, by the fifth calendar day at the end of each quarter (January 5, April 5, July 5 and October 5), consistent with, and for the purpose of compliance with the reporting requirements for the JAG program.

Section 6.

Nothing in the performance of this Agreement shall impose any liability on KENNEWICK for claims against COUNTY or RICHLAND, or on COUNTY or RICHLAND for claims against KENNEWICK.

Section 7.

Any party hereto may terminate this Agreement upon one hundred and twenty (120) days notice in writing either personally delivered or mailed postage-prepaid by certified mail, return receipt requested, to the other party's contract representative listed in Section 13 for the purposes of giving notice under this paragraph. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination. Termination of this Agreement by any party shall not affect or diminish authority exercised prior to delivery of required notice of termination.

Section 8.

Each party to this Agreement shall be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 9.

The parties to this Agreement do not intend for any third party to obtain any right by virtue of this Agreement.

Section 10.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 11.

The term of this Agreement shall be from the date of signing through September 30, 2026.

Section 12.

By signing below, the signor certifies that he or she has the authority to sign this Agreement on behalf of the party, and the party agrees to the terms of this Agreement.

Section 13.

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

Benton County: Sheriff Tom Croskrey
City of Richland: Chief Brigit Clary
City of Kennewick: Chief Chris Guerrero

Section 14.

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

City of Kennewick, Washington

BILL MCKAY, Mayor

ATTEST:

TERRI L. WRIGHT, City Clerk

APPROVED AS TO FORM:
Contract Authorization

LISA BEATON, City Attorney

City of Richland, Washington

JON AMUNDSON, City Manager

ATTEST:

JENNIFER ROGERS, City Clerk

APPROVED AS TO FORM:
Contract Authorization

HEATHER KINTZLEY, City Attorney

County of Benton, Washington

Chairman of Benton County
Commission

APPROVED AS TO FORM:

Deputy Prosecuting Attorney

Council Agenda Coversheet	Agenda Item Number: 4.f. Council Date: 9/5/2023 Agenda Item Type: Contract/Agreement/Lease	Category: Consent Agenda
	Subject: License Agreement - 326 N. Columbia Center Blvd Department: Public Works Ord/Reso # Contract # Project # P2010 Permit #	

Recommendation

Authorize the City Manager to sign a License Agreement With SR McConnell, LLC (Sporthaus) for installation and maintenance of a commercial sign, landscaping and irrigation within a portion of unused Right-of-Way of North Columbia Center Boulevard.

Motion for Consideration

Motion to authorize the City Manager to sign the License Agreement for 326 North Columbia Center Boulevard with SR McConnell, LLC (Sporthaus).

Summary

The applicant owns property at 326 North Columbia Center Boulevard, and desires to install and maintain a commercial sign, landscaping and irrigation in a portion of unused Right-of-Way of North Columbia Center Boulevard.

The applicant has been maintaining a commercial sign, landscaping and irrigation in the unused Right-of-Way of North Columbia Center Boulevard since 1991.

Due to the City project P2010 Deschutes Ave. and Columbia Center Blvd. Intersection Improvements, the City is requiring that they relocate their commercial sign, landscaping and irrigation outside the project limits and sign a new License Agreement.

The License Agreement notifies the applicant that the City may take back this area at any time in the future, with no compensation to the applicant.

Staff recommends granting the License Agreement.

Alternatives

None recommended.

Fiscal Impact

None.

Attachments:

1. License Agreement
2. Map

After Recording Return to:
City Clerk's Office
PO Box 6108
Kennewick WA 99336

LICENSE AGREEMENT

Tax Parcel ID #: 1-0689-102-0003-002
Location: 326 N. Columbia Center Blvd.

For and in consideration of the mutual covenants contained herein, the undersigned, CITY OF KENNEWICK (hereinafter referred to as "City" or "Licensor"), and SR MCCONNELL, LLC, A WASHINGTON LIMITED LIABILITY COMPANY (hereinafter referred to as the "Licensee"), hereby agree as follows:

1. The City hereby grants to the Licensee a license for the following described real property:

License Agreement lying in the northeast quarter of the northeast quarter of Section 6, Township 8 North, Range 29 East, Willamette Meridian, Benton County, Washington, lying adjacent to Lot 2, Block Three of the Plat of Vista Center as recorded in Volume 12 of Plats, Page 54, records of Benton County, Washington being more particularly described as follows:

Beginning at the southwest corner of said lot 2, thence North 01°02'47" West along the west line of said lot for a distance of 100.00 feet to the northwest corner of said lot;

Thence South 89°10'35" West for a distance of 22.44 feet;

Thence South 00°43'49" East for a distance of 100.00 feet;

Thence North 89°10'35" East for a distance of 22.99 feet to the True Point of Beginning.

Said License Agreement contains 2,271 square feet more or less.

2. This license is granted to allow the Licensee, at his/her request, to use the property solely for the installation and maintenance of a commercial sign, landscaping and irrigation (hereinafter referred to as "improvements").

3. The private non-structural improvements may be installed in that portion of the public right of way described above in Section 1, subject to inspection and approval by the City. The improvements shall not encroach on the existing roadways, sidewalks, or other public infrastructure; or obstruct access to public facilities.
4. In the event of any change to the Licensee's property, the Licensee will bring the improvements into compliance with applicable City standards, conditions or requirements within sixty (60) days after written notice by the City. Should the City need to enter into the improved property to protect the public health, safety or welfare, any damage done by the City to improvements made under this license shall be at the sole responsibility of the Licensee.
5. The Licensee shall maintain the improvements to the property in a safe and well cared for condition. The Licensee shall maintain the improvements per the approved plans, unless otherwise directed or approved in writing by the City. The Licensee shall make any modifications to the improvements directed by the City within sixty (60) days written notice by the City. The Licensee shall be solely responsible for all costs associated with the maintenance of, and for any City approved or directed modifications of the improvements located on the property.
6. Use of public rights-of-way is considered temporary in nature and may not be used to lessen or abrogate any City code requirements.
7. This License Agreement may be assigned by the Licensee, subject to the prior written approval of the City Manager.
8. The parties acknowledge that a License Agreement is a limited permission to occupy property, and Licensee's rights are limited to only those expressly provided in this Agreement. The parties acknowledge that this License Agreement may be revoked at any time upon sixty (60) days written notice to the Licensee by the City Manager. At the end of the 60 days, Licensee will have an additional 30 days to remove all improvements made in the property at the sole cost and expense of the Licensee. Licensee agrees to remove all improvements and restore the property in accordance to City standards, conditions and requirements. Should the Licensee fail to remove the improvements and restore the property to the City's satisfaction, the City may have the improvements removed at the cost of the Licensee. Licensee agrees that upon notice of the costs of removal of the improvements and restoration of the property, and their refusal to reimburse the City, the City may file a lien against their property (adjacent to the licensed property) for the removal and restoration costs.
9. The Licensee has paid the City a one-time administrative fee of \$600.00, which covers City processing costs and recording fees.
10. In exchange for the granting of this License Agreement, the Licensee shall:

- a. Defend, hold harmless and indemnify the City of Kennewick by providing proof of insurance in the amount of one million dollars (\$1,000,000) in the form of a certificate of an insurance for any and all losses, claims, actions and damages suffered by any persons or entity by reason of or resulting from any negligent, reckless, or intentional act or omission of the Licensee, its agents, employees, invitees, contractors, and any of their sub-contractors in connection with use of the licensed area as defined by Section 1 of this agreement; naming the City of Kennewick as additional insured. Prior to any construction taking place on the property covered by this license, Licensee shall provide the City said certificate of insurance. Licensee's obligation to maintain insurance for the license property is a condition of this License Agreement. If, as a consequence of any such act or omission, any suit or action is brought against the City of Kennewick, the Licensee, upon notice of the commencement thereof, shall defend the City of Kennewick at no cost and expense to the City and promptly satisfy any final judgment adverse to the City. The indemnification provided in this subsection shall survive the expiration or earlier termination of this agreement. After each five (5) years, the City shall evaluate the sufficiency of the policy limit, and may request a higher limit.

11. Any terms, conditions, requirements, determinations, directions, or decisions by the City of Kennewick with respect to the use of the public property made under this License Agreement are final and are not subject to appeal.

DATED this _____ day of _____, 20____.

CITY OF KENNEWICK

MARIE E. MOSLEY, City Manager

Approved As To Form:

LISA BEATON, City Attorney

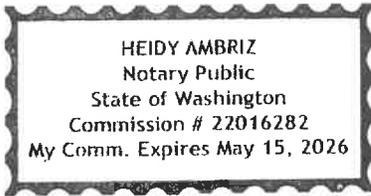
LICENSEE

Shirley R. McConnell

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

I certify that on this 7th day of August, 2023, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Steven R McInnell, to me known to be the individual who executed the foregoing instrument and acknowledged said instrument to be his free and voluntary act and deed, and on oath stated that he is authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



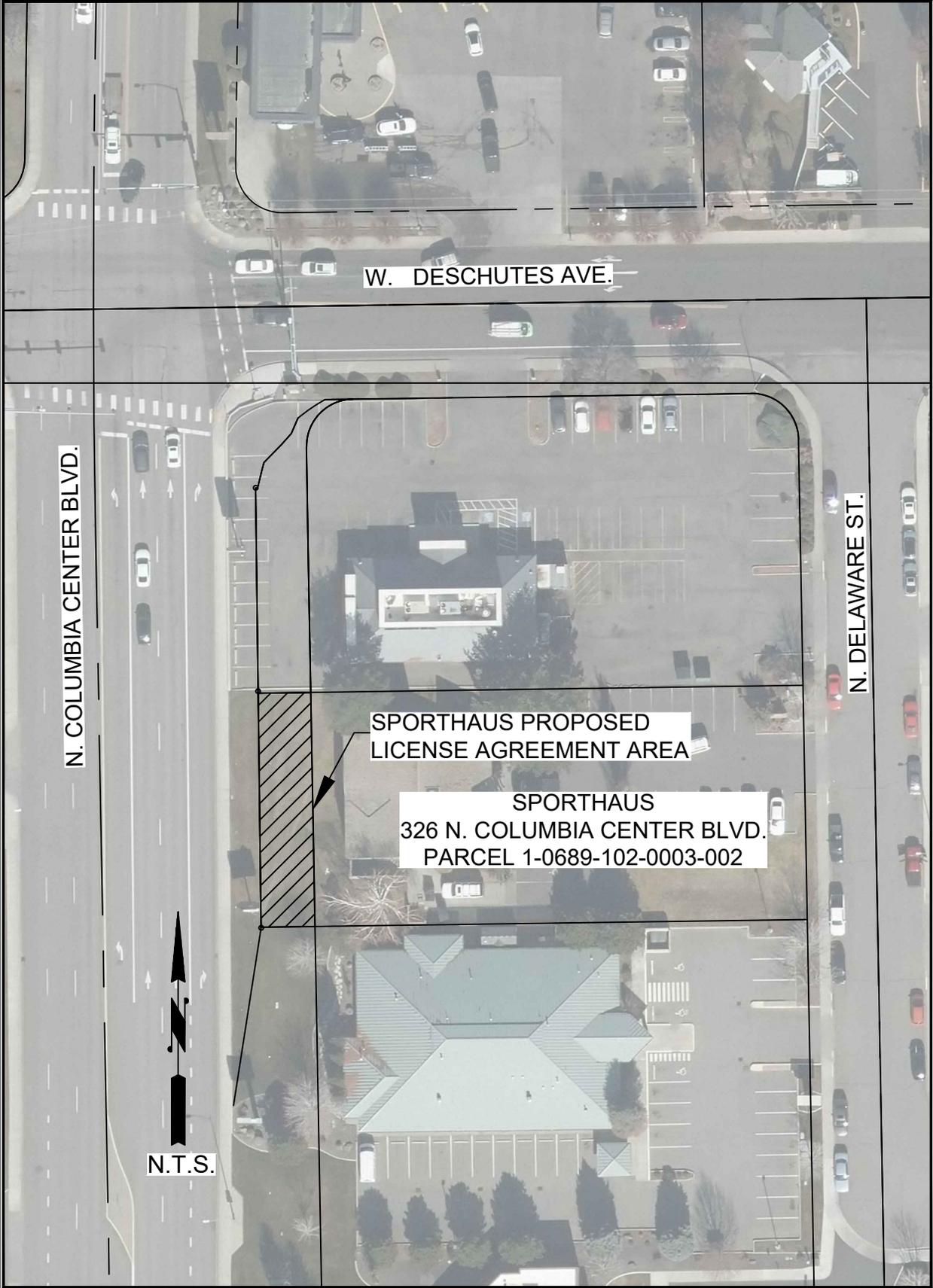
Heidy Ambriz
Notary Public in and for the State of
Washington residing at Benton
My Commission Expires: MAY, 15, 2024

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

I certify that on this _____ day of _____, 20____, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared MARIE E. MOSLEY, to me known to be the City Manager of the City of Kennewick, Washington, the corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public in and for the State of
Washington residing at _____
My Commission Expires:



W. DESCHUTES AVE.

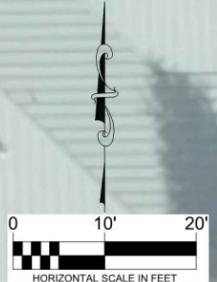
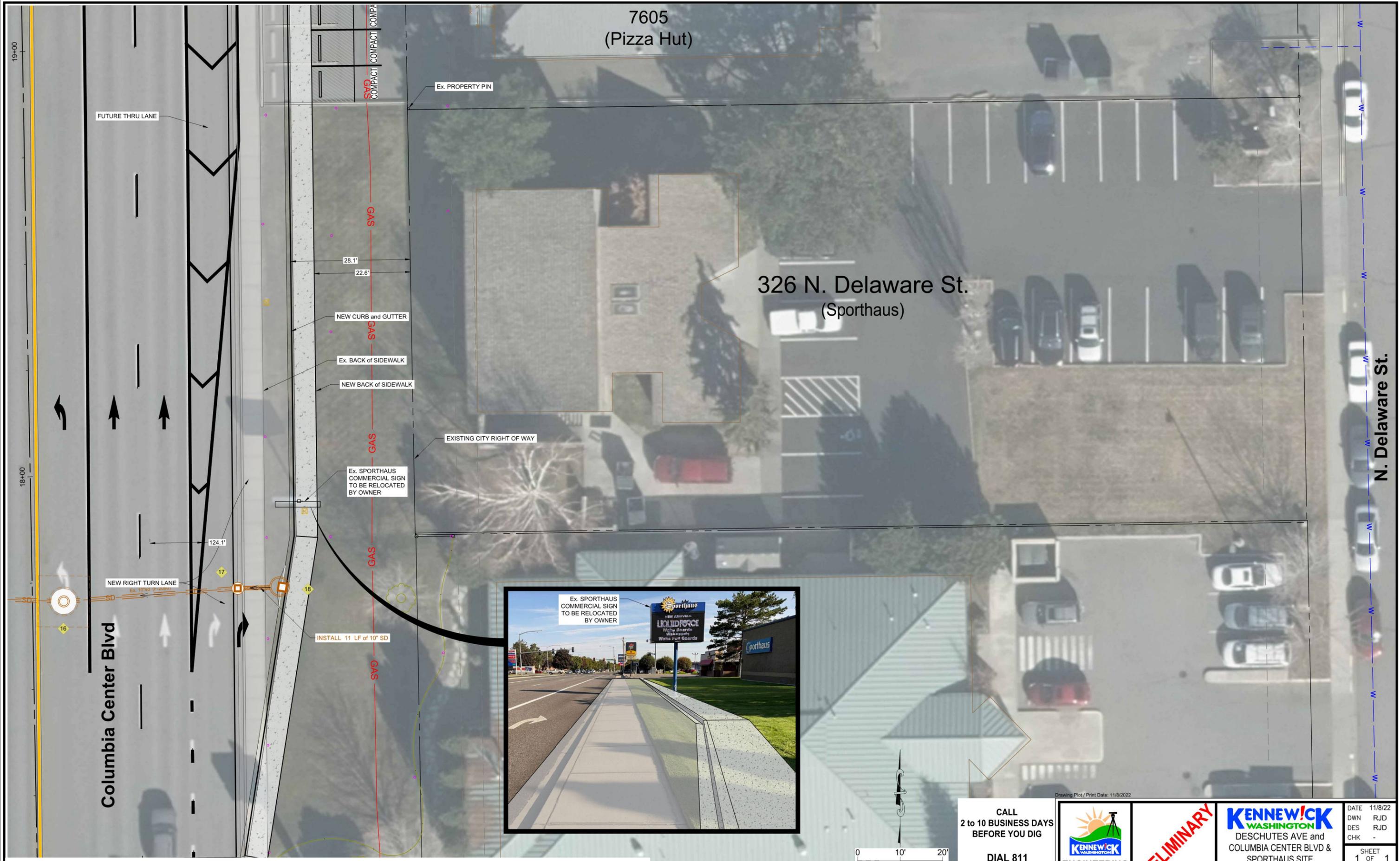
N. COLUMBIA CENTER BLVD.

N. DELAWARE ST.

SPORTHAUS PROPOSED
LICENSE AGREEMENT AREA

SPORTHAUS
326 N. COLUMBIA CENTER BLVD.
PARCEL 1-0689-102-0003-002

N.T.S.



CALL
2 to 10 BUSINESS DAYS
BEFORE YOU DIG

DIAL 811
OR
1-800-424-5555



PRELIMINARY

KENNEWICK WASHINGTON
DESCHUTES AVE and
COLUMBIA CENTER BLVD &
SPORTHAUS SITE
PROJECT ACCOUNTING #:
P2010

DATE	11/8/22
DWN	RJD
DES	RJD
CHK	-
SHEET	1 OF 1
DWG. NO.	-

Council Agenda Coversheet	Agenda Item Number: 4.g. Council Date: 9/5/2023 Agenda Item Type: Contract/Agreement/Lease Subject: License Agreement - 7605 W. Deschutes Ave Department: Public Works Ord/Reso # Contract # Project # P2010 Permit #	Category: Consent Agenda
	<p><u>Recommendation</u> Authorize the City Manager to sign a License Agreement with Basin Investment Group LLP (Pizza Hut) for installation and maintenance of a commercial sign and parking within a portion of unused Right-of-Way of North Columbia Center Boulevard.</p> <p><u>Motion for Consideration</u> Motion to authorize the City Manager to sign the License Agreement for 7605 West Deschutes Avenue with Basin Investment Group LLP (Pizza Hut)</p> <p><u>Summary</u> The applicant owns property at 7605 West Deschutes Avenue, and desires to install and maintain a commercial sign and parking in a portion of unused Right-of-Way of North Columbia Center Boulevard.</p> <p>The applicant has been maintaining a commercial sign and parking in the unused Right-of-Way of North Columbia Center Boulevard since 1991.</p> <p>Due to the City project P2010 Deschutes Ave. and Columbia Center Blvd. Intersection Improvements, the City is requiring that they relocate their commercial sign and parking outside the project limits and sign a new License Agreement.</p> <p>The License Agreement notifies the applicant that the City may take back this area at any time in the future, with no compensation to the applicant.</p> <p>Staff recommends granting the License Agreement.</p> <p><u>Alternatives</u> None recommended.</p> <p><u>Fiscal Impact</u> None.</p>	
Attachments: 1. License Agreement 2. Map		

After Recording Return to:
City Clerk's Office
PO Box 6108
Kennewick WA 99336

LICENSE AGREEMENT

Tax Parcel ID #: 1-0689-102-0003-001
Location: 7605 W. Deschutes Ave.

For and in consideration of the mutual covenants contained herein, the undersigned, CITY OF KENNEWICK (hereinafter referred to as "City" or "Licensor"), and BASIN INVESTMENT GROUP LLP, A WASHINGTON LIMITED LIABILITY PARTNERSHIP (hereinafter referred to as the "Licensee"), hereby agree as follows:

1. The City hereby grants to the Licensee a license for the following described real property:

License Agreement lying in the northeast quarter of the northeast quarter of Section 6, Township 8 North, Range 29 East, Willamette Meridian, Benton County, Washington, lying adjacent to Lot 1, Block Three of the Plat of Vista Center as recorded in Volume 12 of Plats, Page 54, records of Benton County, Washington being more particularly described as follows:

Beginning at the southwest corner of said lot 1, thence North 01°02'47" West along the west line of said lot for a distance of 67.83 feet to the start of a 5909.50 foot radius curve to the right;

Thence along said curve to the right through a central angle of 0°21'36" for an arc distance of 37.14 feet to the point of a 20.00 foot radius compound curve to the right;

Thence along said curve to the right through a central angle of 89°51'47" for an arc distance of 31.37 feet;

Thence leaving west boundary of said lot 1, South 89°10'36" West for a distance of 11.87 feet to the start of a 72.61 foot radius non-tangent curve to the left, the radius point bears South 28°51'17" East;

Thence along said curve through a central angle of 10°58'53" for an arc distance of 13.92 feet;

Thence South 23°16'35" West for a distance of 7.26 feet;

Thence South 41°57'50" West for a distance of 6.26 feet;

Thence South 44°03'37" West for a distance of 10.72 feet;

Thence South 15°50'55" West for a distance of 3.13 feet;

Thence South 13°05'54" West for a distance of 8.25 feet;

Thence North 76°32'14" West for a distance of 0.91 feet;

Thence South 00°43'49" East for a distance of 87.65 feet;

Thence North 89°10'35" East for a distance of 22.44 feet to the True Point of Beginning.

Said License Agreement contains 2,411 square feet more or less.

2. This license is granted to allow the Licensee, at his/her request, to use the property solely for the installation and maintenance of a commercial sign and parking (hereinafter referred to as "improvements").
3. The private non-structural improvements may be installed in that portion of the public right of way described above in Section 1, subject to inspection and approval by the City. The improvements shall not encroach on the existing roadways, sidewalks, or other public infrastructure; or obstruct access to public facilities.
4. In the event of any change to the Licensee's property, the Licensee will bring the improvements into compliance with applicable City standards, conditions or requirements within sixty (60) days after written notice by the City. Should the City need to enter into the improved property to protect the public health, safety or welfare, any damage done by the City to improvements made under this license shall be at the sole responsibility of the Licensee.
5. The Licensee shall maintain the improvements to the property in a safe and well cared for condition. The Licensee shall maintain the improvements per the approved plans, unless otherwise directed or approved in writing by the City. The Licensee shall make any modifications to the improvements directed by the City within sixty (60) days written notice by the City. The Licensee shall be solely responsible for all costs associated with the maintenance of, and for any City approved or directed modifications of the improvements located on the property.
6. Use of public rights-of-way is considered temporary in nature and may not be used to lessen or abrogate any City code requirements.

7. This License Agreement may be assigned by the Licensee, subject to the prior written approval of the City Manager.
8. The parties acknowledge that a License Agreement is a limited permission to occupy property, and Licensee's rights are limited to only those expressly provided in this Agreement. The parties acknowledge that this License Agreement may be revoked at any time upon sixty (60) days written notice to the Licensee by the City Manager. At the end of the 60 days, Licensee will have an additional 30 days to remove all improvements made in the property at the sole cost and expense of the Licensee. Licensee agrees to remove all improvements and restore the property in accordance to City standards, conditions and requirements. Should the Licensee fail to remove the improvements and restore the property to the City's satisfaction, the City may have the improvements removed at the cost of the Licensee. Licensee agrees that upon notice of the costs of removal of the improvements and restoration of the property, and their refusal to reimburse the City, the City may file a lien against their property (adjacent to the licensed property) for the removal and restoration costs.
9. The Licensee has paid the City a one-time administrative fee of \$600.00, which covers City processing costs and recording fees.
10. In exchange for the granting of this License Agreement, the Licensee shall:
 - a. Defend, hold harmless and indemnify the City of Kennewick by providing proof of insurance in the amount of one million dollars (\$1,000,000) in the form of a certificate of an insurance for any and all losses, claims, actions and damages suffered by any persons or entity by reason of or resulting from any negligent, reckless, or intentional act or omission of the Licensee, its agents, employees, invitees, contractors, and any of their sub-contractors in connection with use of the licensed area as defined by Section 1 of this agreement; naming the City of Kennewick as additional insured. Prior to any construction taking place on the property covered by this license, Licensee shall provide the City said certificate of insurance. Licensee's obligation to maintain insurance for the license property is a condition of this License Agreement. If, as a consequence of any such act or omission, any suit or action is brought against the City of Kennewick, the Licensee, upon notice of the commencement thereof, shall defend the City of Kennewick at no cost and expense to the City and promptly satisfy any final judgment adverse to the City. The indemnification provided in this subsection shall survive the expiration or earlier termination of this agreement. After each five (5) years, the City shall evaluate the sufficiency of the policy limit, and may request a higher limit.
11. Any terms, conditions, requirements, determinations, directions, or decisions by the City of Kennewick with respect to the use of the public property made under this License Agreement are final and are not subject to appeal.

DATED this _____ day of _____, 20__.

CITY OF KENNEWICK

MARIE E. MOSLEY, City Manager

Approved As To Form:

LISA BEATON, City Attorney

LICENSEE



John Nguyen

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

I certify that on this 9th day of August, 2023, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared John Nguyen, to me known to be the individual who executed the foregoing instrument and acknowledged said instrument to be his free and voluntary act and deed, and on oath stated that he is authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



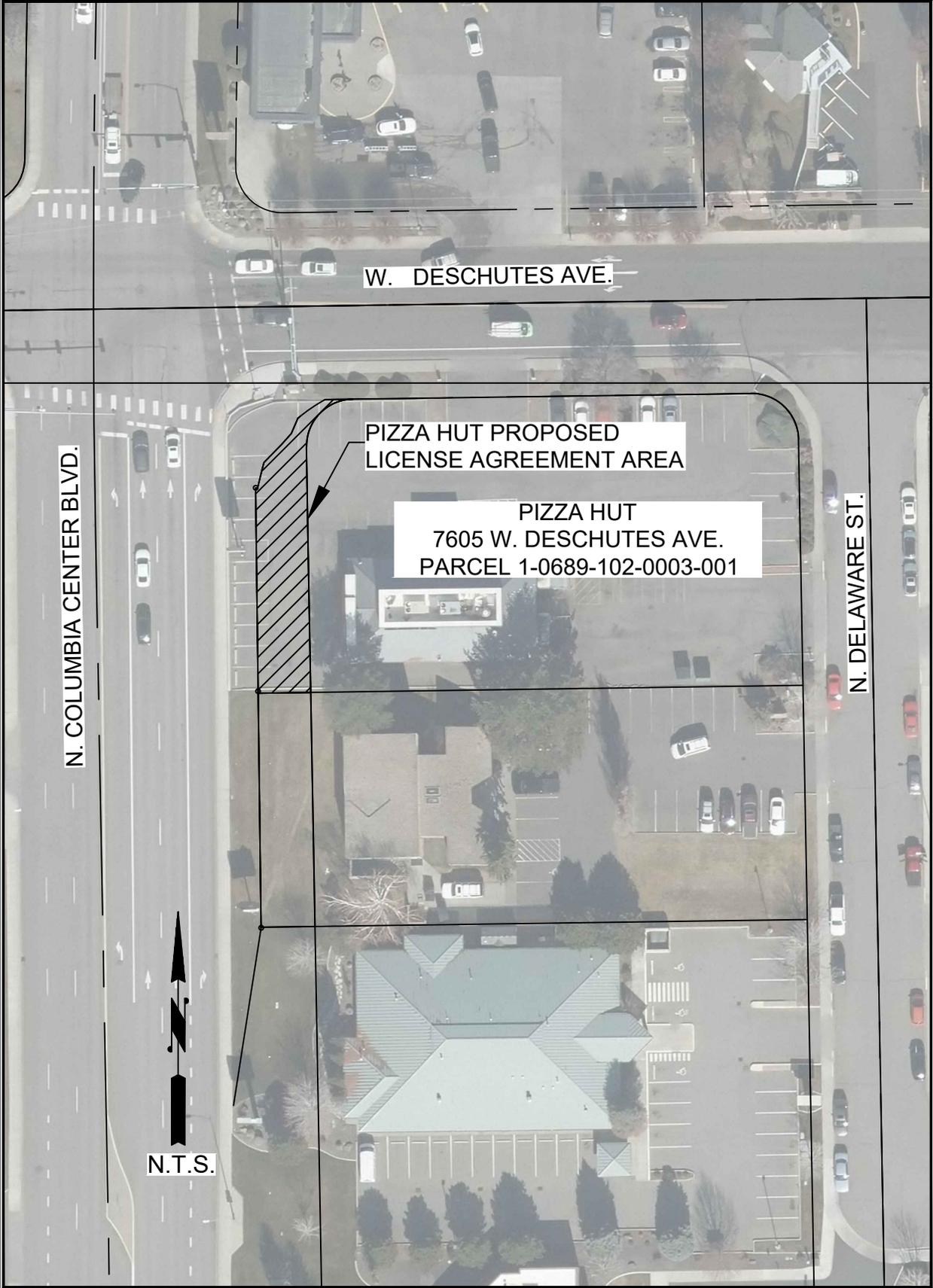
Pamela Bourgeois
Notary Public in and for the State of
Washington residing at Snohemish
My Commission Expires: 9/19/24

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

I certify that on this _____ day of _____, 20____, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared MARIE E. MOSLEY, to me known to be the City Manager of the City of Kennewick, Washington, the corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument.

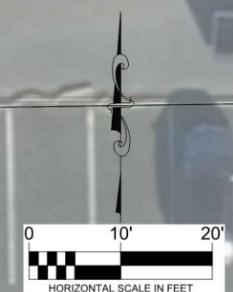
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public in and for the State of
Washington residing at _____
My Commission Expires:





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PRELIMINARY

KENNEWICK WASHINGTON
DESCHUTES AVE and
COLUMBIA CENTER BLVD &
PIZZA HUT SITE
PROJECT ACCOUNTING #:
P2010

DATE	10/12/22
DWN	RJD
DES	RJD
CHK	-
SHEET	1 OF 1
DWG. NO.	-

Council Agenda Coversheet	Agenda Item Number: 4.h. Council Date: 9/5/2023 Agenda Item Type: Contract/Agreement/Lease Subject: 2022 City-Wide Asphalt Overlay Contract Department: Public Works Ord/Reso # Contract # Project # P2123 Permit #	Category: Consent Agenda
		

Recommendation

Accept the work of Inland Asphalt Company for contract P2123, 2022 Asphalt Overlay Contract, in the amount of \$1,637,953.37.

Motion for Consideration

Motion to accept the work of Inland Asphalt Company for contract P2123, 2022 Asphalt Overlay Contract, in the amount of \$1,637,953.37.

Summary

Original Contract	\$ 1,496,967.75 (Authorized amount with 10% contingency was \$1,646.664.53)
Change Orders	\$ 111,110.92
Quantity Changes	\$ 29,874.70
Total	\$ 1,637,953.37 (9.4% over original contract)

This project is for Hot Mix Asphalt (HMA) improvements to the following streets:

- Gage Blvd. (Steptoe St. to N. Center Pkwy.)
- W. Okanogan Pl. (S. Columbia Center Blvd. to W. Quinault Ave.)
- W. 10th Ave. (S. Columbia Center Blvd to S. Kellogg St.)

The work involved planing (grinding) as called for in the plans, HMA overlay, patching of miscellaneous failed areas, concrete sidewalk ramp upgrades, pavement lane striping, cross walks, stop bars, markings, cast-in-place traffic curbing and other related work.

This project had four (4) change orders which included changing the striping from methyl methacrylate to inlaid plastic tape, installation of tubular markers, redesign of pedestrian ramps, cold weather protection for concrete placement, additional required traffic control, and adding work to patch W 46th ave between Ledbetter St and Neel St.

Quantity changes included increases in asphalt patching, 4-inch thick concrete sidewalk, and concrete pedestrian curb; and decreases in HMA Class 3/8 PG64H-28.

Alternatives

None recommended.

Fiscal Impact

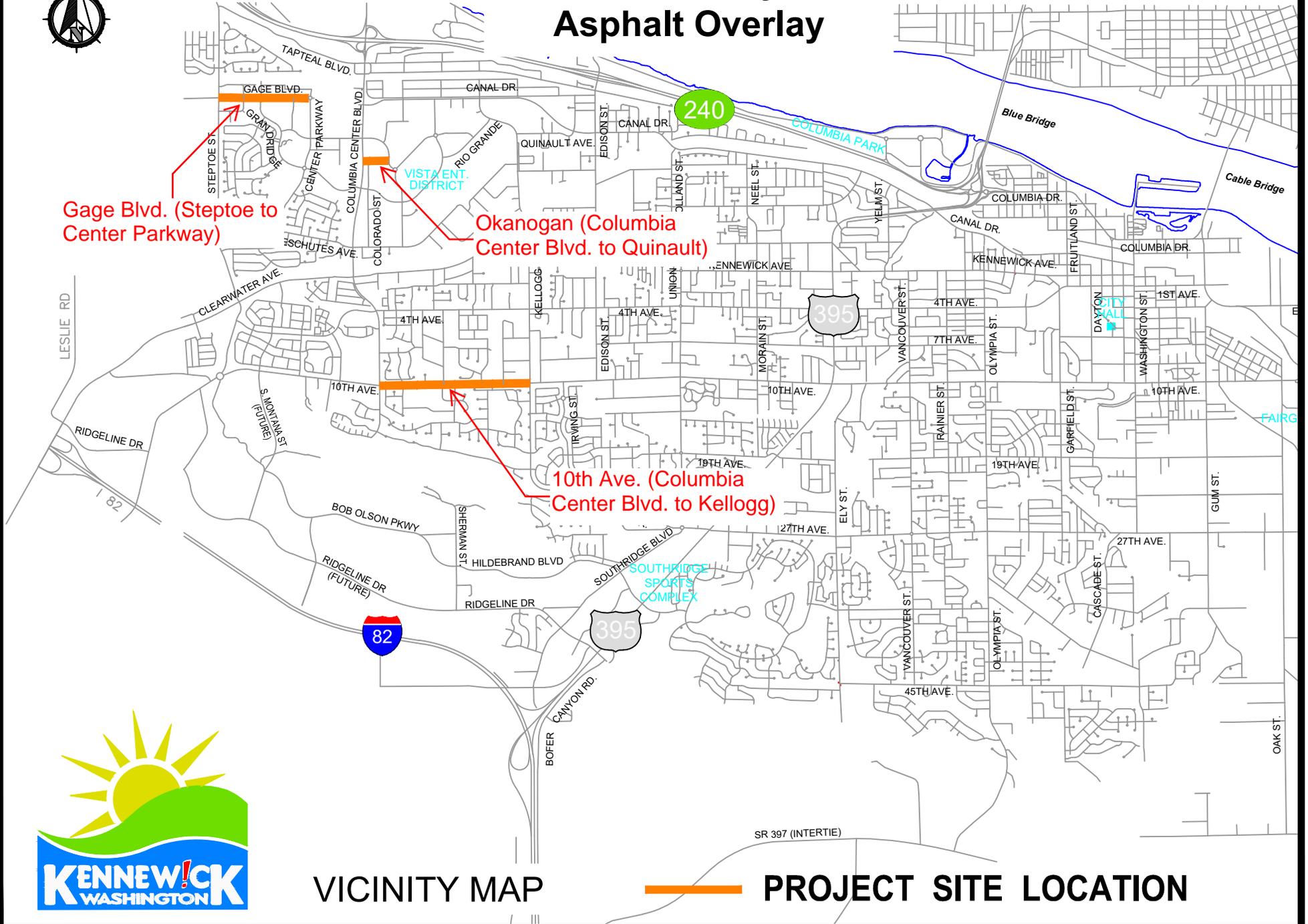
Arterial Street Fund	
2022 Local Pavement Preservation	\$1,637,953.37

Attachments:

1. MAP



P2123 2022 City-Wide Asphalt Overlay



VICINITY MAP



PROJECT SITE LOCATION

Council Agenda Coversheet	Agenda Item Number: 4.i. Council Date: 9/5/2023	Category: Consent Agenda
	Agenda Item Type: Reports/Plans Subject: Complete Streets Report Department: Public Works Ord/Reso # Contract # Project # Permit #	
<p><u>Recommendation</u> Approve the Annual Complete Streets Report.</p> <p><u>Motion for Consideration</u> Motion to approve the Annual Complete Streets Report.</p> <p><u>Summary</u> City Council adopted Ordinance No. 5691 on April 18, 2017, which established a Complete Streets policy and added a new Chapter 1320 to the Kennewick Municipal Code. The new policy advocates for healthy living through planning and constructing complete street elements, to provide safe and convenient access to all users of its right-of-way, including pedestrians, bicyclists, motorists and public transportation.</p> <p>The Washington State Legislature passed Complete Street legislation that encourages local governments to formally establish Complete Streets policy by ordinance, and to consider all users in transportation-related projects.</p> <p>By adopting a Complete Streets ordinance, the City of Kennewick reinforces its commitment to promoting Complete Streets elements of walking, bicycling, access to transit, and streetscape aesthetics.</p> <p>As a part of this policy, Public Works is required to report on the transportation projects completed in the prior year, and those planned for the coming year, and the complete streets elements that are contained in the projects (i.e. amount of sidewalks, paths, bicycle lanes, public transportation facilities and streetscapes).</p> <p><u>Alternatives</u> None.</p> <p><u>Fiscal Impact</u> None.</p>		
<p>Attachments: 1. Report</p>		

Complete Streets Annual Report for Year 2022



City Council Meeting
September 5, 2023
John Cowling, P.E.
Deputy Public Works Director

Complete Streets Policy Ordinance

- Adopted by City Council April 18, 2017
- Affirms Kennewick's commitment to provide safe and convenient access to all users, including pedestrians, bicyclists, motorists and public transportation.
- **Requires annual report** on complete streets activities

Complete Streets Constructed in 2021

2022 Kennewick Complete Streets Summary

Project	New Sidewalks (Ft)	New ADA Ramps (Each)	New Bike Lane & Paths (Ft)	Rect. Rapid Flash Beacon(Each)	New Ped Crossings (Each)	Pathway Lights (Each)	New Land-scaping (Sq Ft)	Trip Hazards Eliminated (Each)
Development Pedestrian Impv'ts	20,926	42	-	-	-	-	-	-
P2212 Pathway Solar Lighting	-	-	-	-	28	-	-	-
P2206 W. 6th Ave. Sidewalk	622	1	-	-	-	-	-	-
2207 Canal Dr. Sidewalk	1,216	9	-	-	-	-	-	-
P2123 2022 City-Wide Asphalt Overlay	-	33	-	-	-	-	-	-
P2201 Clearwater Ave.(Ridgeline to Steptoe)	-	5	-	-	-	-	-	-
P2124 2022 Misc. Sidewalk Repair	-	12	-	-	-	-	-	37
Totals	22,764	102	-	-	28	-	-	37



2023 Projects

- Steptoe/Gage Intersection Improvements
 - Widen all four legs of intersection and upgrade signal operation
 - New wider sidewalks and improved pedestrian routes
- Deschutes/CCB Intersection Improvements
 - Widen all four legs of intersection and upgrade signal operation
 - Installation of mini-roundabout at Colorado and Deschutes
 - Provide rectangular rapid flash pedestrian crossing on Deschutes.
- 2023 City-Wide Asphalt Overlay-includes ADA ramp upgrades
 - Canal Drive (CCB to Kellogg)
 - W. 10th Ave. (Union to SR-395)
- Pedestrian Crossing Improvements
 - Improve 15 pedestrian Xings with RRFB flashing beacons
 - \$855K Federal Grant
- Systemic Safety Street Light Project
 - Upgrade over 550 existing inductive sodium lights on major arterials to LED's.
- 2023 Misc. Sidewalk Project – Annual Program
 - Identified over 260 LF of sidewalk and 4 ADA ramps for replacement
- City Hall Rapid Flash pedestrian crossing.

Questions?



Council Agenda Coversheet	Agenda Item Number: 4.j. Council Date: 9/5/2023	Category: Consent Agenda
	Agenda Item Type: Contract/Agreement/Lease Subject: Work Crew Agreement Department: Police Department Ord/Reso # Contract # Project # Permit #	
<p><u>Recommendation</u> Staff recommends that Council authorize the City Manager to sign the work crew agreement with Benton County.</p> <p><u>Motion for Consideration</u> Motion to authorize the City Manager to sign the Work Crew Agreement with Benton County.</p> <p><u>Summary</u> Prior to the COVID pandemic, the City of Kennewick had a work crew agreement in place with Benton County for many years. A work crew agreement provides an effective alternative to incarceration for minor, non-violent crimes. Work crew placement will be available for incarceration sentences, deferred sentences, stipulated order of continuances, as well as fines. This is particularly important given our current diversion situation with possession of controlled substance laws.</p> <p>Work crews will have the ability to provide assistance in many areas throughout the City. City departments will ensure this assistance is not in conflict with any bargaining unit. Some of this assistance includes the following:</p> <ul style="list-style-type: none"> • Parks and facilities maintenance - Debris (leaves, weeds, pine needles, pine cones, etc) cleanup, garbage cleanup, picnic table cleaning, pickle ball and tennis court cleaning, assist in encampment clean up • Greenway maintenance - Pull weeds, trim shrubs, cut back ornamental grasses, tumble weed cleanup • Event Support • Ballfield Support • Spreading of "Soft Fall" material in playgrounds • Swimming pool cleanup for paint • Assist with snow removal • Zintel Canyon clean up • Assist with cleanup in the Downtown Parkade area - including restroom janitorial, cleaning tree grates, clean curb lines, empty garbage cans, tree maintenance • Assist with graffiti removal when appropriate <p><u>Alternatives</u></p> <p><u>Fiscal Impact</u></p>		
<p>Attachments: 1. Agreement</p>		

**INTERLOCAL AGREEMENT
FOR THE PROVISION OF WORK CREWS**

THIS AGREEMENT is entered into by and between Benton County through its courts and Benton County Corrections Department (hereinafter "County") and the City of Kennewick (hereinafter "City") for the purpose of having Benton County provide a work crew to the City.

WHEREAS, work crew provide an effective, alternative to incarceration, punishment option for offenders convicted of minor crimes; and

WHEREAS, alternatives to incarceration are cost effective, help reduce jail populations, provide benefit to the community and reduce recidivism; and

WHEREAS, the courts concur the sentencing of offenders to work crew is an effective punishment; and

WHEREAS, Chapters 9.92.130 and 9.92.140 of the revised Code of Washington provide for a work crew sentence for persons convicted of crimes; and

WHEREAS, individuals on the work crew can provide a benefit to the public; and

WHEREAS, the implementation of a work crew concept in Benton County has proven to be in the best interest of the taxpayers of Benton County; NOW, THEREFORE:

The parties mutually agree as follows:

1. Purpose of Agreement

The purpose of this agreement is to provide an alternative to incarceration when appropriate for non-violent offenders to reduce the need for additional jail facilities and provide useful public services. On approval of the courts, Benton County Prosecutor's Office, and the Benton County Corrections Department, certain misdemeanor and felony offenders may be considered for work crew service. Work crew placement shall be available for both incarceration sentences, deferred sentences, stipulated order of continuance, as well as fines.

2. Responsibilities of Benton County

a. The County, through its Courts and Benton County

Corrections Department, will provide transportation and supervision for all work crews unless otherwise agreed by the City and County.

- b. A County Corrections Officer will provide constant supervision of work crews and provide worksite instruction and direction to all participants to ensure a safe work environment and good project outcomes.
- c. The County will develop screening guidelines for offenders eligible for work crews. Included in the screening guidelines shall be a provision that the Judge sentencing an offender will indicate whether or not the offender is eligible to be placed on work crew for all or a portion of his/her sentence or one of the qualifying criminal justice resolutions found in section 1 of this agreement. The Judge shall also set a rate for reducing fines and court costs owed in relation to the work crew assignment.
- d. County will maintain a policy for the work crew that includes participant cost and responsibilities. All work crew participants will be required to agree to the terms of the Benton County Work Crew Program Acceptance Guidelines.
- e. Work crew participants are not exclusive to be City of Kennewick participants (i.e., a Benton County work crew participant may be assigned to the City of Kennewick work crew and a City of Kennewick work crew participant can be assigned to the Benton County work crew).
- f. City of Kennewick participants will take priority prior to selecting other participants from other jurisdictions.
- g. Any and all necessary documentation or paperwork regarding the work crew shall be provided by the County including a monthly invoice and associated spreadsheet identifying the administrative cost and daily work crew participation.
- h. The County shall identify and provide protective equipment and, or clothing needed to mitigate the effects of hazards. All work shall stop, and the crew shall withdraw from a work site if hazardous conditions or materials are discovered that cannot adequately be mitigated with protective equipment or clothing.
- i. The County will train work crew participants, and supervisory staff, regarding work to be performed and any

safety requirements specific to the work site and the use of any specialized equipment.

- j. In the event of work crew participant illness or injury related to work crew activities, County will provide appropriate first aid level of care. If necessary, emergency medical assistance will be called, or the participant will be transported to the nearest medical facility for treatment. County will pay all expenses related to treatment of offender and bill the City actual cost. The cost of treatment provided to participants beyond first aid level of care for any and all work related injuries will be paid in accordance with Title 51 RCW. The City's L&I account number will be the account number used by participants, County, and medical providers when reporting a participant's work-related injury.

3. Responsibilities of the City

The City shall have the following responsibilities under this agreement:

- a. Accept and utilize work crew for appropriate projects.
- b. Provide a minimum one-week, forward-looking schedule of work locations and task to the work crew Supervisor.
- c. Prior to contract execution, contact its L&I Account Manager to request and authorize the addition of Offender L&I Risk Classification 4908 to the City's L&I account. The City will provide County with a copy of the Rate Notice received from L&I that confirms the addition of Risk Classification 4908 to the City's L&I account. Each quarter, for work crew services provided to the City during the previous quarter, City will report to L&I the total number of offender hours worked and pay the total cost due for workers' compensation coverage directly to L&I for those offender hours.
- d. Discuss the work crew program with any collective bargaining units which may be affected. The parties to this agreement do not intend to supplant either permanently or temporarily work normally performed by full time municipal employees, and the impact of work crew shall be the responsibility of the City to discuss with their respective collective bargaining units.

4. Cost Agreement

- a. The City shall be solely responsible for the actual operational cost of the work crew program under bars code GF203294 (or its successor) (e.g., wages, benefits, equipment, materials, dump fees, etc.). County shall bill the City the work crew program costs from the previous month no later than the 20th of each month. Thereafter, the City shall have thirty (30) days to remit payment to the County. December actual expenditures will be billed in February due to annual accruals.
- b. Expenditures are not tied to usage. If the work crew is inactive (i.e., not going out daily due to extreme heat, or lack of available offenders), this does not create a credit or any decrease in responsibility for expenditures.
- c. In addition to the amounts owed under Section 4.a. and 4.b. above, the City shall pay a monthly Administration Fee in the amount of five percent (5%) of the expenditures in the prior month from the Benton County Corrections Budget and under bars code GF203294 (or its successor).

5. Administration

The County and the City shall designate a representative to administer this agreement. Each party to the contract will notify the other party as to who the designated representative is.

For City: Marie Mosley, City Manager
P.O. Box 6108
Kennewick, WA 99336

For County: Kasey Kist, Jail Lieutenant
7122 W Okanogan Pl. Suite B110
Kennewick, WA 99336
Phone: (509) 460-4938
Email: Kasey.Kist@co.benton.wa.us

6. Effective Date

This agreement shall be effective as of the date of execution by both parties.

7. Duration

This agreement shall be for a period of one year from its effective date. The agreement may be renewed for automatic additional one year terms upon written agreement of the parties

issued no later than thirty (30) days prior to the expiration of the agreement.

8. Termination

At the election of any party, this agreement may be terminated with or without cause upon the giving of thirty (30) days' written notice to the other party or parties.

9. Indemnification/Hold Harmless

Each of the parties to this agreement shall indemnify and hold harmless the other party for its actions pursuant to this agreement. In the event any claim, suit or judgement is instituted pursuant to the activity under this agreement, each of the parties will be responsible for the defense and payment of any claim for their own actions under this agreement. Each party to this agreement agrees to accept the work performed by the offenders on work crew and neither party guarantee to the other party any work so performed.

10. Modifications

Any modification to this agreement shall be in writing and signed by both parties.

11. Integration

This agreement contains all the terms and conditions agreed by both parties regarding the work crew for the City. No understanding, oral or otherwise, regarding the subject matter of this agreement shall be deemed to exist or bind any of the parties hereto.

~ This section was intentionally left blank ~

IN WITNESS WHEREOF, the parties have caused this agreement to be signed by their duly constituted legal representatives, and it is effective on the last date signed.

Dated: _____

Dated: _____

For: **BENTON COUNTY, WASHINGTON**

For: **CITY OF KENNEWICK, WASHINGTON**

Will McKay, Chairman
Benton County Commissioner

Marie E. Mosley
City Manager, City of Kennewick

Attest:

Terri L. Wright, City Clerk

Approved as to Form:

Approved as to Form:

Jeff Aultman, Civil DPA

Lisa Beaton, City Attorney



Supplemental Agreement Number 3		Organization and Address	
Original Agreement Number P1402/STPUL3457(0002)WSDOT No. 19Y11/		David Evans and Associates, Inc. 908 N. Howard St., Ste. 300 Spokane, WA 99201	
Project Number DEA Project No. KENX0000.0002		Execution Date 3/2/2021	Completion Date November, 2022
Project Title US 395/Ridgeline Dr. Grade Spearation Ph. II		New Maximum Amount Payable No change.	
Description of Work No change.			

The Local Agency of City of Kennewick
desires to supplement the agreement entered in to with David Evans and Associates, Inc.
and executed on 3/2/2021 and identified as Agreement No. P1402/STPUL-3457(0002)

All provisions in the basic agreement remain in effect except as expressly modified by this supplement.
The changes to the agreement are described as follows:

I

Section 1, SCOPE OF WORK, is hereby changed to read:
No change.

II

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days
for completion of the work to read: December 31, 2023

III

Section V, PAYMENT, shall be amended as follows:
No change.

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.
If you concur with this supplement and agree to the changes as stated above, please sign in the Appropriate
spaces below and return to this office for final action.

By: David Witthaus, P.E., Senior Associate

By: Bill McKay, Mayor

Consultant Signature

Approving Authority Signature

Date



Agency City of Kennewick		Supplement Number 2
Federal Aid Project Number STPUL-9903(018)	Agreement Number LA 9790	CFDA No. 20.205 - Highway Planning and Construction

All provisions in the basic agreement remain in effect except as modified by this supplement.

The Local Agency certifies that it is not excluded from receiving Federal funds by a Federal suspension or debarment (2 CFR Part 180). Additional changes to the agreement are as follows:

Project Description

Name Quinault & Columbia Center Blvd. Intersection

Length 0.10

Termini I/S Quinault Ave. & I/S Columbia Center Blvd.

Description of Work No Change

Reason for Supplement

Traffic Signal and Street Lighting equipment procurement funding approval. PIF approval complete (Agency Supplied Materials).

Are you claiming indirect cost rate? Yes No

Project Agreement End Date 12/31/2027

Advertisement Date

Type of Work		Estimate of Funding				
		(1) Previous Agreement/Suppl.	(2) Supplement	(3) Estimated Total Project Funds	(4) Estimated Agency Funds	(5) Estimated Federal Funds
PE 86.5 %	a. Agency	99,000.00		99,000.00	13,365.00	85,635.00
	b. Other			0.00		
Federal Aid Participation Ratio for PE	c. Other			0.00		
	d. State Services	1,000.00		1,000.00	135.00	865.00
	e. Total PE Cost Estimate (a+b+c+d)	100,000.00	0.00	100,000.00	13,500.00	86,500.00
Right of Way 86.5 %	f. Agency	98,987.00		98,987.00	13,363.00	85,624.00
	g. Other Consultant	22,664.00		22,664.00	3,060.00	19,604.00
Federal Aid Participation Ratio for RW	h. Other Acquisition	77,349.00		77,349.00	10,442.00	66,907.00
	i. State Services	1,000.00		1,000.00	135.00	865.00
	j. Total R/W Cost Estimate (f+g+h+i)	200,000.00	0.00	200,000.00	27,000.00	173,000.00
Construction 86.5 %	k. Contract			0.00		
	l. Other Signal & St. Light Equip.		335,000.00	335,000.00	45,225.00	289,775.00
	m. Other			0.00		
Federal Aid Participation Ratio for CN	n. Other			0.00		
	o. Agency			0.00		
	p. State Services		600.00	600.00	81.00	519.00
	q. Total CN Cost Estimate (k+l+m+n+o+p)	0.00	335,600.00	335,600.00	45,306.00	290,294.00
	r. Total Project Cost Estimate (e+j+q)	300,000.00	335,600.00	635,600.00	85,806.00	549,794.00

The Local Agency further stipulates that pursuant to said Title 23, regulations and policies and procedures, and as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions.

Agency Official

By
Title Mayor, City of Kennewick
Agency Date

Washington State Department of Transportation

By
Director, Local Program
Date Executed

Agency City of Kennewick		Supplement Number 2
Federal Aid Project Number STPUL-9903(018)	Agreement Number LA 9790	CFDA No. 20.205 - Highway Planning and Construction

VI. Payment and Partial Reimbursement

The total cost of the project, including all review and engineering costs and other expenses of the State, is to be paid by the Agency and by the Federal Government. Federal funding shall be in accordance with the Federal Transportation Act, as amended, 2 CFR Part 200. The State shall not be ultimately responsible for any of the costs of the project. The Agency shall be ultimately responsible for all costs associated with the project which are not reimbursed by the Federal Government. Nothing in this agreement shall be construed as a promise by the State as to the amount or nature of federal participation in this project.

The Agency shall bill the state for federal aid project costs incurred in conformity with applicable federal and state laws. The agency shall minimize the time elapsed between receipt of federal aid funds and subsequent payment of incurred costs. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for federal participation unless a current indirect cost plan has been prepared in accordance with the regulations outlined in 2 CFR Part 200 - Uniform Admin. Requirements, Cost Principles and Audit Requirements for Federal Awards, and retained for audit.

The State will pay for State incurred costs on the project. Following payment, the State shall bill the Federal Government for reimbursement of those costs eligible for federal participation to the extent that such costs are attributable and properly allocable to this project. The State shall bill the Agency for that portion of State costs which were not reimbursed by the Federal Government (see Section IX).

VII. Audit of Federal Consultant Contracts

The Agency, if services of a consultant are required, shall be responsible for audit of the consultant’s records to determine eligible federal aid costs on the project. The report of said audit shall be in the Agency’s files and made available to the State and the Federal Government.

An audit shall be conducted by the WSDOT Internal Audit Office in accordance with generally accepted governmental auditing standards as issued by the United States General Accounting Office by the Comptroller General of the United States; WSDOT Manual M 27-50, Consultant Authorization, Selection, and Agreement Administration; memoranda of understanding between WSDOT and FHWA; and 2 CFR Part 200.501 - Audit Requirements.

If upon audit it is found that overpayment or participation of federal money in ineligible items of cost has occurred, the Agency shall reimburse the State for the amount of such overpayment or excess participation.

IX. Payment of Billing

The Agency agrees that if payment or arrangement for payment of any of the State’s billing relative to the project (e.g., State force work, project cancellation, overpayment, cost ineligible for federal participation, etc.) is not made to the State within 45 days after the Agency has been billed, the State shall effect reimbursement of the total sum due from the regular monthly fuel tax allotments to the Agency from the Motor Vehicle Fund. No additional Federal project funding will be approved until full payment is received unless otherwise directed by the Director, Local Programs.

Project Agreement End Date - This date is based on your projects Period of Performance (2 CFR Part 200.309).

Any costs incurred after the Project Agreement End Date are NOT eligible for federal reimbursement. All eligible costs incurred prior to the Project Agreement End Date must be submitted for reimbursement within 90 days after the Project Agreement End Date or they become ineligible for federal reimbursement.

VIII. Single Audit Act

The Agency, as a subrecipient of federal funds, shall adhere to the federal regulations outlined in 2 CFR Part 200.501 as well as all applicable federal and state statutes and regulations. A subrecipient who expends \$750,000 or more in federal awards from all sources during a given fiscal year shall have a single or program-specific audit performed for that year in accordance with the provisions of 2 CFR Part 200.501. Upon conclusion of the audit, the Agency shall be responsible for ensuring that a copy of the report is transmitted promptly to the State.

XVII. Assurances

Local Agencies receiving Federal funding from the USDOT or its operating administrations (i.e., Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration) are required to submit a written policy statement, signed by the Agency Executive and addressed to the State, documenting that all programs, activities and services will be conducted in compliance with Section 504 and the Americans with Disabilities Act (ADA).

Instructions

1. **Agency** – Enter the agency name as entered on the original agreement.
2. **Supplemental Number** – Enter the number of the supplement. Supplement numbers will be assigned in sequence beginning with Number 1 for the first supplement.
3. **Project Number** – Enter the federal aid project number assigned by WSDOT on the original agreement.
4. **Agreement Number** – Enter the agreement number assigned by WSDOT on the original agreement.
5. **Project Description** – Enter the project name, length, and termini.
6. **Description of Work** – Clearly describe if there is a change in work such as the addition or deletion of work elements and/or changes to the termini. If the work has not changed, put a check mark in the “No Change” box.
7. **Reason for Supplement** – Enter the reason for this supplement, i.e., increase PE funding to cover design changes presented in the revised prospectus; request funding of construction phase; decrease construction funding to the contract bid amount. If the supplement is authorizing a construction phase, the project’s proposed advertisement date must be included in the space provided.
8. **Claiming Indirect Cost Rate** – Check the Yes box if the agency will be claiming indirect costs on the project. For those projects claiming indirect costs, supporting documentation that clearly shows the indirect cost rate being utilized must be provided with the supplement. Indirect cost rate approval by your cognizant agency or through your agency’s self-certification and supporting documentation is required to be available for review by FHWA, WSDOT and /or State Auditor. Check the No box if the agency will not be claiming indirect costs on the project. See Section 23.5 for additional guidance.
9. **Project Agreement End Date** – Enter your previously established Project Agreement End Date. If authorizing a new phase of the project, update the Project Agreement End Date based on the following guidance:
 - a. **For PE and RW** – WSDOT recommends agencies estimate when the phase will be completed and add three years to determine the “Project Agreement End Date”.
 - b. **For Construction** – WSDOT recommends agencies estimate when construction will be completed and add three years to determine the “Project Agreement End Date”.
 - c. If an extension to a Project Agreement End Date is required between phase authorizations, the need for the extension must be described in the Reason for Supplement. Adequate justification to approve the extension must be submitted with the supplement. See Section 22.3 for additional guidance.
10. **Type of Work and Funding (Round all amounts to the nearest whole dollar).**
 - a. **Column 1** – Enter the amounts from column 1 of the original local agency agreement. If the agreement has already been supplemented, enter the amounts by type of work from column 3 of the last supplemental agreement.
 - b. **Column 2** – Enter increase/decrease to total amounts requested by type of work.
 - c. **Column 3** – Add the amounts in columns 1 and 2.
 - d. **Columns 4 and 5** – Enter the appropriate amounts based on the participation ratio recorded on the original agreement.
11. **Signatures** – An authorized official of the local agency signs the Supplemental Agreement and enters their title and date of signature (mm/dd/yy). **Note:** Do NOT enter a date on the Date Executed line.

City Council Meeting

CHANGE of ZONE COZ-2023-0005

SEPTEMBER 5, 2023



Application Summary

Applicant: Robert Blain

Owner(s): Benton County

Proposal: Rezone 3-acre lot from Public Facility (PF) to Justice Facility (JF)

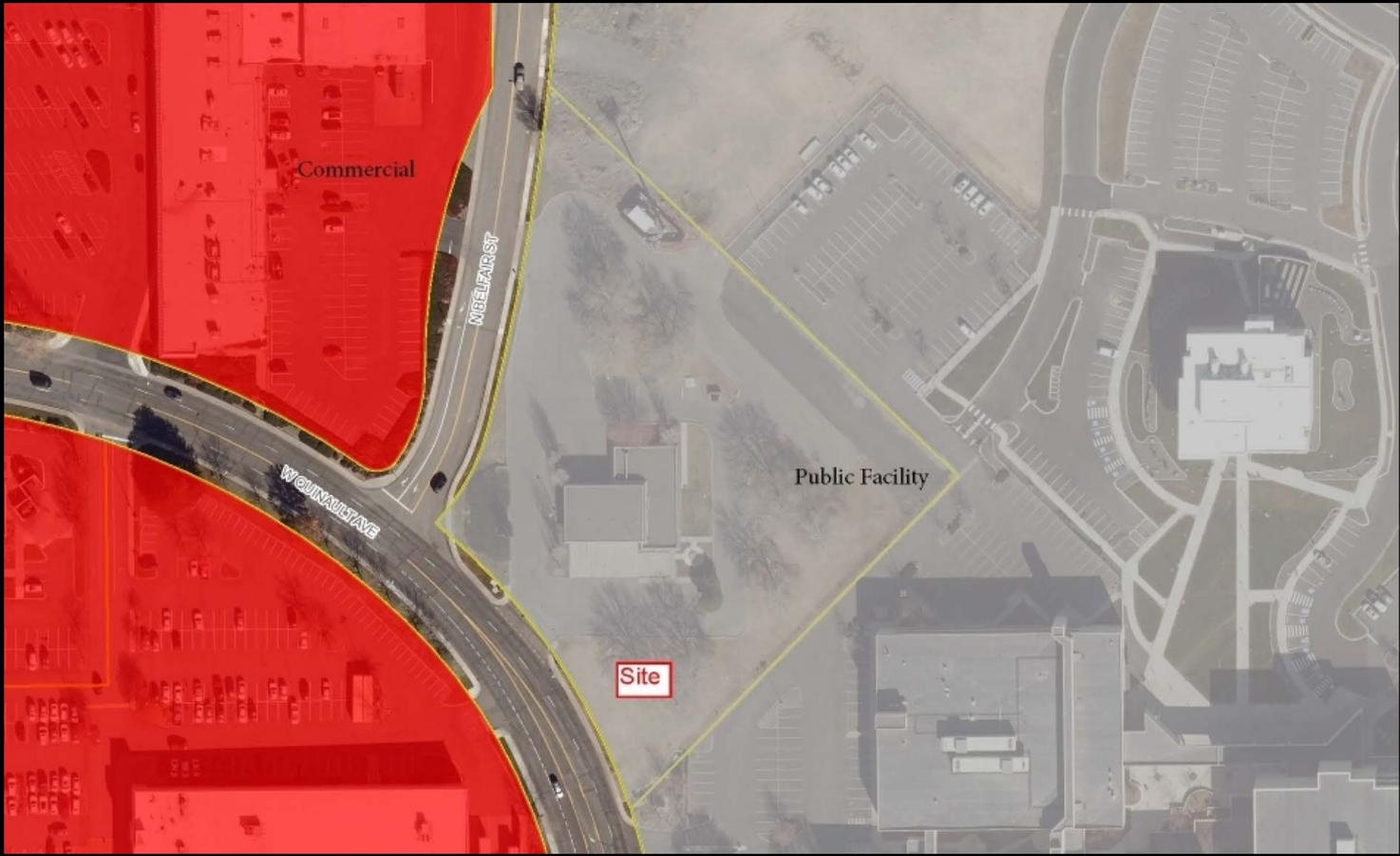
Comprehensive Plan Designation: Public Facility

Location: 7400 W. Quinault Ave.

Vicinity Map



Land Use Map



Zoning Map



Property History

The parcel is the location of Kennewick's Fire Station #3, that was decommissioned in the fall of 2021.

It was purchased by Benton County in March of 2023.

The County would like to integrate the parcel into the Justice Center campus, to allow changes to the existing structure.

Permitted Uses

Public Facility-

Allows museums, hospitals, airports, golf courses, RV parks and libraries. It does not allow for uses associated with correctional or justice facilities.

Justice Facility-

Allows correctional institutions, professional offices, agencies and services.

Change of Zone Findings

KMC 18.51.070(2)

- (a) The proposed amendment conforms with the comprehensive plan.
- (b) Promotes the public necessity, convenience and general welfare.
- (c) The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands which are deemed unacceptable by the City.
- (d) The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.
- (e) Single Family Residential zoned properties only; Property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification or higher zoning classification.

Recommendation

The Planning Commission recommends City Council concur with the Findings and Conclusions contained within staff report COZ-2023-0005 and approve the Change of Zone.

Planning Commission Action Summary

COZ-2023-0005 (PF to JF)

The Kennewick Planning Commission conducted a hybrid in-person/virtual public hearing on August 21, 2023. All interested parties were notified to come before the Commission and be heard. After reviewing the staff report and all oral and written facts and opinions, Commissioner Gregory moved that the Planning Commission concur with the findings and conclusions contained within staff report COZ-2023-0005 and recommend to City Council approval of the proposed Change of Zone.

Findings:

1. The applicant is Robert Blain, 620 Market St., Prosser, WA 99350.
2. The property owner is Benton County, 620 Market St., Prosser, WA 99350.
3. The proposed change of zone is located at 7400 W. Quinault Avenue. Parcel Number 1-3299-200-0001-001.
4. The City's Comprehensive Plan Land Use Designation for the subject property is Public Facility.
5. The request is to change the zoning from Public Facility (PF) to Justice Facility (JF).
6. The Justice Facility zoning district is an implementing zone of the Public Facility Comprehensive Plan Land Use Map Designation.
7. On June 30, 2023, the application was submitted, and declared complete for processing on July 3, 2023.
8. The application was routed for review to City Departments and outside agencies for comment on July 3, 2023.
9. Access to the site is via W. Quinault Avenue as well as N. Belfair Street.
10. The Environmental Determination of Non-Significance (ED-2023-0022) was issued on July 20, 2023
11. The Property Posting sign for the public hearing was posted on site August 4, 2023.
12. Notice of the public hearing for this application was published in the Tri-City Herald on August 6, 2023. Notices were also mailed to property owners within 300 feet of the site on August 4, 2023.
13. The proposed amendment is consistent with the Comprehensive Plan.
14. The proposed amendment promotes the public necessity, convenience and general welfare.
15. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.
16. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions:

1. Approval will implement the Comprehensive Plan Land Use Designation of Public Facility.
2. Approval will not result in an increase of adverse environmental impacts.
3. Approval will implement Essential Public Facilities Land Use Goals 1 and 2, of the City of Kennewick Comprehensive Plan.
4. Approval will result in the promotion of public necessity, convenience and/or general welfare.
5. The proposed Change of Zone complies with KMC 18.51.070(2).

The motion was seconded by Commissioner Griffith. The motion passed unanimously, with Commissioners Franklin, Gregory, Griffith, and Chair Morris all in favor.

Vicinity Map





COMMUNITY PLANNING DEPARTMENT

**STAFF REPORT AND RECOMMENDATION TO
THE PLANNING COMMISSION**

FILE No: COZ-2023-0005

Staff Report Date: August 15, 2023

Hearing Date & Location: August 21, 2023

Report Prepared By: Alisha Piper
Planner

Report Reviewed By: Steve Donovan, AICP
Planning Manager

Summary

Recommendation: The City of Kennewick Planning Staff RECOMMENDS APPROVAL of Change of Zone 2023-0005.

Summary of Proposal: A Change of Zone from Public Facility (PF) to Justice Facility (JF) for a 3-acre lot.

Proposal Location: 7400 W. Quinault Ave.

Legal Description: That portion of the Northwest Quarter of Section 32, Township 9 North, Range 29 East, W.M., Benton County, Washington, lying Easterly of North Belfair Street right of way and also lying Easterly and Northeasterly of West Quinault Avenue right of way and also lying Southwesterly and Northwesterly of the following described line:
Commencing at the Northwest corner of said Section 32;
Thence South 00°31'00" West along the West line thereof 792.40 feet; Thence South 89°10'00" East 660.00 feet;
Thence South 00°31'00" West 338.76 feet; Thence South 44°48'56" East 68.18 feet to the Easterly right of way of North Belfair Street right of way and the beginning of said line; Thence leaving said right of way South 44°48'56" East 484.13 feet; Thence South 45°11'04" West 400.00 feet to the Easterly right of way line of said West Quinault Avenue and the terminus of said line.

Property Owner/Applicant: Robert Blain
Benton County
620 Market St.
Prosser, WA 99350

Regulatory Controls:

1. Comprehensive Plan – Land Use
2. KMC Title 4 – Administrative Procedures
3. KMC Title 18 – Zoning
4. Washington State Environmental Policy Act

COZ Key Application Processing Dates:

Application Submittal	June 30, 2023
Determination of Completeness Issued	July 3, 2023
Notice of Application Posted	July 3, 2023
SEPA Threshold Determination Issued	July 20, 2023
Date of Mailed Notice of Public Hearing	August 4, 2023
Property Posting Sign for Public Hearing	August 4, 2023
Date of Published Notice of Public Hearing	August 6, 2023

Exhibits:

1. Staff Report
2. Supplemental Questions
3. Vicinity/Site Map
4. Comprehensive Plan Map
5. Zoning Map
6. Notice of Mailing
7. SEPA DNS

Zoning adjacent to the site:

North: Justice Facility (JF)
 East: Justice Facility (JF)
 South: Commercial, Regional (CR)
 West: Commercial, Regional (CR)

Applicable Goals and Policies of the Comprehensive Plan:

Essential Public Facilities Goals and Policies:

- Goal 1: The comprehensive plan or development regulations shall not preclude the siting of Essential Public Facilities.
- Policy 1 Follow the procedures for siting of Essential Public Facilities consistent with the Land Use Element of the Comprehensive Plan.
- Policy 2 Allow Essential Public Facilities of regional and statewide importance where they are demonstrated to promote efficiency and environmental protection, and distribute economic benefits/burdens throughout the region or county.
- Goal 2: The location of Essential Public Facilities shall be compatible with the land use plan and policies.
- Policy 1 Site Essential Public Facilities in Kennewick consistent with the County Wide Planning Policies (CWPP).

Kennewick Municipal Code Findings:

The following findings shall be met in order to approve a change of zone:

KMC 18.51.070(2): Findings:

Findings Required. In order to amend the zoning map, the City Council must find that:

- a. The proposed amendment conforms with the comprehensive plan; and
Staff Response: The proposed Change of Zone conforms to the comprehensive plan because the JF Zoning District is an implementing zoning district of the site's current Public Facility Land Use Designation.
- b. Promotes the public necessity, convenience and general welfare; and
Staff Response: The proposed Change of Zone promotes public necessity, convenience and welfare by establishing a zoning district that is compatible with the surrounding properties.
- c. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and
Staff Response: The proposed Change of Zone will not impose additional burdens on public facilities. Future development will be required to meet applicable levels of service.
- d. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and
Staff Response: The proposed amendment will establish a zoning district that complies with Comprehensive Plan. The JC Zone is an implementing zone of the site's Public Facility Land Use Designation.
- e. Single Family Residential zoned properties only; Property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification or higher zoning classification.
Staff Response: The finding is not applicable; the proposed zoning district is not a single-family residential zone. That said, the higher-intensity Commercial, Regional (CR) zone is located to the south and west of the subject property.

Public Comments:

The public did not submit comments on the proposal.

Agency Comments:

Staff did not receive any agency comments.

Staff Analysis of Proposal & Discussion:

The proposed Change of Zone (COZ-2023-0005) is a request to change the zoning district for a 3-acre parcel. Pursuant to Table 1 of the Comprehensive Plan, the Justice Facility Zoning District is an implementing zoning district of the Public Facility Land Use Designation. RCW 36.70A, Growth Management Act, requires that a City's development regulations implement its comprehensive plan.

Per KMC 18.03.040 (20), the purpose of JF zoning district is as follows:

JF - The purpose of the JF district is to establish areas for uses that have regional significance, but may possess objectionable operational characteristics and may adversely affect adjacent areas and neighborhoods. This district will establish standards to ensure compatibility with adjacent and planned uses, and will enable institutions of regional significance to locate in project sites of an appropriate size and scale relative to their service area. This district will also establish design standards necessary to achieve and distribute benefits associated with such facilities.

Future development of the entire site will be limited to only the permitted uses of the JF Zoning District. Development will be subject to meeting applicable concurrency requirements, which include utility and street improvements.

The proposed findings meet the requirements of KMC 18.51.070(2).

Findings:

1. The applicant is Robert Blain.
2. The property owner is Benton County.
3. The proposed Change of Zone is located at 7400 W. Quinault Ave.: 1-3299-200-0001-001.
4. The City's Comprehensive Plan Land Use Designation for the subject property is Public Facility.
5. The request is to change the zoning from Public Facility to Justice Facility.
6. The Justice Facility Zoning District is an implementing zone of the Public Facility Comprehensive Plan Land Use Map Designation.
7. The application was submitted on June 30, 2023.
8. The application was declared complete, routed for review to City Departments and outside agencies on July 3, 2023.
9. Access to the site is via W. Quinault Avenue as well as N. Belfair Street.
10. The Environmental Determination of Non-Significance, ED-2023-0022, was issued July 20, 2023.
11. The Property Posting sign for the public hearing was posted on site August 4, 2023.
12. Notice of the public hearing for this application was published in the Tri-City Herald on August 6, 2023. Notices were mailed to property owners within 300 feet of the site on August 4, 2023.
13. The proposed amendment conforms to the comprehensive plan.
14. The proposed amendment promotes the public necessity, convenience and general welfare.
15. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.
16. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions:

1. Approval will implement the Comprehensive Plan Land Use Designation of Public Facility.
2. Approval will not result in an increase of adverse environmental impacts.
3. Approval will implement Essential Public Facility Goals 1 and 2 of the City of Kennewick Comprehensive Plan.
4. Approval will result in the promotion of public necessity, convenience and/or general welfare.
5. The proposed Change of Zone complies with KMC 18.51.070(2).

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ-2023-0005 and recommend approval to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ-2023-0005 and recommend approval of the request to City Council.

Supplemental Questions

1. Please explain how the public necessity, convenience, and general welfare require the adoption of the proposed amendment.
N/A
- 2.a. Are there sites presently available on the market which are correctly zoned for the proposed use? No
- 2.b. Are these sites within a 1/2 mile of the proposed site? No
- 2.c. Within 1 mile of the proposed site? No
- 2.d. If you answered yes to any of the above, please indicate the general location of the site(s) and the reasons why these sites are not proposed to be utilized.
N/A
3. Please explain how the proposed amendment is consistent with the existing land use pattern in the area.
It's available directly to the north and east.
- 4.a. Are the existing uses in the area in conformance with the area's zoning classification? Yes
- 4.b. If NO, please explain the differences. If YES, please type NA. NA
- 5.a. Will the proposed amendment create an isolated district, or introduce a more intense land use to the area? No
- 5.b. Please explain:
This will not impact at all.
6. Please explain how the existing zoning prohibits reasonable use of the property.
In its current form, the property cannot be used for justice facilities or business.
7. Please explain how residential character, in the immediate area, will or will not be adversely affected by the proposed amendment.
There is no impact.
8. Please explain how the proposed amendment will affect property values in the vicinity.
There is no impact.
- 9.a. Please explain how approval of the proposed amendment will or will not set a precedent for other similar proposals or uses.
There is no impact.
- 9.b. Please explain how approval of the proposed amendment will or will not deter the use, improvement or development of adjacent property in accordance with the existing zoning.
There is no impact.
10. Please explain how approval of the proposed amendment will or will not encourage more private investments which will be beneficial to the redevelopment of a deteriorated area.
There is no impact.

11. Please explain how approval of the proposed amendment will or will not combat any economic segregation and allow greater choice in the market.

There is no impact.

12. Please explain how approval of the proposed amendment will or will not create conflict between potential land uses and transportation patterns.

There is no impact.

Vicinity Map

Exhibit 3



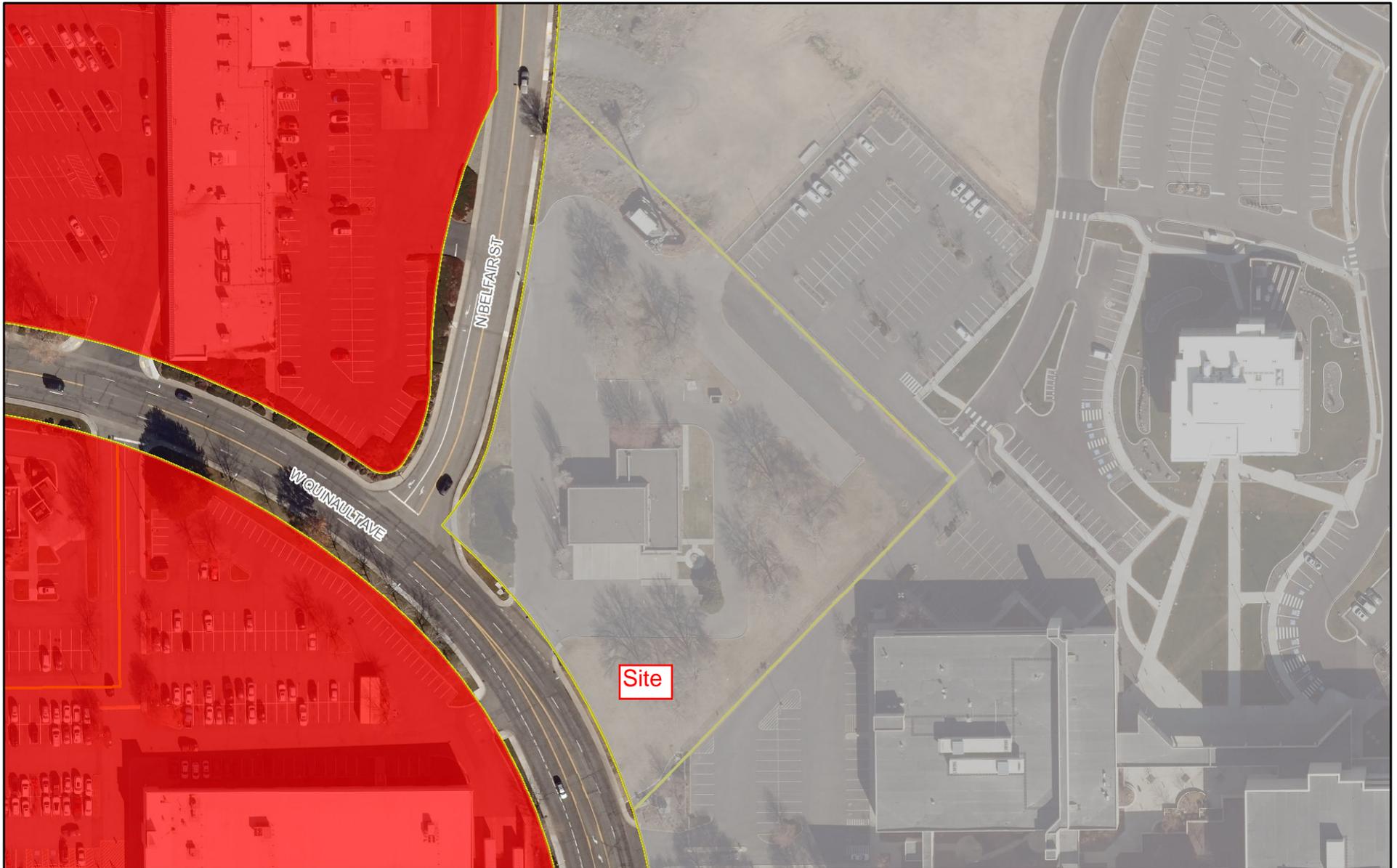
August 15, 2023 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

- | | | |
|--|---------------------------|---|
| StreetName | SV_CI_RICHLAND_10 |  SurveyParcel |
| SurveyCityLimits | SV_CI_COUNTY_10 | |
|  SV_CI_KENNEWICK_10 | SurveyUrbanGrowthBoundary | |



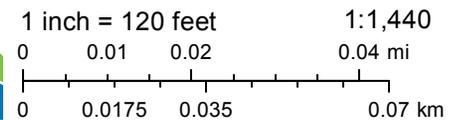
1 inch = 120 feet 1:1,440
 0 0.01 0.02 0.04 mi
 0 0.0175 0.035 0.07 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,



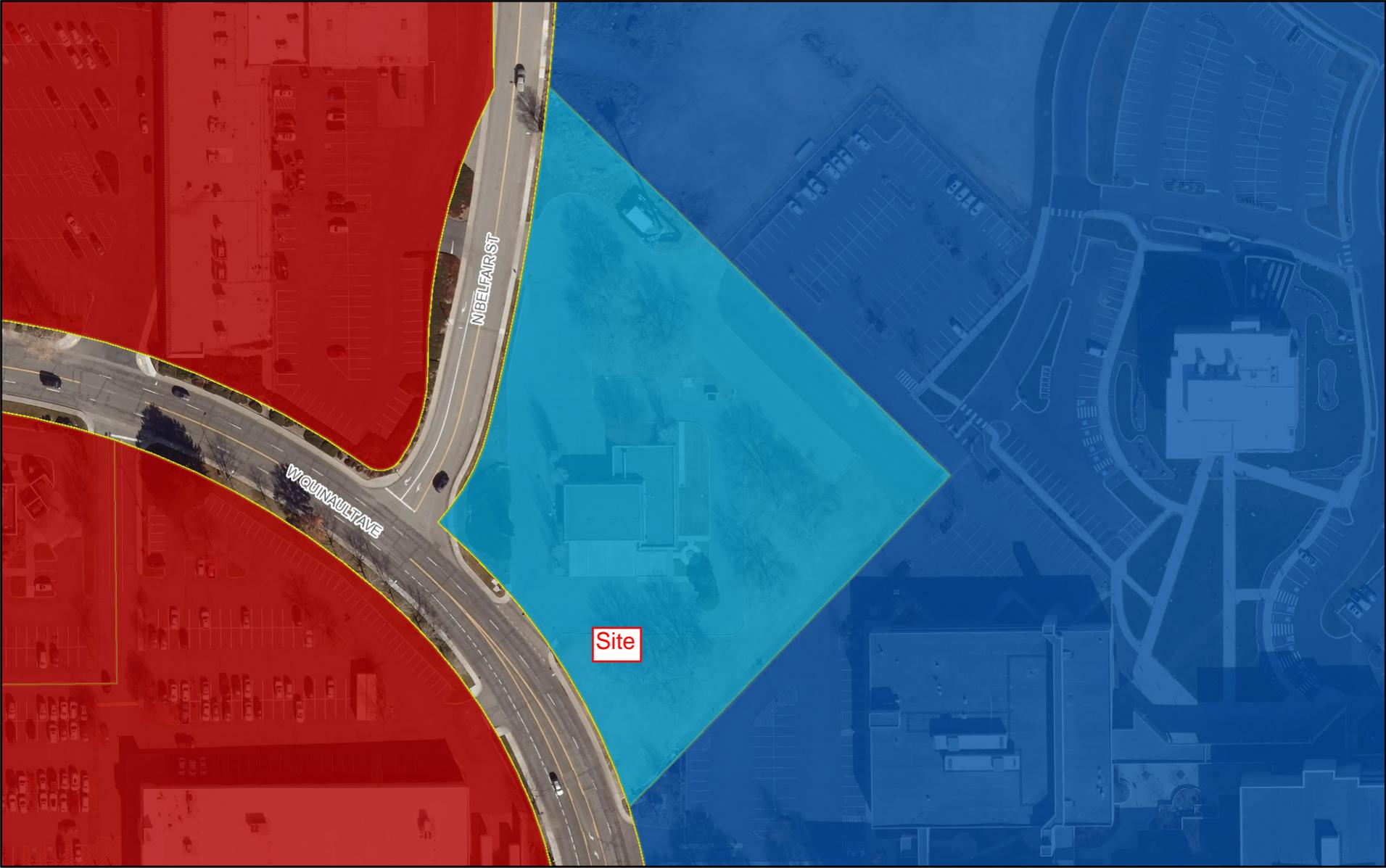
August 15, 2023 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

StreetName	SV_CI_RICHLAND_10
SurveyCityLimits	SV_CI_COUNTY_10
 SV_CI_KENNEWICK_10	SurveyUrbanGrowthBoundary



Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,

Zoning Map



August 15, 2023 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

- StreetName
- SV_CI_RICHLAND_10
- SurveyCityLimits
- SV_CI_COUNTY_10
- SV_CI_KENNEWICK_10
- SurveyUrbanGrowthBoundary



1 inch = 120 feet 1:1,440
0 0.01 0.02 0.04 mi
0 0.0175 0.035 0.07 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,



NOTIFICATION OF MAILING

I, Alisha Piper, on August 4, 2023

Mailed 5 copies of Notice of Public Hearing

for COA-2023-0005 at 7400 W. Quinault Ave.

to 300 ft radius

as shown on the attached list.

Alisha Piper

Signature



37
BENTON COUNTY
7122 W OKANOGAN PL BLDG E
KENNEWICK, WA 99336

37
BENTON COUNTY
PO BOX 190
PROSSER, WA 99350

37
COLUMBIA SQUARE KENNEWICK LLC
101 LARKSPUR LANDING CIRC, STE 120
LARKSPUR, CA 94939

37
DAYTON HUDSON CORPORATION
PO BOX 9456
MINNEAPOLIS, MN 55440

37
JTN-RL LLC
C/O THOMAS P SAYER JR ESQ
9984 SCRIPPS RANCH BLVD, #284
SAN DIEGO, CA 92131

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KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

August 21, 2023 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on Monday, August 21, 2023, at City Hall Council Chambers, 210 West 6th Avenue, at 6:30 p.m. or as soon as possible thereafter, to receive public comment on a proposed Change of Zone. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item. The public hearing will be conducted in a hybrid setting which will allow interested parties to participate in person or virtually. To participate virtually in the hearing, use the link found at <https://www.go2kennewick.com/598/Planning-Commission>.

Permit# COZ-2023-0005 – A Change of Zone for 3 acres located at 7400 W. Quinault Ave., from Public Facility (PF) to Justice Facility (JF). The site has Public Facility comprehensive plan land use designation. **Review the site map on the back of this notice.**

Submit written comments to Alisha Piper at alisha.piper@ci.kennewick.wa.us or mail to PO Box 6108, Kennewick, WA 99336. For questions about this project, please call Alisha Piper (509) 585-4463.

The City of Kennewick welcomes full participation in public meetings by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact Alisha Piper at (509) 585-4463 or through the Washington Relay Service Center TTY by dialing 711, at least ten days prior to the date of the meeting to make arrangements for special needs.

NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 9 NORTH, RANGE 29 EAST, W.M., CITY OF KENNEWICK, BENTON COUNTY, WASHINGTON

132992000007001

132992000010005

132992000001001

132992000008001

N Belfair St

W Quinalt Ave

C1

L1

C2

C3

N 44° 48' 56" W
484.13 Feet

N 45° 11' 04" E
400.00 Feet



Segment	Bearing	Length (feet)
L1	S 12° 57' 16" W	51.03

Segment	Chord Bearing	Radius (feet)	Arc Length (feet)
C1	S 9° 18' 16" W	2073.90	246.81
C2	S 27° 50' 01" W	190.32	95.98
C3	S 33° 48' 34" E	547.00	300.71



Scale: 1" = 112.36'



Community Planning Department

210 West 6th Avenue
Kennewick, WA 99336
Phone: (509) 585-4280
cedinfo@ci.kennewick.wa.us

DETERMINATION OF NON-SIGNIFICANCE

FILE/PROJECT NUMBER: ED-2023-0022

DESCRIPTION OF PROPOSAL: Rezone of a 3-acre parcel from Public Facility (PF) to Justice Facility (JF).

PROPONENT: Robert Blain, Benton County

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 7400 W. Quinault Ave.

LEAD AGENCY: City of Kennewick

DETERMINATION: The City of Kennewick has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) will not be required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the City. This information is available to the public on request. Application for other required permits may require further review under SEPA procedures.

- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
- This DNS is issued under 197-11-340(2); the City will not act on this proposal for fifteen days from the date below. Comments must be submitted by ____. After the review period has elapsed, all comments received will be evaluated and the DNS will be retained, modified, or withdrawn as required by SEPA regulations.

RESPONSIBLE OFFICIAL: Anthony Muai, AICP
POSITION/TITLE: Community Planning Director
ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336
PHONE: (509) 585-4361

- Changes, modifications and /or additions to the checklist have been made on the attached Environmental Checklist Review.

This DNS is subject to the attached conditions:

- No conditions.
- See attached condition(s).

Date: July 20, 2023

Signature:  for Anthony Muai

Appeal: An appeal of this determination must be submitted to the Community Planning Department within fourteen (14) calendar days after the date issued. This appeal must be written and make specific factual objections to the City's threshold determination. Appeals shall be conducted in conformance with Section 4.12.090(9) of the Kennewick Municipal Code and the required fees pursuant to the City's adopted Fee Schedule shall be paid at time of appeal submittal.

Copies of this DNS were emailed to Benton Clean Air Authority, Confederated Tribes of Umatilla Indian Reservation, Department of Ecology SEPA Register, Department of Fish & Wildlife, Department of Natural Resources, Washington State Department of Transportation.

CITY OF KENNEWICK
ORDINANCE NO. 6032

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF KENNEWICK LOCATED AT 7400 W. QUINAULT AVENUE FROM PUBLIC FACILITY (PF) TO JUSTICE FACILITY (JF) (COZ 2023-0005, Benton County)

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 3001, as amended, the zoning ordinance of the City of Kennewick and the accompanying zoning map of the City of Kennewick being part of said ordinance shall be and hereby is changed from Public Facility (PF) to Justice Facility (JF) for the real property described as follows:

Parcel No. 1-3299-200-0001-001:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 9 NORTH, RANGE 29 EAST, W.M., BENTON COUNTY, WASHINGTON, LYING EASTERLY OF NORTH BELFAIR STREET RIGHT OF WAY AND ALSO LYING EASTERLY AND NORTHEASTERLY OF WEST QUINAULT AVENUE RIGHT OF WAY AND ALSO LYING SOUTHWESTERLY AND NORTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 32; THENCE SOUTH 00°31'00" WEST ALONG THE WEST LINE THEREOF 792.40 FEET; THENCE SOUTH 89°10'00" EAST 660.00 FEET; THENCE SOUTH 00°31'00" WEST 338.76 FEET; THENCE SOUTH 44°48'56" EAST 68.18 FEET TO THE EASTERLY RIGHT OF WAY OF NORTH BELFAIR STREET RIGHT OF WAY AND THE BEGINNING OF SAID LINE; THENCE LEAVING SAID RIGHT OF WAY SOUTH 44°48'56" EAST 484.13 FEET; THENCE SOUTH 45°11'04" WEST 400.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID WEST QUINAULT AVENUE AND THE TERMINUS OF SAID LINE.

Section 2. The City Council finds the amendments described in Section 1 above are in conformance with the Comprehensive Plan of the City.

Section 3. Severability Clause. If any provision of this amendatory ordinance or its application to any persons or circumstances is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Section 4. The Responsible Official for the State Environmental Policy Act has determined that the proposal will not have a probable significant adverse impact on the quality of the environment.

Section 5. This ordinance shall be in full force and effect five (5) days from and after its approval, passage and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 5th day of September, 2023, and signed in authentication of its passage this 5th day of September, 2023.

Attest:

W.D. MCKAY, Mayor

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 6032 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 6th day of September, 2023.

Approved as to form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION: _____

Council Agenda Coversheet	Agenda Item Number: 5.b. Council Date: 9/5/2023 Agenda Item Type: Ordinance	Category: Quasi-Judicial Ordinance/Reso
	Subject: Change of Zone from IL to CC Department: Community Planning Ord/Reso # 6033 Contract # Project # Permit # COZ-2023-0006	
<p><u>Recommendation</u> The Planning Commission recommends City Council concur with the findings and conclusions contained within staff report COZ-2023-0006 by adopting Ordinance 6033.</p> <p><u>Motion for Consideration</u> I move to adopt Ordinance 6033.</p> <p><u>Summary</u> LCR Construction, on behalf of Hansen Park LLC, has applied to change the zoning of one parcel totaling 1.53 acres from Industrial, Light (IL) to Commercial, Community (CC). The CC zone is an implementing zoning district of the Commercial Land Use Designation. The request is consistent with the Comprehensive Plan.</p> <p>The subject property is located at 8920 W Clearwater Avenue, and is currently vacant. The adjacent property to the west is zoned CC, while those to the east and south are zoned IL. Railroad ROW is located to the north, with Residential, Low Density beyond.</p> <p>The Planning Commission held a public hearing to review the proposal on 21 August 2023. At the hearing, staff presented an overview of the staff report and findings. The applicant spoke in favor of the request. No public testimony against the proposed Change of Zone was received. The Planning Commission voted unanimously to recommend approval of COZ-2023-0006 to City Council.</p> <p><u>Alternatives</u> None recommended.</p> <p><u>Fiscal Impact</u> None.</p>		
<p><u>Attachments:</u></p> <ol style="list-style-type: none"> 1. Presentation 2. PC Action Summary 3. Vicinity Map 4. Staff Report 5. Ordinance 6033 		

City Council Meeting

Change of Zone COZ-2023-0006

5 September 2023



Application Summary

Applicant: LCR Construction – Shane O’Neill

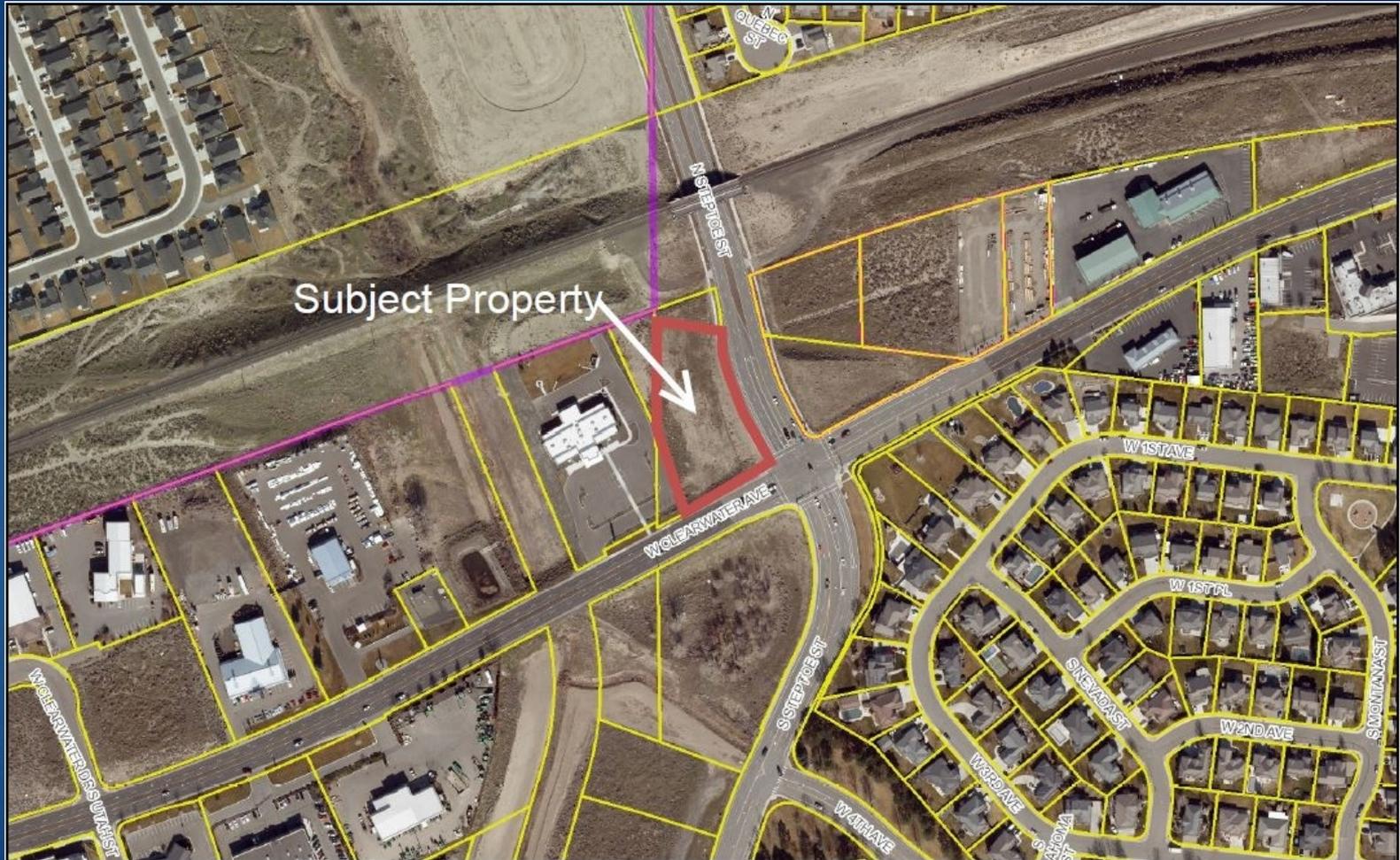
Owner: Hansen Park LLC

Proposal: Rezone 1.53 acres from Industrial, Light (IL) to Commercial, Community (CC)

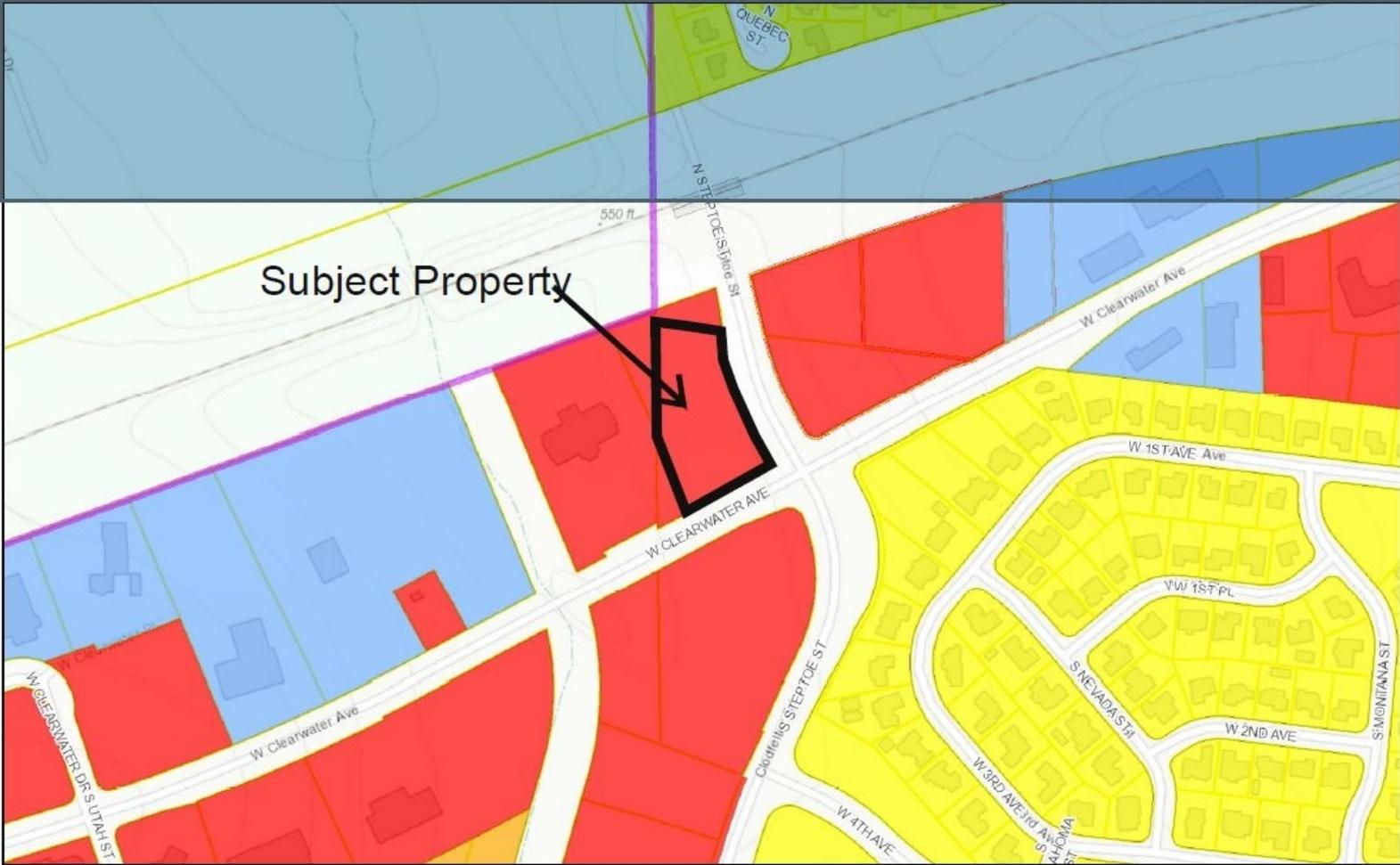
Comprehensive Plan Designation: Commercial

Location: 8920 W Clearwater Ave

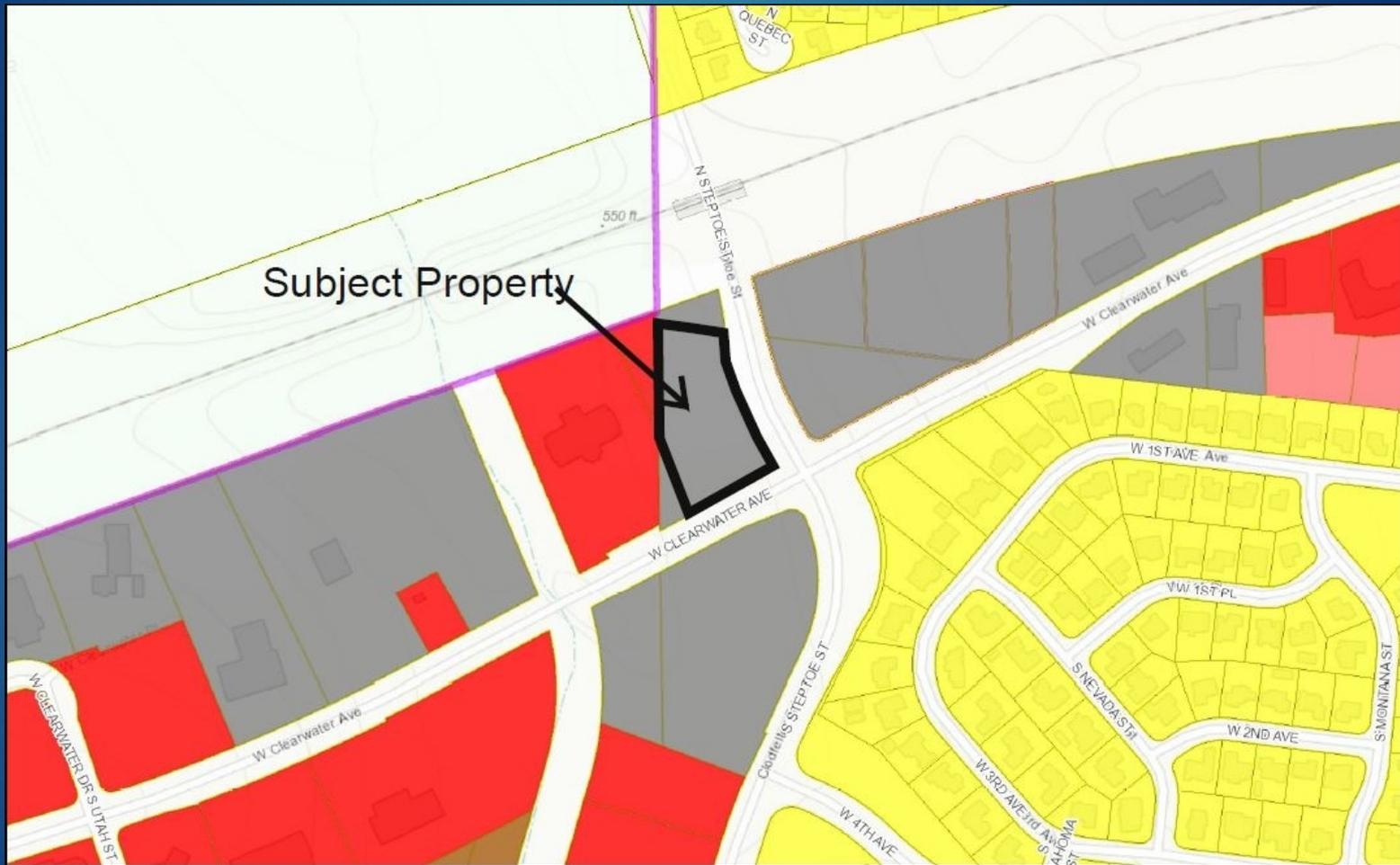
Vicinity Map



Land Use Map



Zoning Map



Permitted Uses

The IL zone is intended to provide areas for less intensive manufacturing and industrial uses, warehousing, and distribution operations to serve the district.

The purpose of the CC district is to stabilize, improve, and protect commercial areas, and to provide for orderly growth in new commercial areas in accord with the Comprehensive Plan. CC districts are intended for a wide range of uses to serve the community area to which they are appurtenant.

Change of Zone Findings

KMC 18.51.070(2)

- (a) The proposed amendment conforms with the comprehensive plan.
- (b) Promotes the public necessity, convenience and general welfare.
- (c) The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands which are deemed unacceptable by the City.
- (d) The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.
- (e) Single Family Residential zoned properties only; Property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification or higher zoning classification.

Recommendation

The Planning Commission recommends City Council concur with the Findings and Conclusions contained within staff report COZ-2023-0006 and approve the Change of Zone.

Planning Commission Action Summary

COZ-2023-0006 (IL to CC)

The Kennewick Planning Commission conducted a hybrid in-person/virtual public hearing on 21 August 2023. All interested parties were notified to come before the Commission and be heard. After reviewing the staff report and all oral and written facts and opinions, Commissioner Gregory moved that the Planning Commission concur with the findings and conclusions contained within staff report COZ-2023-0006 and recommend to City Council approval of the proposed Change of Zone.

Findings:

1. The applicant is Shane O'Neill, LCR Construction LLC, 2425 Robertson Drive, Richland, WA 99354.
2. The property owner is Hansen Park LLC, 21611 Ahtanum Road, Yakima, WA 98903.
3. The proposed change of zone is located at 8920 W Clearwater Ave. Parcel Number 1-0689-3BP-4740-004.
4. The City's Comprehensive Plan Land Use Designation for the subject property is Commercial.
5. The request is to change the zoning from Industrial, Light (IL) to Commercial, Community (CC).
6. The Commercial, Community (CC) zoning district is an implementing zone of the Commercial Comprehensive Plan Land Use Map Designation.
7. On 13 July 2023, the application was submitted, and declared complete for processing on 17 July 2023.
8. The application was routed for review to City Departments and outside agencies for comment on 17 July 2023.
9. Access to the site is via N Steptoe Street and a shared access from W Clearwater Ave.
10. The Environmental Determination of Non-Significance (PLN-2015-01322) was issued with the last Comprehensive Plan Amendment on 10 August 2015.
11. The Property Posting sign for the public hearing was posted on site 3 August 2023.
12. Notice of the public hearing for this application was published in the Tri-City Herald on 6 August 2023. Notices were also mailed to property owners within 300 feet of the site on 3 August 2023.
13. The proposed amendment is consistent with the Comprehensive Plan.
14. The proposed amendment promotes the public necessity, convenience and general welfare.
15. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.

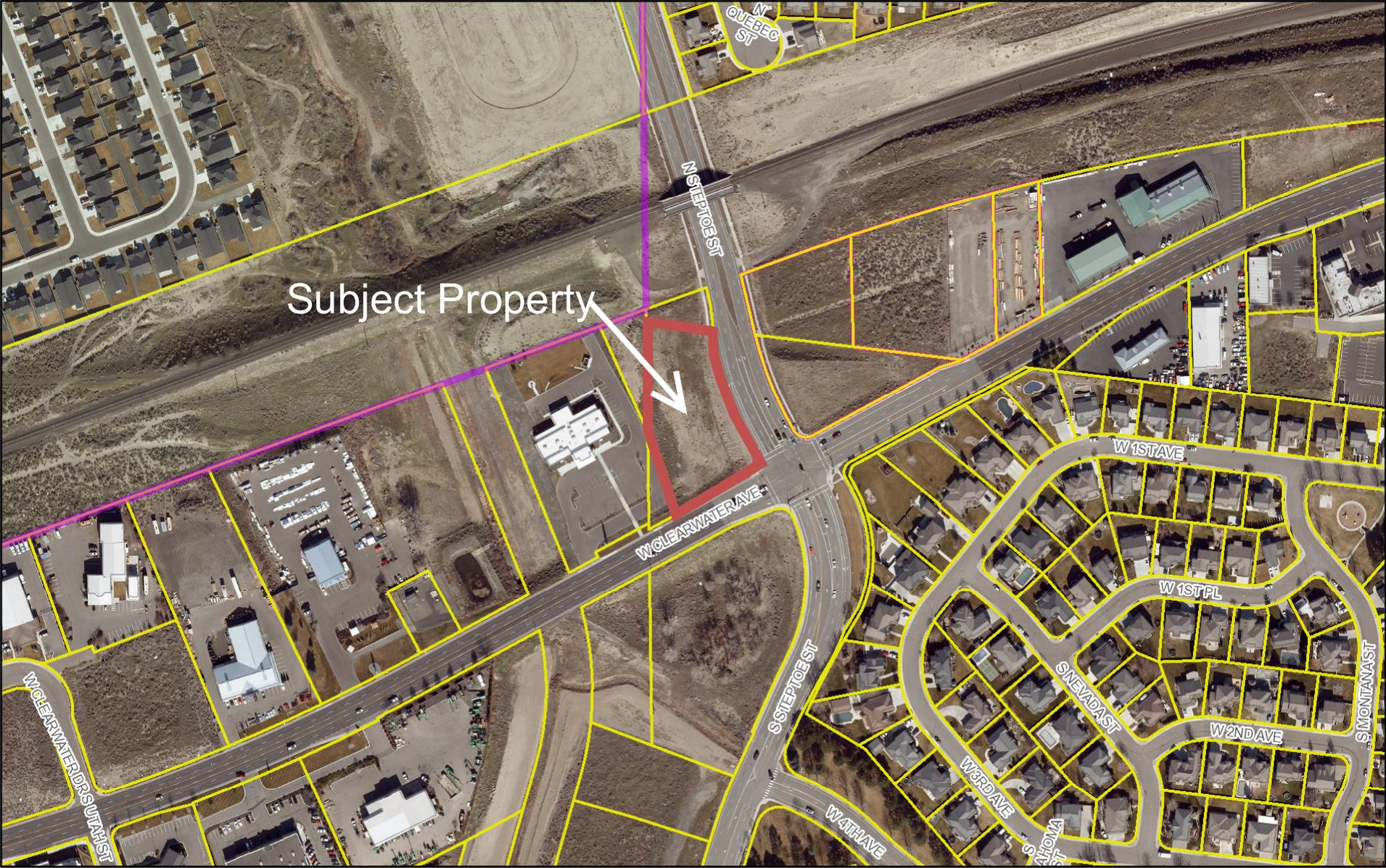
16. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions:

1. Approval will implement the Comprehensive Plan Land Use Designation of Commercial.
2. Approval will not result in an increase of adverse environmental impacts.
3. Approval will implement Commercial Land Use Goals 2 and 3 of the City of Kennewick Comprehensive Plan.
4. Approval will result in the promotion of public necessity, convenience and/or general welfare.
5. The proposed Change of Zone complies with KMC 18.51.070(2).

The motion was seconded by Commission Griffith. The motion passed unanimously, with Commissioners Franklin, Gregory, Griffith, and Chair Morris all in favor.

Vicinity Map

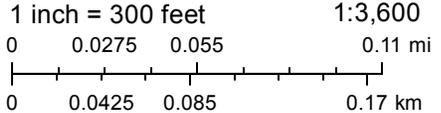


Subject Property

August 7, 2023

This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

- | | | | | |
|---------------------------|-----------|-------------|-------------------------|-------------------|
| StreetName | Apartment | Mobile Home | SurveyCityLimits | SV_CI_COUNTY_10 |
| SurveyAddressPoint | Building | Parcel | SV_CI_KENNEWICK_10 | SV_CI_RICHLAND_10 |
| <all other values> | Condo | | | |



Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,



COMMUNITY PLANNING DEPARTMENT

**STAFF REPORT AND RECOMMENDATION TO
THE PLANNING COMMISSION**

FILE No: COZ-2023-0006

Staff Report Date: 3 August 2023
Hearing Date & Location: 21 August 2023, City Council Chambers
Report Prepared By: Matt Halitsky, AICP
 Senior Planner
Report Reviewed By: Steve Donovan, AICP
 Planning Manager

Summary

Recommendation: The City of Kennewick Planning Staff RECOMMENDS APPROVAL of Change of Zone 2023-0006

Summary of Proposal: A Change of Zone from Industrial, Light (IL) to Commercial, Community (CC) for 1.53 acres.

Proposal Location: 8920 W Clearwater Ave

Legal Description: Benton County tax parcel # 106893BP4740004
 Lot 4, Binding Site Plan 15-09/PLN-2015-03372,
 AFN 2016-013785

SECTION 06, TOWNSHIP 8 NORTH, RANGE 29 EAST, QUARTER SW: BINDING SITE PLAN #4740, LOT 4: A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 8 NORTH, RANGE 29 EAST, W.M. CITY OF KENNEWICK, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 6 (FROM WHICH THE CENTER QUARTER CORNER OF SAID SECTION 6 BEARS SOUTH 83° 09' 01" EAST, A DISTANCE OF 2637.11 FEET); THENCE SOUTH 83° 09' 01" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 146.46 FEET TO THE WESTERLY RIGHT OF WAY LINE OF STEPTOE STREET AS DESCRIBED IN RIGHT OF WAY TAKE, DATED 2/24/2012, AF#2012-005410, RECORDS OF BENTON COUNTY; THENCE LEAVING THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6 ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID STEPTOE STREET THE FOLLOWING (4)

EXHIBIT 1

COURSES; SOUTH 06° 20' 14" EAST, A DISTANCE OF 23.12 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 811.31 FOOT RADIUS NON TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 83° 16' 47" EAST) THROUGH A CENTRAL ANGLE OF 03° 46' 47" FOR AN ARC DISTANCE OF 53.52 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 814.00 FOOT RADIUS NON TANGENT COMPOUND CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 73° 48' 00" EAST) THROUGH A CENTRAL ANGLE OF 12° 15' 57" FOR AN ARC DISTANCE OF 174.26 FEET; THENCE SOUTH 28° 27' 57" EAST, A DISTANCE OF 44.13 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF WEST CLEARWATER AVENUE; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF SAID WEST CLEARWATER AVENUE THE FOLLOWING (4) COURSES; SOUTHWESTERLY ALONG THE ARC OF A 23.00 FOOT RADIUS CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS SOUTH 61° 32' 03" WEST) THROUGH A CENTRAL ANGLE OF 89° 52' 50" FOR AN ARC DISTANCE OF 36.08 FEET; THENCE SOUTH 61° 24' 53" WEST A DISTANCE OF 10.22 FEET; THENCE SOUTH 11° 21' 31" WEST A DISTANCE OF 2.09 FEET; THENCE SOUTH 61° 32' 03" WEST A DISTANCE OF 178.90 FEET; THENCE LEAVING THE NORTHERLY RIGHT OF WAY LINE OF SAID WEST CLEARWATER AVENUE NORTH 19° 59' 40" WEST A DISTANCE OF 186.99 FEET TO THE WEST LINE OF THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE NORTH 00° 47' 01" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 240.70 FEET TO THE TRUE POINT OF BEGINNING AND THE END OF THIS LEGAL DESCRIPTION. (AF#2016-013785, 5/19/2016, SEE SURVEY #4740).

Property Owner: Hansen Park LLC
21611 Ahtanum Road
Yakima, WA 98903

Applicant: Shane O'Neill
LCR Construction LLC
2425 Robertson Drive
Richland, WA 99354

Regulatory Controls:

1. Comprehensive Plan – Land Use
2. KMC Title 4 – Administrative Procedures
3. KMC Title 18 – Zoning
4. Washington State Environmental Policy Act

COZ Key Application Processing Dates:

Application Submittal	13 July 2023
Determination of Completeness Issued	17 July 2023
Notice of Application Posted	17 July 2023
Date of Mailed Notice of Public Hearing	3 August 2023
Property Posting Sign for Public Hearing	3 August 2023
Date of Published Notice of Public Hearing	6 August 2023

Exhibits:

1. Staff Report
2. Supplemental Questionnaire
3. Vicinity Map
4. Drawing
5. Legal Description
6. Comprehensive Plan Map
7. Zoning Map
8. Notice of Mailing
9. SEPA Determination of Non-significance

Zoning Adjacent to the Site:

North: N/A, Railroad ROW with Residential, Low Density (RL) beyond

East: Industrial, Light (IL)

South: Industrial, Light (IL), with Commercial, General (CG) beyond

West: Commercial, Community (CC), with Industrial, Light (IL) beyond

Applicable Goals and Policies of the Comprehensive Plan:

Commercial Goals and Policies:

- Goal 2: Sustain and enhance viable commercial areas.
 - Policy 1: Encourage a mixture of commercial, office, and residential uses within commercial centers to support day and evening activities for all ages.
 - Policy 4: Encourage compatible commercial activities to concentrate near each other.

- Goal 3: Create a balanced system of commercial facilities reflecting neighborhood, community, and regional needs.
 - Policy 1: Provide commercial areas sized and scaled appropriately for the neighborhood or community.
 - Policy 3: Provide for Neighborhood Commercial centers in strategic locations to serve surrounding neighborhoods, while minimizing impacts to the surrounding residential uses.

Kennewick Municipal Code Findings:

The following findings shall be met in order to approve a Change of Zone:

KMC 18.51.070(2): Findings:

Findings Required. In order to amend the zoning map, the City Council must find that:

- a. *The proposed amendment conforms with the comprehensive plan; and*

The proposed Change of Zone conforms to the Comprehensive Plan as the CC zoning district is an implementing zoning district of the site's current Commercial land use designation.

- b. *Promotes the public necessity, convenience and general welfare; and*

The proposed Change of Zone promotes public necessity, convenience, and welfare by establishing a zoning district that is compatible with surrounding properties.

- c. *The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and*

The proposed Change of Zone will not impose an additional burden on public facilities. Future development shall be required to meet applicable levels of service.

- d. *The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and*

The proposed amendment will maintain a zoning district that complies with the Comprehensive Plan. The CC zone is an implementing zone of the site's Commercial land use designation.

- e. *Single Family Residential zoned properties only; Property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification or higher zoning classification.*

The finding is not applicable; the proposed zoning district is not a single-family residential zone. That said, the higher-intensity Industrial, Light (IL) zone is located to the east and south of the subject property.

Public & Agency Comments:

To date, there are no public comments either for or against the requested Change of Zone.

Staff Analysis of Proposal & Discussion:

The subject property was annexed by the City on 3 January 1995 via Ordinance 3603 and established the zoning as Industrial, Light (IL). In 2015, the Comprehensive Plan land use designation was changed from Industrial to Commercial via Ordinance 5619.

The proposed Change of Zone (COZ-2023-0006) is a request to change the zoning district of one, 1.53 acre parcel located at 8920 W Clearwater Ave from IL to CC. Pursuant to Table 1 of the Comprehensive Plan, the CC zoning district is an implementing zoning district of the Commercial land use designation. RCW 36.70A, Growth Management Act, requires that a City's development regulations implement its comprehensive plan.

Per KMC 18.03.040(10) the purpose of CC zoning district is as follows:

CC - The purpose of the CC district is to stabilize, improve and protect commercial areas, and to provide for orderly growth in new commercial areas in accord with the Comprehensive Plan. CC districts are intended for a wide range of uses to serve the community area to which they are appurtenant.

It is the applicant's intent to construct a gas station and convenience store supporting the immediate neighborhood. The Clearwater/Steptoe intersection is highly visible and a commercial development at this location would be consistent with the ongoing development of the area.

Access to the site is from N Steptoe Street as well as via a shared access agreement with the adjacent property from W Clearwater Avenue. Curb, gutter, and sidewalk currently abut the property. Streetscape improvements such as street trees and lighting will be required at time of future site plan approval. Municipal water and sewer are present at W Clearwater Ave. Water is also available from N Steptoe St. Future development will be required to meet the Commercial Design Standards, and an undue burden on existing public facilities is not anticipated.

The proposed findings meet the requirements of KMC 18.51.070(2).

Findings:

1. The applicant is Shane O'Neill, LCR Construction LLC, 2425 Robertson Drive, Richland, WA 99354.
2. The property owner is Hansen Park LLC, 21611 Ahtanum Road, Yakima, WA 98903.
3. The proposed change of zone is located at 8920 W Clearwater Ave. Parcel Number 1-0689-3BP-4740-004.
4. The City's Comprehensive Plan Land Use Designation for the subject property is Commercial.
5. The request is to change the zoning from Industrial, Light (IL) to Commercial, Community (CC).
6. The Commercial, Community (CC) zoning district is an implementing zone of the Commercial Comprehensive Plan Land Use Map Designation.
7. On 13 July 2023, the application was submitted, and declared complete for processing on 17 July 2023.
8. The application was routed for review to City Departments and outside agencies for comment on 17 July 2023.

9. Access to the site is via N Steptoe Street and a shared access from W Clearwater Ave.
10. The Environmental Determination of Non-Significance (PLN-2015-01322) was issued with the last Comprehensive Plan Amendment on 10 August 2015.
11. The Property Posting sign for the public hearing was posted on site 3 August 2023.
12. Notice of the public hearing for this application was published in the Tri-City Herald on 6 August 2023. Notices were also mailed to property owners within 300 feet of the site on 3 August 2023.
13. The proposed amendment is consistent with the Comprehensive Plan.
14. The proposed amendment promotes the public necessity, convenience and general welfare.
15. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.
16. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions:

1. Approval will implement the Comprehensive Plan Land Use Designation of Commercial.
2. Approval will not result in an increase of adverse environmental impacts.
3. Approval will implement Commercial Land Use Goals 2 and 3 of the City of Kennewick Comprehensive Plan.
4. Approval will result in the promotion of public necessity, convenience and/or general welfare.
5. The proposed Change of Zone complies with KMC 18.51.070(2).

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained within staff report COZ-2023-0006 and recommend approval to City Council.

Proposed Motion:

I move that the Planning Commission concur with the findings and conclusions contained within staff report COZ-2023-0006 and recommend approval of the request to City Council.

Supplemental Questionnaire

1. *Please explain how the public necessity, convenience, and general welfare require the adoption of the proposed amendment.*

The current industrial zoning designation restricts commercial/retail uses. The site is located at the intersection of two arterial roadways where gas stations with convenience stores are commonly located. The subject vicinity is dominated by residential neighborhoods in all directions with the exception of adjacent properties. Industrial land uses are incompatible with residential neighborhoods due to the high level of nuisance impacts they generate. Instead, a more gradual transition of zoning assignments, in the form of commercial zoning, is most appropriate in this location. Retail uses permitted in commercial zones serve the needs of nearby residents better than industrial uses. An industrial business at this high-traffic intersection would not offer maximal utility and convenience to the surrounding residents.

2. (a) *Are there sites presently available on the market which are correctly zoned for the proposed use?*

No

- (b) *Are these sites within a 1/2 mile of the proposed site?*

No

- (c) *Within 1 mile of the proposed site?*

No

- (d) *If you answered yes to any of the above, please indicate the general location of the site(s) and the reasons why these sites are not proposed to be utilized.*

N/A

3. *Please explain how the proposed amendment is consistent with the existing land use pattern in the area.*

Most parcels fronting W. Clearwater Ave., west of N. Steptoe Street are commercially zoned and contain retail businesses. The adjacent site to the west is currently zoned CC Community Commercial. Then east of Columbia Center Blvd., a vast majority of parcels fronting Clearwater Ave. are commercially zoned (CC). Approval of this application would contribute to a more consistent pattern of commercial zoning for properties on Clearwater Ave.

4. (a) *Are the existing uses in the area in conformance with the area's zoning classification?*

Yes

(b) *If NO, please explain the differences. If YES, please type NA.*

N/A

5. (a) *Will the proposed amendment create an isolated district, or introduce a more intense land use to the area?*

No

(b) *Please explain:*

The proposed zone change would not create an isolated spot on the zoning map.

6. *Please explain how the existing zoning prohibits reasonable use of the property.*

The property is being exclusively considered for a gas station with a convenience store. Kennewick's Zoning Code distinguishes these as two distinct uses. The current IL zone does not permit the retail convenience store component. Without the requested commercial zoning assignment, only a gas station would be permitted. Current market trends have made this model somewhat obsolete.

7. *Please explain how residential character, in the immediate area, will or will not be adversely affected by the proposed amendment.*

The surrounding vicinity within 1/2-mile is dominated by residential neighborhoods, with the exception of properties abutting Clearwater Ave. Gas stations paired with convenience stores are quite common on the boundary of residential communities.

8. *Please explain how the proposed amendment will affect property values in the vicinity.*

The proposed decrease in land use intensity by way of rezoning will not be a consideration by the assessor's office nor by prospective buyers of parcels in the vicinity in determining value. Likewise, development of the gas station/convenience store is unlikely to have any effect on the assessed or perceived values of properties in the vicinity. It is possible that residential properties may experience a marginal value increase due to the increased availability of retail services in the vicinity.

9. (a) *Please explain how approval of the proposed amendment will or will not set a precedent for other similar proposals or uses.*

Approval of this request to assign CC zoning to the subject parcel cannot be construed as setting any precedent. A majority of parcels on Clearwater Avenue to the east and to the west are already identically zoned CC. Approval of this request will only serve to foster uniformity in current zoning assignment patterns.

(b) Please explain how approval of the proposed amendment will or will not deter the use, improvement or development of adjacent property in accordance with the existing zoning.

The subject site is adjacent to one parcel which is fully developed with a medical clinic. As such, there are no opportunities for the proposed rezone to have any effect on the development potential of adjacent parcels.

10. Please explain how approval of the proposed amendment will or will not encourage more private investments which will be beneficial to the redevelopment of a deteriorated area.

Rezoning and subsequent development of the subject site poses little to no potential to affect any deteriorated area(s). The subject vicinity is undergoing an initial development phase. Assigning commercial zoning to the subject site is unlikely to affect the city's redevelopment goals for blighted areas.

11. Please explain how approval of the proposed amendment will or will not combat any economic segregation and allow greater choice in the market.

The causes of economic segregation are not sufficiently established to allow for a cogent response to this criterion. Convenience stores offer consumable food products at a low price-point, thereby offering another food choice for people with lower income levels. Gasoline prices are generally consistent across the region, within a small range, thereby offering vital energy to everyone equally. Commercial zoning is evenly distributed along arterial roadways regardless of economic demographics.

12. Please explain how approval of the proposed amendment will or will not create conflict between potential land uses and transportation patterns.

Above

Vicinity Map



Subject Property

August 7, 2023

This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

- | | | | | |
|---------------------------|-----------|-------------|-------------------------|-------------------|
| StreetName | Apartment | Mobile Home | SurveyCityLimits | SV_CI_COUNTY_1 |
| SurveyAddressPoint | Building | Parcel | SV_CI_KENNEWICK_10 | SV_CI_RICHLAND_10 |
| <all other values> | Condo | | | |



1 inch = 300 feet

1:3,600

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,



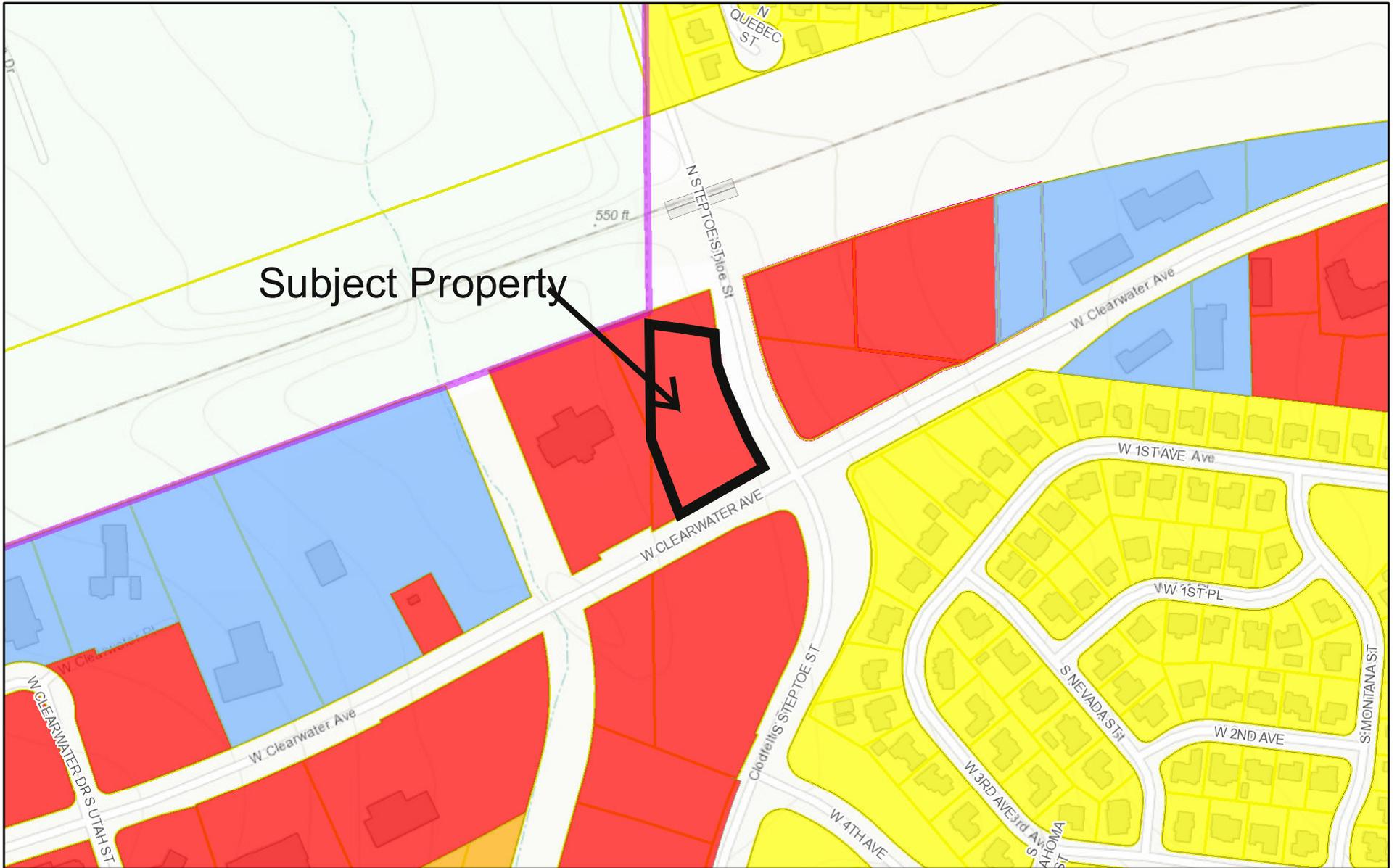
Benton County tax parcel # 106893BP4740004

Lot 4, Binding Site Plan 15-09/PLN-2015-03372, AFN 2016-013785

SECTION 06, TOWNSHIP 8 NORTH, RANGE 29 EAST, QUARTER SW: BINDING SITE PLAN #4740, LOT 4: A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 8 NORTH, RANGE 29 EAST, W.M. CITY OF KENNEWICK, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 6 (FROM WHICH THE CENTER QUARTER CORNER OF SAID SECTION 6 BEARS SOUTH 83° 09' 01" EAST, A DISTANCE OF 2637.11 FEET); THENCE SOUTH 83° 09' 01" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 146.46 FEET TO THE WESTERLY RIGHT OF WAY LINE OF STEPTOE STREET AS DESCRIBED IN RIGHT OF WAY TAKE, DATED 2/24/2012, AF#2012-005410, RECORDS OF BENTON COUNTY; THENCE LEAVING THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6 ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID STEPTOE STREET THE FOLLOWING (4) COURSES; SOUTH 06° 20' 14" EAST, A DISTANCE OF 23.12 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 811.31 FOOT RADIUS NON TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 83° 16' 47" EAST) THROUGH A CENTRAL ANGLE OF 03° 46' 47" FOR AN ARC DISTANCE OF 53.52 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 814.00 FOOT RADIUS NON TANGENT

COMPOUND CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 73° 48' 00" EAST) THROUGH A CENTRAL ANGLE OF 12° 15' 57" FOR AN ARC DISTANCE OF 174.26 FEET; THENCE SOUTH 28° 27' 57" EAST, A DISTANCE OF 44.13 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF WEST CLEARWATER AVENUE; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF SAID WEST CLEARWATER AVENUE THE FOLLOWING (4) COURSES; SOUTHWESTERLY ALONG THE ARC OF A 23.00 FOOT RADIUS CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS SOUTH 61° 32' 03" WEST) THROUGH A CENTRAL ANGLE OF 89° 52' 50" FOR AN ARC DISTANCE OF 36.08 FEET; THENCE SOUTH 61° 24' 53" WEST A DISTANCE OF 10.22 FEET; THENCE SOUTH 11° 21' 31" WEST A DISTANCE OF 2.09 FEET; THENCE SOUTH 61° 32' 03" WEST A DISTANCE OF 178.90 FEET; THENCE LEAVING THE NORTHERLY RIGHT OF WAY LINE OF SAID WEST CLEARWATER AVENUE NORTH 19° 59' 40" WEST A DISTANCE OF 186.99 FEET TO THE WEST LINE OF THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE NORTH 00° 47' 01" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 240.70 FEET TO THE TRUE POINT OF BEGINNING AND THE END OF THIS LEGAL DESCRIPTION. (AF#2016-013785, 5/19/2016, SEE SURVEY #4740).

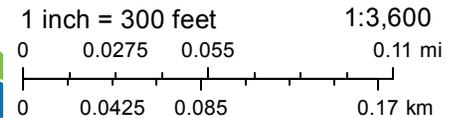
Land Use Map



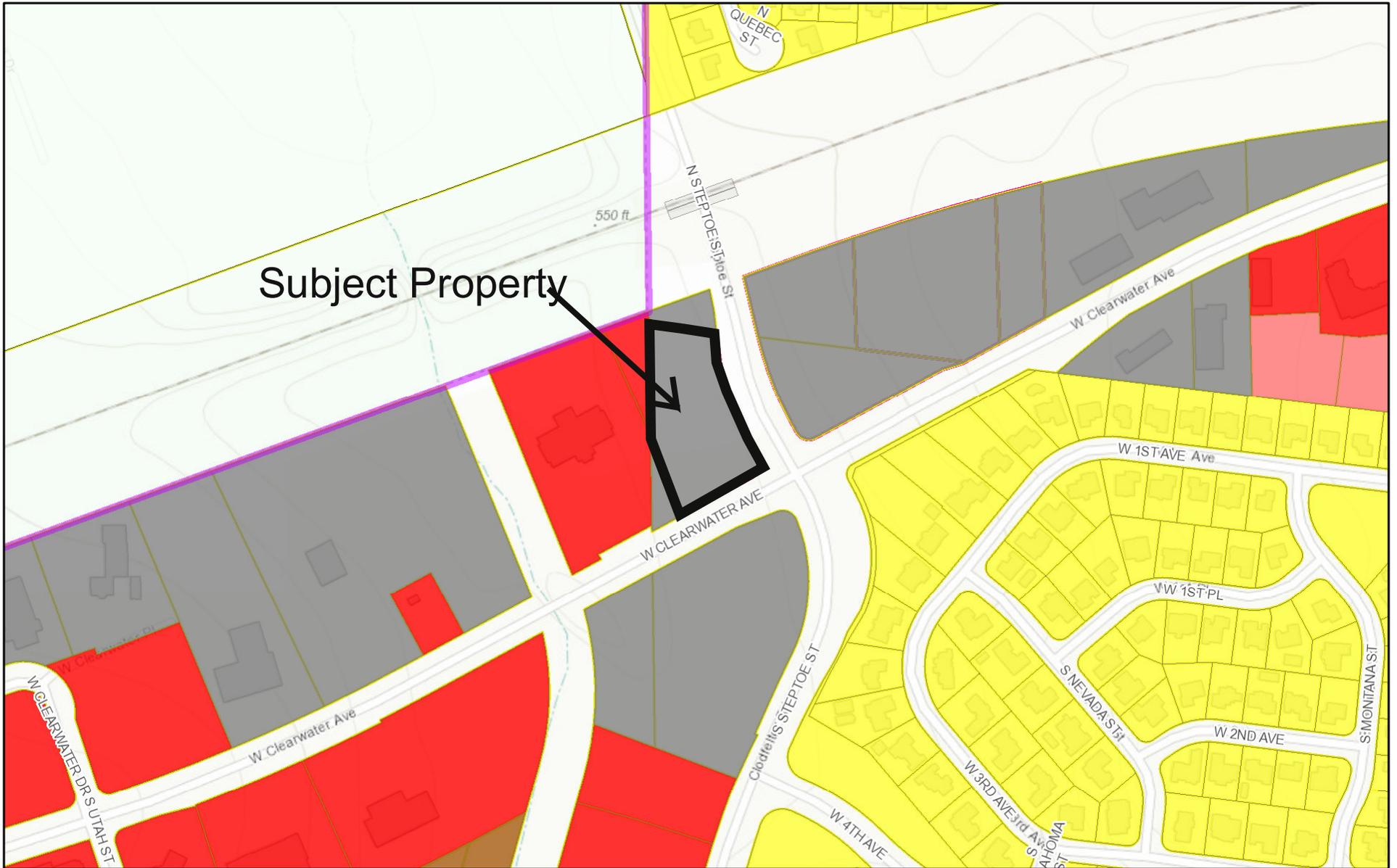
August 7, 2023

This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

- | | | | | |
|---------------------------|-----------|-------------|-------------------------|----------------|
| StreetName | Apartment | Mobile Home | SurveyCityLimits | SV_CI_COUNTY_1 |
| SurveyAddressPoint | Building | Parcel | SV_CI_KENNEWICK_10 | |
| <all other values> | Condo | | SV_CI_RICHLAND_10 | |



Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,

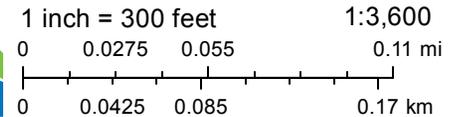


Subject Property

August 7, 2023

This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

- | | | | | |
|---------------------------|-----------|-------------|-------------------------|-----------------|
| StreetName | Apartment | Mobile Home | SurveyCityLimits | SV_CI_COUNTY_10 |
| SurveyAddressPoint | Building | Parcel | SV_CI_KENNEWICK_10 | |
| <all other values> | Condo | | SV_CI_RICHLAND_10 | |



Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,

KENNEWICK PLANNING COMMISSION**NOTICE OF PUBLIC HEARING**

August 21, 2023 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on Monday, August 21, 2023, at City Hall Council Chambers, 210 West 6th Avenue, at 6:30 p.m. or as soon as possible thereafter, to receive public comment on a proposed Change of Zone. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item. The public hearing will be conducted in a hybrid setting which will allow interested parties to participate in person or virtually. To participate virtually in the hearing, use the link found at <https://www.go2kennewick.com/598/Planning-Commission>.

Project# COZ-2023-0006 – A Change of Zone of 1.53 acres from Industrial, Light (IL) to Commercial, Community (CC), located at 8920 W Clearwater Ave. The property has a Comprehensive Plan land use designation of Commercial. See site map on back.

Submit written comments to Matt Halitsky at matt.halitsky@ci.kennewick.wa.us or mail to PO Box 6108, Kennewick, WA 99336. For questions about this project, please call Matt Halitsky (509) 585-4416

The City of Kennewick welcomes full participation in public meeting by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact Matt Halitsky at (509) 585-4416 or TDD (509) 585-4425 or through the Washington Relay Service Center TTY at #711 at least ten days prior to the date of the meeting to make arrangements for special needs.



NOTIFICATION OF MAILING

I, _____, on _____, 20_____

Mailed _____ copies of _____

for _____

to _____

as shown on the attached list.

Signature



Exhibit 8

37
KADLEC REGIONAL MEDICAL CENTER
C/O CBRE FINANCE
1801 LIND AVE SW
Renton, WA 98057

37
HANSEN PARK LLC
21611 AHTANUM RD
Yakima, WA 98908

37
JACK SUSAN ELIZABETH & GERSMAN
JOHN ORVILLE
8838 W 1ST AVE
Kennewick, WA 99336

37
PRESTIGE DEVELOPMENT INC NW
8600 W CLEARWATER AVE
Kennewick, WA 99336

37
LATORRE II CARLOS A & MICHELE
8913 W 3RD AVE
Kennewick, WA 99336

37
HANSON PARK HOMEOWNERS ASSOC
6855 W Clearwater AVE #A101-160
KENNEWICK, WA 99336

37
HUGHES TRUSTEES D KEITH & BETTY JO
8600 W CLEARWATER AVE
Kennewick, WA 99336

37
CHAVALLO TRUSTEES MANUEL & HILDA
8842 W 1st Ave
Kennewick, WA 99336



Community Planning Department

210 West 6th Avenue
 Kennewick, WA 99336
 Phone: (509) 585-4280
cedinfo@ci.kennewick.wa.us

DETERMINATION OF NON-SIGNIFICANCE

FILE/PROJECT NUMBER: CPA 15-07/PLN-2015-01322

DESCRIPTION OF PROPOSAL: Change 10.75 acres designated Industrial to Commercial

PROPONENT: Hansen Park, LLC

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: NW, NE & SW corners of W. Clearwater Ave. & N. Steptoe St./S. Clodfelter St. (see map)

LEAD AGENCY: City of Kennewick

DETERMINATION: The City of Kennewick has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) will not be required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the City. This information is available to the public on request. Application for other required permits may require further review under SEPA procedures.

- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
- This DNS is issued under 197-11-340(2); the City will not act on this proposal for fifteen days from the date below. Comments must be submitted by ____. After the review period has elapsed, all comments received will be evaluated and the DNS will be retained, modified, or withdrawn as required by SEPA regulations.

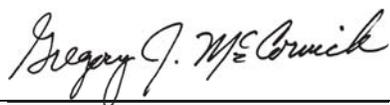
RESPONSIBLE OFFICIAL: Gregory McCormick, AICP
POSITION/TITLE: Community Planning Director
ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336
PHONE: (509) 585-4463

- Changes, modifications and /or additions to the checklist have been made on the attached Environmental Checklist Review.

This DNS is subject to the attached conditions:

- No conditions.
- See attached condition(s).

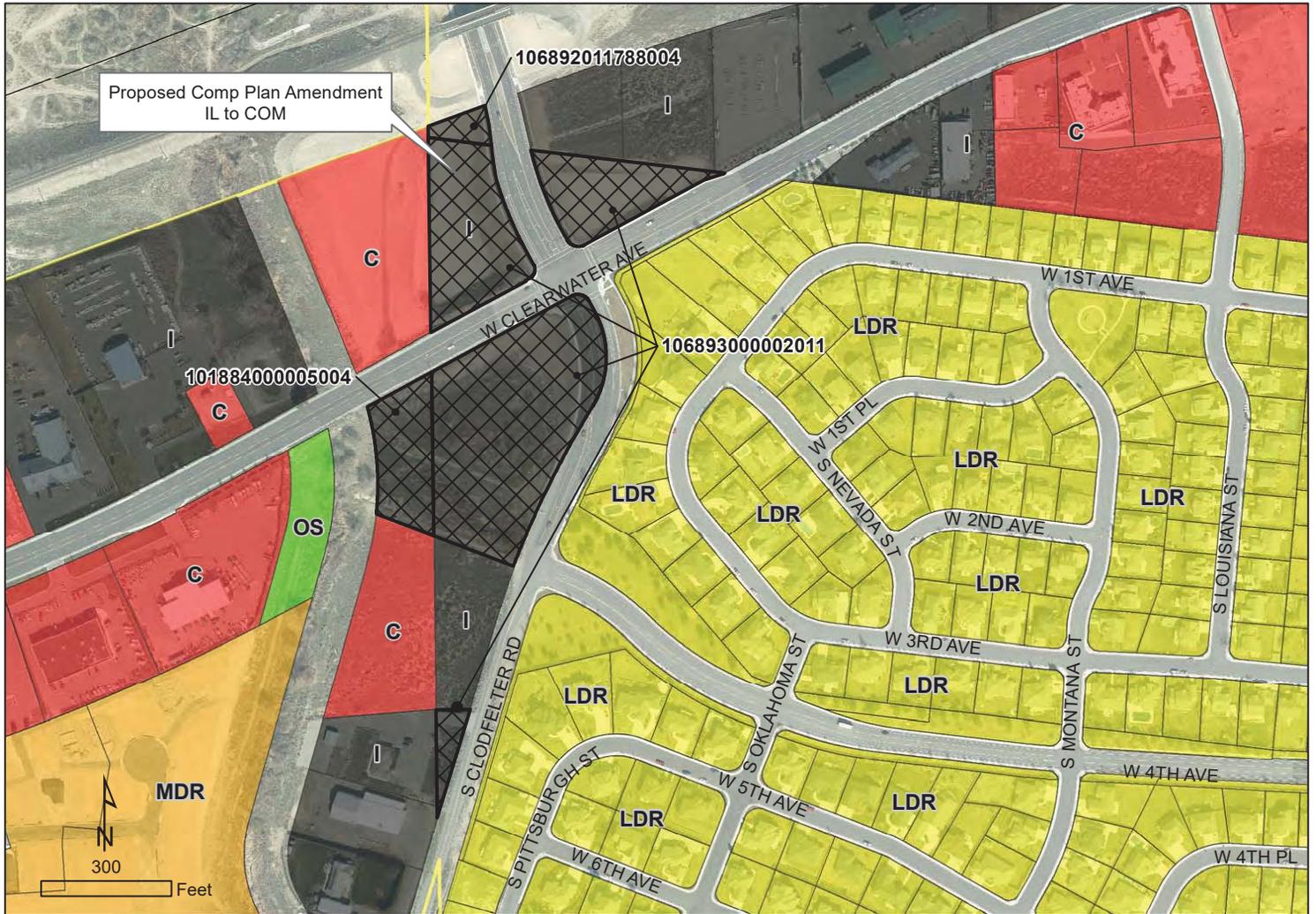
Date: August 10, 2015

Signature: 

Appeal: An appeal of this determination must be submitted to the Community Planning Department within fourteen (14) calendar days after the date issued. This appeal must be written and make specific factual objections to the City's threshold determination. Appeals shall be conducted in conformance with Section 4.12.090(9) of the Kennewick Municipal Code and the required fees pursuant to the City's adopted Fee Schedule shall be paid at time of appeal submittal.

Copies of this DNS were emailed to:

- Benton Clean Air Authority
- Confederated Tribes of Umatilla Indian Reservation
- Department of Ecology SEPA Register
- Department of Fish & Wildlife
- Department of Natural Resources
- Washington State Department of Transportation



Hansen Park - Clearwater Property Comprehensive Plan Amendment

CITY OF KENNEWICK
ORDINANCE NO. 6033

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF KENNEWICK LOCATED AT 8920 W. CLEARWATER AVENUE FROM INDUSTRIAL, LIGHT (IL) TO COMMERCIAL, COMMUNITY (CC) (COZ 2023-0006, Hansen Park, LLC)

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 3001, as amended, the zoning ordinance of the City of Kennewick and the accompanying zoning map of the City of Kennewick being part of said ordinance shall be and hereby is changed from Industrial, Light (IL) to Commercial, Community (CC) for the real property described as follows:

Parcel No. 1-0689-3BP-4740-004:

SECTION 06, TOWNSHIP 8 NORTH, RANGE 29 EAST, QUARTER SW: BINDING SITE PLAN #4740, LOT 4: A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 8 NORTH, RANGE 29 EAST, W.M. CITY OF KENNEWICK, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 6 (FROM WHICH THE CENTER QUARTER CORNER OF SAID SECTION 6 BEARS SOUTH 83° 09' 01" EAST, A DISTANCE OF 2637.11 FEET);

THENCE SOUTH 83° 09' 01" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 146.46 FEET TO THE WESTERLY RIGHT OF WAY LINE OF STEPTOE STREET AS DESCRIBED IN RIGHT OF WAY TAKE, DATED 2/24/2012, AF#2012-005410, RECORDS OF BENTON COUNTY;

THENCE LEAVING THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6 ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID STEPTOE STREET THE FOLLOWING (4) COURSES; SOUTH 06° 20' 14" EAST, A DISTANCE OF 23.12 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF A 811.31 FOOT RADIUS NON TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 83° 16' 47" EAST) THROUGH A CENTRAL ANGLE OF 03° 46' 47" FOR AN ARC DISTANCE OF 53.52 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF A 814.00 FOOT RADIUS NON TANGENT COMPOUND CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 73° 48' 00" EAST) THROUGH A CENTRAL ANGLE OF 12° 15' 57" FOR AN ARC DISTANCE OF 174.26 FEET;

THENCE SOUTH 28° 27' 57" EAST, A DISTANCE OF 44.13 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF WEST CLEARWATER AVENUE;

THENCE ALONG THE NORTHERLY RIGHT OF WAY OF SAID WEST CLEARWATER AVENUE THE FOLLOWING (4) COURSES;
SOUTHWESTERLY ALONG THE ARC OF A 23.00 FOOT RADIUS CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS SOUTH 61° 32' 03" WEST) THROUGH A CENTRAL ANGLE OF 89° 52' 50" FOR AN ARC DISTANCE OF 36.08 FEET;

THENCE SOUTH 61° 24' 53" WEST A DISTANCE OF 10.22 FEET;

THENCE SOUTH 11° 21' 31" WEST A DISTANCE OF 2.09 FEET;

THENCE SOUTH 61° 32' 03" WEST A DISTANCE OF 178.90 FEET;

THENCE LEAVING THE NORTHERLY RIGHT OF WAY LINE OF SAID WEST CLEARWATER AVENUE NORTH 19° 59' 40" WEST A DISTANCE OF 186.99 FEET TO THE WEST LINE OF THE SOUTHWEST CORNER OF SAID SECTION 6;

THENCE NORTH 00° 47' 01" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 240.70 FEET TO THE TRUE POINT OF BEGINNING AND THE END OF THIS LEGAL DESCRIPTION.

(AF#2016-013785, 5/19/2016, SEE SURVEY #4740).

Section 2. The City Council finds the amendments described in Section 1 above are in conformance with the Comprehensive Plan of the City.

Section 3. Severability Clause. If any provision of this amendatory ordinance or its application to any persons or circumstances is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Section 4. The Responsible Official for the State Environmental Policy Act has determined that the proposal will not have a probable significant adverse impact on the quality of the environment.

Section 5. This ordinance shall be in full force and effect five (5) days from and after its approval, passage and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 5th day of September, 2023, and signed in authentication of its passage this 5th day of September, 2023.

Attest:

W.D. MCKAY, Mayor

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 6033 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 6th day of September, 2023.

Approved as to form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION: _____

Council Agenda Coversheet	Agenda Item Number: 7.a. Council Date: 9/5/2023	Category: Other
	Agenda Item Type: Ordinance Subject: KMC 18.12.010 A.1 - Day Care Centers Department: Community Planning Ord/Reso # Contract # Project # Permit # DCA-2023-0001	
<p><u>Recommendation</u></p> <p>The Planning Commission recommends that City Council concur with the findings and conclusions contained in the staff report and deny Development Code Amendment, DCA-2023-0001.</p> <p><u>Motion for Consideration</u></p> <p>I move to deny Development Code Amendment, DCA-2023-0001.</p> <p><u>Summary</u></p> <p>At the hearing, the applicant discussed how Day Care Centers are needed in the community and in his opinion they would not be detrimental to the Residential, Suburban (RS), Residential, Low (RL) and Residential, Manufactured Home (RMH) Zoning Districts.</p> <p>Family Day Care Homes may provide care for up to six children. Mini-Day Care Centers, via the conditional use permit process and in a family abode, may provide care for up to 12 children. It is the staff's opinion that Family Day Care Homes and Mini-Day Care Centers provide the type of service that is appropriate in the Low Density Residential Zoning Districts. Mini-Day Care Centers that are not in a family abode are not permitted in the Low Density Residential Zoning Districts.</p> <p>Approval of the proposed amendment will allow permitting, throughout all three zoning districts, of a Day Care Center that is a more intense use than a Mini-Day Care Center. Day Care Centers have no limit on the number of children at the facility. The purpose of the zoning districts is to establish areas of low-density single-family residential buildings. None of the applicable comprehensive plan goals promote the establishment of commercial services in the Low Density Residential Zoning Districts.</p> <p>Testimony in favor of the proposal was received from the applicant and a member of the public. The Planning Commission voted 4 to 0 to recommend denial to City Council.</p> <p><u>Alternatives</u></p> <p>None Recommended.</p> <p><u>Fiscal Impact</u></p> <p>None</p>		
<p><u>Attachments:</u></p> <ol style="list-style-type: none"> 1. Staff Report 2. PC Action Summary 3. Minutes 4. Presentation 		



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO
THE PLANNING COMMISSION

FILE No: DCA-2023-0001

Public Hearing Date: August 7, 2023

Proposal: To amend Kennewick Municipal Code (KMC) Section 18.12.010 A.1 by permitting Day Care Centers via a Conditional Use Permit in the Residential, Suburban (RS), Residential, Low Density (RL) and Residential, Manufactured Home (RMH) Zoning Districts.

Applicant: Tyson Fellman

Staff Contact: Steve Donovan, Planning Manager

Background:

On May 26, 2023, the applicant applied to amend KMC Section 18.12.010 A.1.

The City sent the proposed amendments to the Department of Commerce, City of Kennewick Department and outside agencies on June 5 2023. The Department of Commerce issued expedited review on June 26, 2023.

Discussion and Analysis:

The applicant has proposed the following amendments (underlined and in red) to KMC Section 18.12.010 A.1: - Residential Use Table:

The following table lists uses allowed by zone and the applicable City review process as follows: Review Process I = Staff review, Review Process II = Conditional Use Permit, Review Process III = Temporary Homeless Encampment Permit. If a use is listed with a blank, it shall be prohibited in that zone. For certain categories of uses, additional requirements are also noted:

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS	
Day Care Center (See Section 18.12.600)	<u>II</u>	<u>II</u>	<u>II</u>	II	I		I	I	I		I	I		I		I	I	I	I			I	I	
Family Day Care Home (see Section 18.12.070 and footnotes)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)		(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Mini-DayCare Center (Located in Family Abode-Section 18.12.060)	II	II	II	I	I	II	I	I	I	I	I	I		I	I	I	I	I	I	I	I	I	I
Mini-DayCare Center (Not located in Family Abode - See 18.12.060)				I	I		I	I			I	I		I	I	I	I					I	I

(1) No permit required for a family day care home (up to six charges). Per 18.12.070, if alterations are made a building permit will be required. A state license and city business license is required.

As shown in the above table, the applicant has proposed to permit Day Care Centers in the RMH, RS and RL Zones via the Conditional Use Permit Process.

Staff Analysis:

KMC Section 18.03.040: - Zone Purposes, ensures that the purpose of the zoning districts is consistent with the City Comprehensive Plan. Below are sub-sections of the section that establishes the purpose of the zoning districts where Day Care Centers are proposed to be permitted:

- (1) RS - The purpose of the RS district is to establish areas for low-density single-family residential buildings, to stabilize and protect residential districts, and to promote and encourage a suitable environment for family life in a semi-rural setting.
- (2) RL - The purpose of the RL district is to establish areas for low density, single-family, residential buildings, to stabilize and protect residential districts, and to promote and encourage a suitable environment for family life in an urban setting.
- (5) RMH - The purpose of RMH district is to establish areas for low density, single-family life, protect residential districts, and to promote and encourage a suitable environment for family life in an urban setting.

The following, is the definition of a Day Care Center in the Kennewick Municipal Code: 18.09.520: - Day Care Center.

Day Care Center means an agency licensed by the State, which regularly provides care for 13 or more children during part of the 24-hour day.

Family Day Care Homes may provide care for up to six children. Mini-Day Care Centers, via the conditional use permit process and in a family abode, may provide care for up to 12 children. It is staff’s opinion, that Family Day Care Homes and Mini-Day Care Centers provide the type of service that is appropriate in the Low Density Residential Zoning Districts. Mini-Day Care Centers that are not in a family abode are not permitted in the Low Density Residential Zoning Districts.

Approval of the proposed amendment will allow permitting, throughout all three zoning districts, a Day Care Center that is a more intense use than a Mini-Day Care Center. Day Care Centers have no limit on the number of children at the facility. The purposes of the zoning districts is to establish areas of low-density single-family residential buildings. None of the below goals promote the establishment of commercial services in the Low Density Residential Zoning Districts.

Comprehensive Plan Land Use Goals

The following goals provide a basis to for the type of uses appropriate in the residential zones:

- Goal 1: Provide for attractive, walkable, and well-designed residential neighborhoods, with differing densities and compatible with neighboring areas.
- Goal 2: Provide appropriate public facilities supporting residential areas.
- Goal 3: Promote a variety of residential densities with a minimum density target of 3 units per acre as averaged throughout the urban area.
- Goal 4: Provide more housing opportunities near commercial, transit and employment.

Regulatory Controls and Policies

- Kennewick Municipal Code Chapter 18.12
- Kennewick Comprehensive Plan

Findings of Fact:

1. The applicant is Tyler Fellman, 5608 W 26th Avenue, Kennewick, WA 99338.
2. The application was submitted on May 26, 2023.
3. Notice of the proposed code revision was sent to the Washington State Department of Commerce on June 5, 2023, consistent with the requirements of RCW 36.70A.106.
4. The City received confirmation of starting the 60-day/Expedited review period and notice that the City has met the Growth Management Act notice to state agency requirements from the Washington State Department of Commerce on June 5, 2023.
5. The Department of Commerce granted expedited review on June 20, 2023.
6. The Notice of Public Hearing was published in the Tri City Herald on July 23, 2023.
7. The City fulfilled the State Environmental Policy Act requirements by issuing a Determination of Non-significance (DNS) on June 29, 2023.

Conclusions of Law:

1. The proposed amendments will negatively affect the City of Kennewick’s public health, safety, and general welfare.
2. The proposed amendments conflict with goals of the Comprehensive Plan.

Staff Recommendation:

Based on the above analysis of the applicant’s request and staff’s proposed amendment, staff recommends the Planning Commission forward a recommendation of DENIAL to City Council for the following motion.

Motion:

I move that the Planning Commission concur with the findings and conclusions in the staff report DCA-2023-0001 and recommend denial of the amendment to KMC Section 18.12.010 A.1 to City Council.

Exhibits:

1. Staff Report
2. Application, Proposed Amendments and Supporting Information
3. Environmental Determination of Non-significance ED-2023-0017
4. Zoning Map

Proposed Development Code Amendment

RS, RL and RMH zoned properties would be allowed to have day care center with a conditional use permit.

Supporting Details

Day care centers provide a needed community service. As our community has grown, quality child care options have not been able to keep up with demand. Day care centers in Kennewick are at full capacity and parents that need this service deserve to have more choices. This amendment would create more options for new day care providers to establish new daycare centers. The conditional use permit would allow the city to ensure that the zoning purpose for these day care sites are maintained.

Mini day care centers are already allowed in these zones with a conditional use permit as long as they are in a family abode. Also, these zones allow for churches with a conditional use permit. Considering that Churches and mini child care centers in a family abode are allowed it seems that day care centers not in a family abode should be allowed as well.

This amendment would help provide a needed service to our community.

Proposed Development Code Amendment

RS, RL and RMH zoned properties would be allowed to have day care center with a conditional use permit.



**CITY OF KENNEWICK
DETERMINATION OF NON-SIGNIFICANCE**

FILE/PROJECT NUMBER: ED-2023-0017

DESCRIPTION OF PROPOSAL: To amend Kennewick Municipal Code Section 18.12.010 A.1 by permitting Day Care Centers via a Conditional Use Permit in the Residential, Suburban (RS), Residential, Low Density (RL) and Residential, Manufactured Home (RMH) Zoning Districts.

PROPONENT: Tyson Fellman, 5608 W 26th Avenue, Kennewick, WA 99338

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: Not Site Specific

LEAD AGENCY: City of Kennewick

DETERMINATION: The City of Kennewick has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) will not be required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the City. This information is available to the public on request. Application for other required permits may require further review under SEPA procedures.

- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
- This DNS is issued under 197-11-340(2); the City will not act on this proposal for fifteen days from the date below. Comments must be submitted by _____. After the review period has elapsed, all comments received will be evaluated and the DNS will be retained, modified, or withdrawn as required by SEPA regulations.

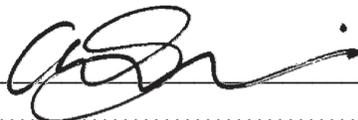
RESPONSIBLE OFFICIAL: Anthony Muai, AICP
POSITION/TITLE: Planning Director
ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336
PHONE: (509) 585-4386

Changes, modifications and/or additions to the checklist have been made on the attached Environmental Checklist Review.

This DNS is subject to the attached conditions:

- No conditions.
- See attached condition(s).

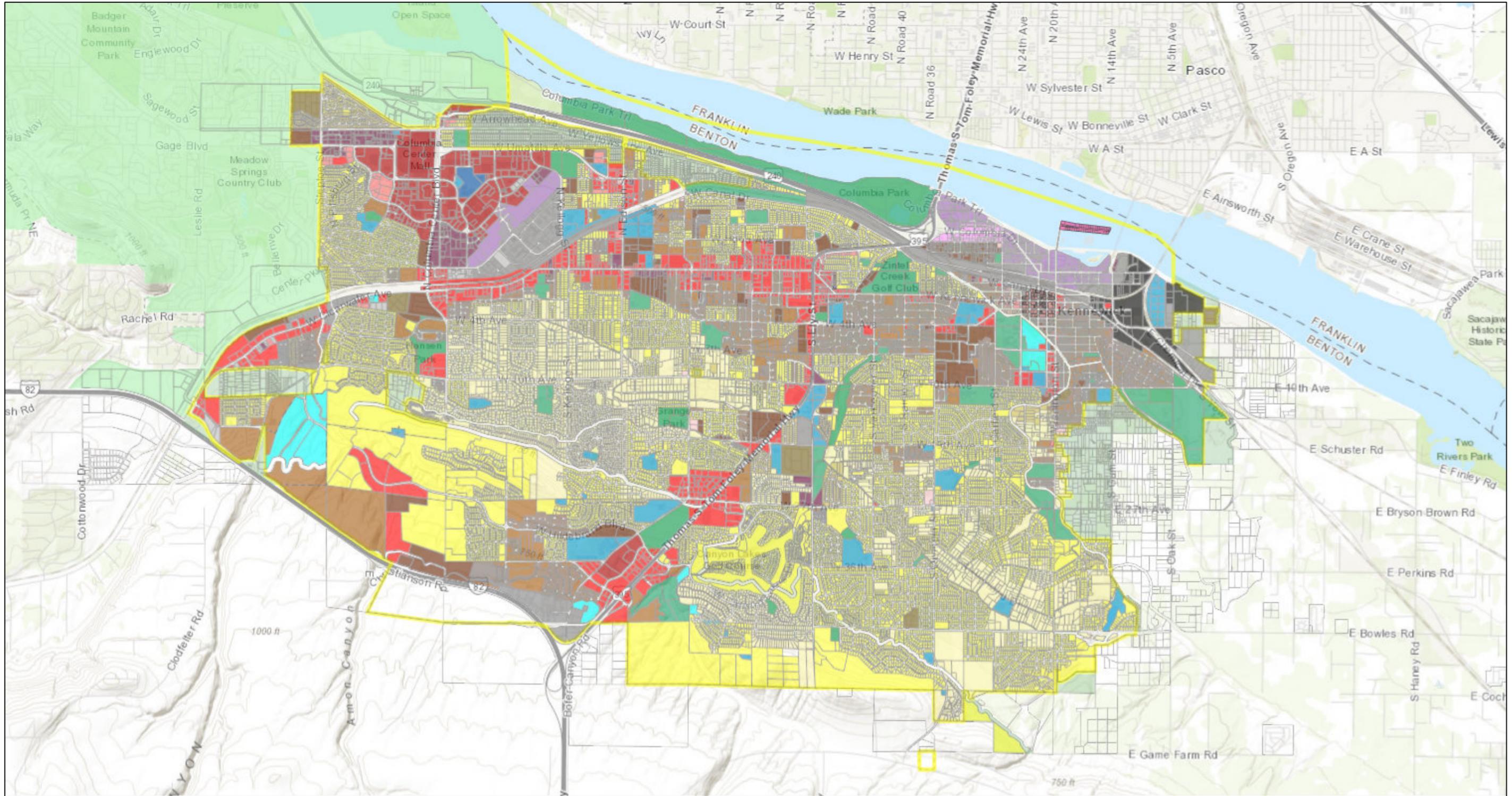
Date: June 29, 2023

Signature: 

Appeal: An appeal of this determination must be submitted to the Community Planning Department within fourteen (14) calendar days after the date issued and no later than 5 p.m. This appeal must be written and make specific factual objections to the City's threshold determination. Appeals shall be conducted in conformance with Section 4.12.090(9) of the Kennewick Municipal Code and the required fees pursuant to the City's adopted Fee Schedule shall be paid at time of appeal submittal.

Copies of this DNS were mailed to:
Dept. of Ecology
WA Dept. of Fish & Wildlife
WSDOT
Yakama Nation
CTUIR
ED-2023-0017 File

Zoning Map



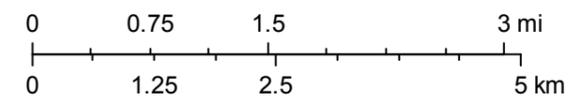
7/17/2023, 9:08:36 AM

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1 inch = 6,019 feet

1:72,224

A	CC	CM	CR	IH-L	MULTI	PF	RL-L	RM-6	RMH-1	RMH-6-1	UMU
BP	CC-L	CN	CR-L	IL	OS	RH	RM	RM-6-1	RMH-1-L	RS	
CAR	CG	CO	HMU	IP	OS-L	RH-L	RM-4	RM-6-L	RMH-10	RTP	
CBD	CG-L	CO-L	IH	JF	P	RL	RM-4-L	RMH	RMH-6	RTP-L	



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User

Planning Commission Action Summary
DCA-2023-0001 – Tyson Fellman

The Kennewick Planning Commission conducted a public hearing on August 7, 2023. All interested parties were invited to come before the Commission and be heard. After reviewing the staff report and all oral and written facts and opinions, the Commission passed a motion on the proposed Development Code Amendment, concurring with the findings and conclusions in Staff Report DCA-2023-0001 and recommends to City Council denial of the proposed Development Code Amendment contained in the staff report.

Findings of Fact

1. The applicant is Tyler Fellman, 5608 W 26th Avenue, Kennewick, WA 99338.
2. The application was submitted on May 26, 2023.
3. Notice of the proposed code revision was sent to the Washington State Department of Commerce on June 5, 2023, consistent with the requirements of RCW 36.70A.106.
4. The City received confirmation of starting the 60-day/Expedited review period and notice that the City has met the Growth Management Act notice to state agency requirements from the Washington State Department of Commerce on June 5, 2023.
5. The Department of Commerce granted expedited review on June 20, 2023.
6. The Notice of Public Hearing was published in the Tri City Herald on July 23, 2023.
7. The City fulfilled the State Environmental Policy Act requirements by issuing a Determination of Non-significance (DNS) on June 29, 2023.

Conclusions of Law

1. The proposed amendments will negatively affect the City of Kennewick's public health, safety, and general welfare.
2. The proposed amendments conflict with goals of the Comprehensive Plan.

The motion to recommend denial to City Council was moved by Commissioner Hempstead and seconded by Vice Chairman Helgeson. The motion was passed unanimously, with Commissioners Hempstead Griffith, Gregory and Vice Chairman Helgeson all in favor.

**KENNEWICK PLANNING COMMISSION
AUGUST 7, 2023
MEETING MINUTES**

1. CALL TO ORDER

Vice Chair Helgeson called the meeting to order at 6:30 p.m.

Commissioner Hempstead led the Pledge of Allegiance.

Community Planning Administrative Assistant Melinda Didier called the roll and found the following present:

PRESENT: Commissioners James Hempstead, Vice Chair Thomas Helgeson, Tina Gregory, Nikki Griffith. (*Commissioner Nikki Griffith joined remotely*).

ABSENT: Chairman Victor Morris and Commissioner Lola Franklin (*Excused*); Commissioner Ken Short (*Unexcused*).

STAFF: Anthony Muai, AICP Planning Director; Steve Donovan, AICP Development Services Manager; Matt Halitsky, AICP Senior Planner; Alisha Piper, Planner (*Ms. Piper joined remotely*); Joseph Laris, Assistant Planner; Melinda Didier, Community Planning Administrative Assistant.

Four commissioners were present and three absent; Ms. Didier declared a quorum was established.

2. CONSENT AGENDA

- a. Approval of the minutes dated June 5, 2023.
- b. Approval of the agenda.
- c. Motion to enter Staff Report(s) into the Record.

MOTION: Commissioner Hempstead moved to approve the Consent Agenda; Commissioner Gregory seconded the motion.

DISCUSSION: None.

VOTE: The motion passed on a unanimous roll call vote.

3. PUBLIC HEARINGS:

Vice Chair Helgeson made the following statement:

“Good evening and welcome to the August 7, 2023 Kennewick Planning Commission meeting.

It is important that everyone who wishes to do so has an opportunity to speak. Each person who has either signed-in (in person) or registered (via Zoom) will have one, three-minute opportunity to address the Planning Commission.

If you are attending via Zoom, please confirm your microphone has been unmuted before you begin your comments.

Please state your name and address for the record; once you begin your remarks the countdown timer will start. At the end of your time, please mute your microphone.

The order of the hearings shall be as follows:

1. Planning staff shall provide a staff report; the Commission may ask questions of staff;
2. The Applicant or Applicant's Representative(s) Presentation;
3. Testimony in Favor of the Request;
4. Testimony Either Neutral or Against the Request;
5. Final Applicant Comments;
6. Final Staff Comments;
7. Close the public hearing and discuss the request."

A. DEVELOPMENT CODE AMENDMENT (DCA) #2023-0001

Vice Chair Helgeson opened the public hearing at 6:34 pm for Development Code Amendment (DCA) 2023-0001.

1. Mr. Donovan described the application, presented the staff report, and recommended the Planning Commission forward a recommendation for denial of DCA #2023-0001 to City Council.

Planning Commission Questions: How long have the existing codes been in place; when was the most recent large daycare center permitted; is this one trying to have twelve kids; will planning explain the difference between daycare center and family daycare center; why does Planning feel this is not a good fit, is it a parking issue; are larger daycare centers permitted via a Conditional Use Permit; if the applicant asked for a variance just for his property, would that be approved; is it unusual for an applicant to come in and request a complete change in the zone.

2. Testimony of Applicant/Applicant's Representative: Tyson Fellman, 5608 W. 26th Avenue, Kennewick 99338: Was recommended to go this route for my request, surprised the staff is recommending denial; good arguments for support & bad arguments to not support; understand that larger centers will have parking issues; there is a big need for daycare centers; my daycare center in Franklin County has expanded to over 100 children and no complaints received from neighboring properties; have been in daycare center business for 20 years and this change would help parents get quality daycare for their children; this is a reasonable change and ask for Planning Commission support.
3. Testimony in Favor of the Request: Jocelyn Perez, 2116 Sycamore Ct., Pasco: Supervisor for Beyond the Rainbow Daycare on 4th; believe this change would be beneficial to the community; we need more space for daycare centers; a lot of people are on our waiting list and we need more daycare centers.
4. Testimony Neutral/Against the Request: None
5. Testimony of Those Registered on Virtual Format: None
6. Applicant/Owner Final Testimony: None

7. Staff Final Comments: None
8. Public Testimony Closed at 6:56 p.m.

MOTION: Commissioner Hempstead moved to concur with the findings and conclusions in staff report DCA 2023-0001 and recommend City Council DENIAL of the request. Vice Chair Helgeson seconded the motion.

DISCUSSION: Commissioner Hempstead stated he appreciates when citizens bring forward proposals they believe will benefit the community as a whole, but at this time I believe that it will not benefit the entire community as a whole at this time; Commissioner Griffith mentioned the new state housing bill in respect to ADU's and wondered if in a couple of years this issue will become a moot point; Mr. Muai said the new state changes do not affect commercial uses such as large daycare center, the changes at the state level are strictly increasing dwelling units, not commercial uses in residential zones; Commissioner Gregory said there is a need for daycare centers so how will this be addressed.

VOTE: The motion passed on a unanimous roll call vote.

4. VISITORS NOT ON AGENDA:

- a. None

5. OLD BUSINESS:

- a. None

6. NEW BUSINESS:

Accessory Dwelling Unit (ADU) Workshop Presentation: AICP Planning Director Anthony Muai -

Mr. Muai gave an overview of the accessory dwelling unit regulations, which staff started working on several months ago; at the time legislation was in the works we decided to move forward with amending our code anyway. Mr. Muai presented a proposal for amending the City's code and complying with HB 1337.

Planning Commission questions included: Are there height limits in residential zones; can you condo all ADU's on the lot; are subdivision under CCR's allowed to restrict compatibility of ADU's to the main residence; will these be adopted sooner than the state deadline for adoption.

7. REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Mr. Muai said the Planning Commission has hearings scheduled for the August 21, 2023 meeting, and a joint City Council-Planning Commission workshop scheduled for August 29, 2023. Ken Harper is a Planning consultant who will be conducting the workshop.

- 8. ADJOURNMENT:** The meeting concluded at 7:21 p.m.

City Council Meeting

Development Code Amendment DCA-2023-0001

September 5, 2023

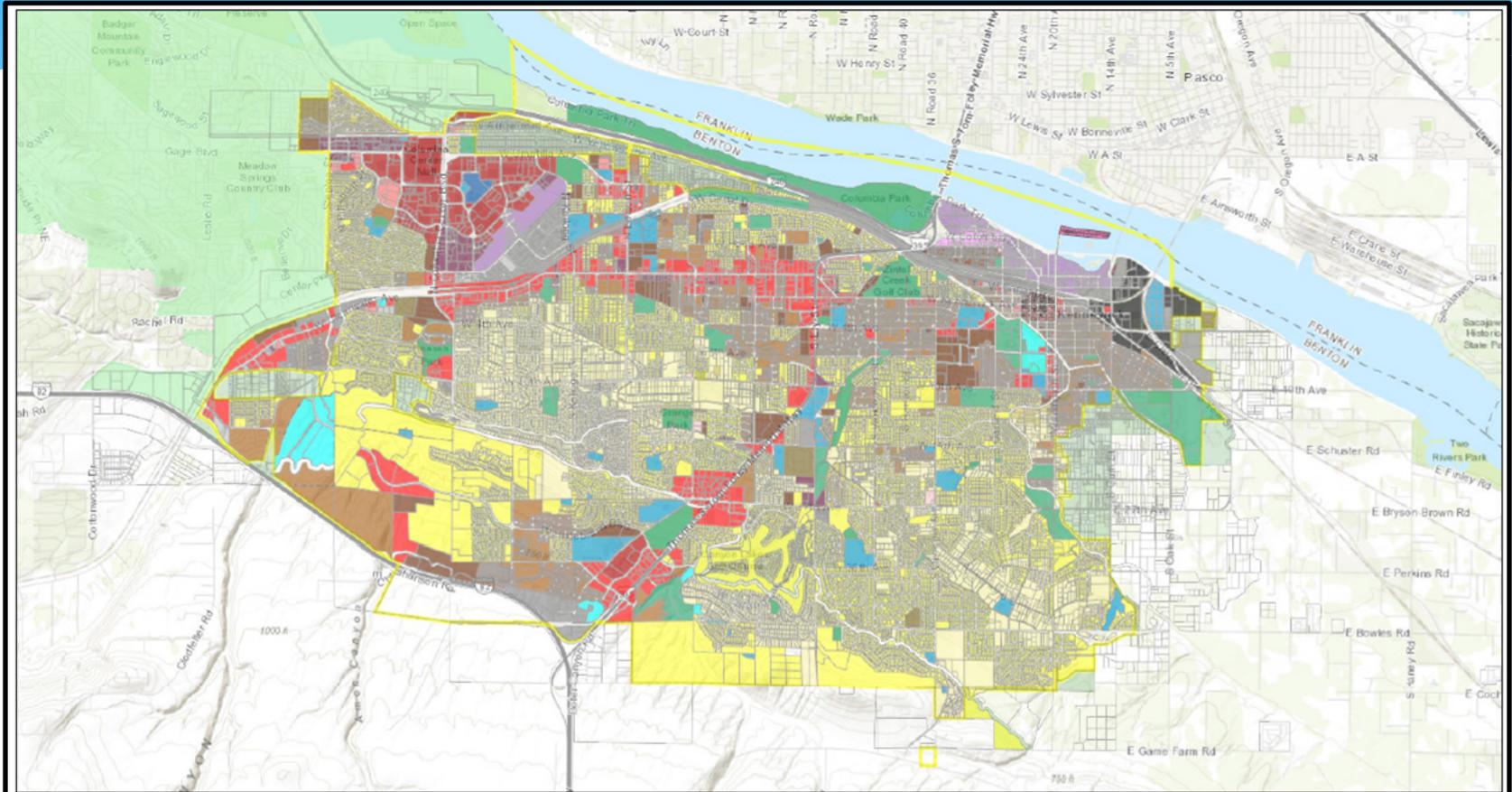


Application Summary

Applicant(s): Tyson Fellman

Proposal: To amend Kennewick Municipal Code (KMC) Section 18.12.010 A.1 by permitting Day Care Centers via a Conditional Use Permit in the Residential, Suburban (RS), Residential, Low Density (RL) and Residential, Manufactured Home (RMH) Zoning Districts.

Zoning Map

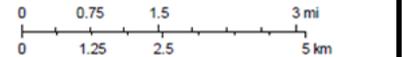


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A	CC	CM	CR	IH-L	MULTI	PF	RL-L	RM-6	RMH-1	RMH-6-1	UMU
BP	CC-L	CN	CR-L	IL	OS	RH	RM	RM-6-1	RMH-1-L	RS	
CAR	CG	CO	HMU	IP	OS-L	RH-L	RM-4	RM-6-L	RMH-10	RTP	
CBD	CG-L	CO-L	IH	JF	P	RL	RM-4-L	RMH	RMH-6	RTP-L	

Staff Analysis

Staff has reviewed the proposed amendments and provides the following analysis:

- Family Day Care Homes may provide care for up to six children. Mini-Day Care Centers, via the conditional use permit process and in a family abode, may provide care for up to 12 children. It is staff's opinion, that Family Day Care Homes and Mini-Day Care Centers provide the type of service that is appropriate in the Low Density Residential Zoning Districts. Mini-Day Care Centers that are not in a family abode are not permitted in the Low Density Residential Zoning Districts.
- Approval of the proposed amendment will allow permitting, throughout all three zoning districts, a Day Care Center that is a more intense use than a Mini-Day Care Center. Day Care Centers have no limit on the number of children at the facility. The purposes of the zoning districts is to establish areas of low-density single-family residential buildings. None of the comprehensive plan goals promote the establishment of commercial services in the Low Density Residential Zoning Districts.

Hearing Summary

- The Planning Commission held a public hearing on August 7, 2023 for the proposed Development Code Amendment.
- The applicant and a member of the public spoke in favor of the proposed amendment.
- No additional testimony was submitted by the public.
- The Planning Commission voted 4-0 to recommend denial of the proposed amendment.

Recommendation

The Planning Commission recommends denial the proposed Development Code Amendment DCA-2023-0001.