

AGENDA

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

Tuesday, September 8, 2015
2:00 p.m.

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. PUBLIC COMMENT** *(Please state your name and address for the public record)*
- IV. CONSENT AGENDA**
 - A. Approval of Direct Deposit and ePayments Dated September 2, 2015
 - B. Approval of Warrant Registers Dated September 8, 2015
 - C. Approval of Amendment to Commercial Lease Agreement with Soulek, Inc. (dba Washington Surplus); Resolution 2015-19
- V. PRESENTATIONS**
 - A. Vista Arts Center Update, Steve Wiley, Arts Center Task Force Chairman (**TIM**)
 - B. Clover Island Fair Game Artwork & Basalt Benches (**TANA**)
- VI. REPORTS, COMMENTS AND DISCUSSION ITEMS**
 - A. Port of Pasco, Tri-Cities Airport Passenger Facility Charge (**TIM**)
 - B. Vista Field Update (**LARRY**)
 - C. Commissioner Meetings (formal and informal meetings with groups or individuals)
 - D. Non-Scheduled Items
- VII. PUBLIC COMMENT** *(Please state your name and address for the public record)*
- VIII. EXECUTIVE SESSION, if necessary** *(Ask public if they are staying, and if not, where they can be located if the Executive Session ends early.)*
 - A. Real Estate, per RCW 42.30.110(1)(b) (Site Selection)
 - B. Real Estate, per RCW 42.30.110(1)(c) (Minimum price)
- IX. ADJOURNMENT**

PLEASE SILENCE CELL PHONES

PORT OF KENNEWICK

Resolution No. 2015-19

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PORT OF KENNEWICK APPROVING AN AMENDMENT TO A COMMERCIAL LEASE AGREEMENT WITH SOULEK, INC.

WHEREAS, the Port of Kennewick (Port) is authorized to enter into certain leases upon such terms as the Port Commission deems proper; and

WHEREAS, the Board of Commissioners approved Resolution 2015-10 on May 12, 2015 for the renewal of the Commercial Lease Agreement with Soulek Inc. (known as Washington Surplus); and

WHEREAS, Soulek Inc. desires to lease an addition 2,915 square feet of warehouse space located at 1426 E. 3rd Ave., Suite C103, Kennewick, Benton County, Washington, effective September 1, 2015; and

WHEREAS, a total monthly lease of \$4,125.43, including leasehold excise tax, has been negotiated by Port staff; and

WHEREAS, the Port Commission has called a regularly scheduled public meeting with notice of such meeting given as provided by law and such public meeting was held at such time and on said date; and

WHEREAS, Port staff and the Port attorney have reviewed the proposed Amendment to Commercial Lease Agreement and find it is in proper form and it is in the Port's best interest; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Commissioners of the Port of Kennewick hereby approves the attached Amendment to Commercial Lease Agreement with Soulek Inc. as presented and authorizes the Port's Executive Director to execute all documents and agreements on behalf of the Port to complete the transaction as specified above.

ADOPTED by the Board of Commissioners of the Port of Kennewick on the 8th day of September, 2015.

***PORT of KENNEWICK
BOARD of COMMISSIONERS***

By:

DON BARNES, *President*

By:

SKIP NOVAKOVICH, *Vice President*

By:

THOMAS MOAK, *Secretary*

AMENDMENT TO COMMERCIAL LEASE AGREEMENT

THIS AMENDMENT TO COMMERCIAL LEASE AGREEMENT is entered into this ____ day of September, 2015 by and between the **PORT OF KENNEWICK**, a Washington municipal corporation ("LESSOR"), and **SOULEK, INC. dba WASHINGTON SURPLUS**, a Washington corporation ("LESSEE").

W I T N E S S E T H

WHEREAS, on May 1, 2015 the Lessor and Lessee entered into a Commercial Lease for the lease of premises located at Lessor's Development Building C (DB4) in Kennewick, Benton County, Washington (the "Commercial Lease"). The Commercial Lease and Exhibits (including full legal description) are attached hereto and incorporated herein by reference as "Exhibit 1".

AND, WHEREAS, the Parties desire to amend certain provisions of the Commercial Lease.

NOW THEREFORE it is hereby agreed by and between the Parties that, effective September 1, 2015, certain basic provisions of the Commercial Lease are amended, as follows:

1. Replace "D. Land:" with:

D. Land: The real property located at 1426 E. 3rd Ave., Suite A130, Development Building A (DB-1), 1426 E. 3rd Ave., Suite C103 Development Building C (DB-4), and Bullpen 7, Kennewick, WA 99336, as described on Exhibit "A" attached hereto and incorporated herein by reference.

2. Replace "J. Base Monthly Rent Calculation:" with:

J. Total Square Feet Leased: 8,390 sq. ft. leasable space.

3. Replace "K. Base Monthly Rent:" with:

K. Base Monthly Rent Calculation (not including LET):

Suite A130	\$.40/sq. ft.	5,475 sq. ft.	\$2,190.00
Suite C103	\$.40/sq. ft.	2,915 sq. ft.	\$1,166.00
Bullpen 7	\$. 05/sq. ft.	6,000 sq. ft.	\$ 300.00

Total Base Monthly Rent (not including LET): \$ 3,656.00

4. Replace "M. Total Monthly Rent;" with:

M. Total Monthly Rent (includes LET): \$ 4,125.43

5. Replace "P. financial Security:" with:

P. Financial Security: __X__ \$ 4,575.43 deposit (ON FILE);

All other basic provisions, terms and conditions of the Commercial Lease remain unchanged and in full force and effect. same.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written.

By Authority of the
Board of Commissioners

PORT OF KENNEWICK

By: _____

Tim Arntzen, Executive Director

Approved as to form:

Lucinda Luke, Port Attorney

SOULEK, INC.

By:  _____

Adam Soulek, Owner

