

**MEMORANDUM OF UNDERSTANDING  
FOR COOPERATION IN ESTABLISHING A SUBLEASE  
OF A PORTION OF COLUMBIA PARK FOR  
THE HANFORD REACH INTERPRETIVE CENTER**

This Memorandum of Understanding (the "MOU") is made by and between the CITY OF RICHLAND, WASHINGTON, a Washington municipal corporation, hereinafter referred to as "City", and the RICHLAND PUBLIC FACILITY DISTRICT, a Washington municipal corporation, hereinafter referred to as "District", for the purpose of establishing roles and procedures to be used in preparing a sublease for the site of the Hanford Reach interpretive center (Reach) within the western portion of Columbia Park.

Under the laws of the State of Washington, the City of Richland established the Richland Public Facility District for the purpose of developing community facilities within the City. As their initial project the District undertook the development of the Hanford Reach Interpretive Center. The City authorized this project to proceed and provided a site for its construction at Columbia Point South. The City and District worked cooperatively to obtain additional funding for the project through the Federal Highway Administration (FHWA). After years of effort to complete the studies required to obtain permits from the FHWA the site was determined to be eligible for listing on the National Register of Historic Places as a "Traditional Cultural Property". This unexpected designation prevents the use of FHWA funds unless it can be demonstrated that there are no other locations where the facility can be built.

The District has studied multiple alternative sites and determined that a proposed site at the west end of Columbia Park is the only available location that would fully satisfy all of their site criteria. This site is owned by the US Army Corps of Engineers (ACE) and leased to the City of Richland for recreational uses. The District has prepared a conceptual plan for the development of the Hanford Reach Interpretive Center on approximately 20 acres of Columbia Park. The City in conjunction with the City of Kennewick has developed a recommended master plan for Columbia Park that integrates this desired site into the balance of the Park. The District is prepared to pursue the design, construction and operation of the Hanford Reach Interpretive Center on this Columbia Park site but prior to expending additional funds desires a commitment from the City to pursue a sublease with ACE for the project.


In pursuit of the shared goals of the City and the District the parties agree to cooperatively work in the following manner:

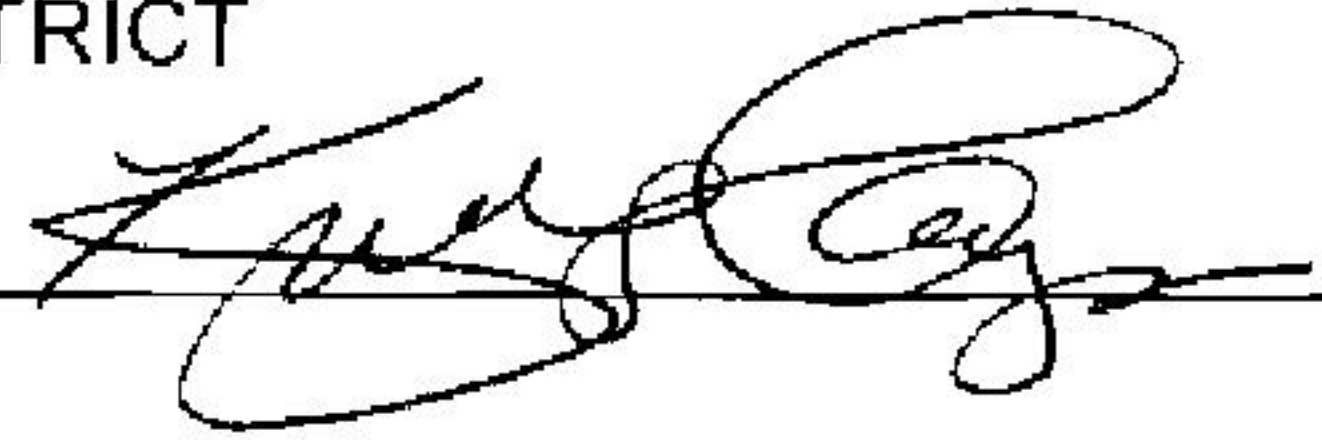
1. The City and District will negotiate in good faith the terms of a sublease for the Reach on that portion of Columbia Park more specifically described in Exhibit A attached hereto. It is understood that any sublease is subject to approval by the US Army Corps of Engineers who holds ownership of the property.
2. The District will:

- (i) Designate official representatives to commence negotiations with the City to address all issues related to the sublease of the subject site.
  - (ii) Provide site studies and other technical information which may be needed by either the City or the Army Corps of Engineers in evaluating the proposed sub-lease.
  - (iii) Pursue approval of the Reach site plan and applicable permits from all required State, Federal, and local agencies.
  - (iv) Prepare a project pro forma and construction timeline for incorporation in the sublease. The pro forma should demonstrate the project feasibility, extent of necessary public and private investment and projected operating revenues.
3. The City will:
- (i) Hold the site described in Exhibit A available for a period of one year from the execution of this MOU while the sublease is being drafted and considered for approval.
  - (ii) Designate official representatives to commence negotiations with District to address all issues related to the sublease of the subject site.
  - (iii) Coordinate with the Army Corps of Engineers to seek their approval of the proposed sublease.
4. The parties agree that, the District's existing lease with the City for 50 acres at Columbia Point South will be terminated upon the execution of a sublease for the Columbia Park site.
5. The City and District acknowledge that the recommended Columbia Park Master plan is still subject to public review and possible modification prior to formal adoption by the Cities. Also the District plans for the Reach at this location may be refined based on site conditions, regulations or conditions of the property owner. The City and the District will work cooperatively to incorporate any needed modifications to the Columbia Park Master Plan or the Reach site plan.
6. This MOU may be terminated by either party with thirty (30) days written notice. The MOU will automatically terminate upon the execution of a sublease for the subject site or after 365 days if the parties have failed for any reason to reach agreement on the proposed sublease.

CITY OF RICHLAND

RICHLAND PUBLIC FACILITY  
DISTRICT

  
\_\_\_\_\_  
CYNTHIA D. JOHNSON  
DATE: 4-8-10  
City Manager

By:   
\_\_\_\_\_

APPROVED AS TO FORM:

  
\_\_\_\_\_  
THOMAS O. LAMPSON  
City Attorney

## EXHIBIT A

**EXHIBIT A**  
Approximate Location of  
Proposed Reach Site at Columbia Par



Marina

Columbia Park Trail

VIEWPOINT

Fowler Street

SR 240

**RICHLAND PUBLIC FACILITIES DISTRICT (RPF D)**

**RESOLUTION No. 2010 - 01**

**COPY**

**WHEREAS, the Richland Public Facilities District (RPF D), has entered into an MOU with the City of Richland, (City),**

**WHEREAS, the purpose of said MOU is to establish roles and procedures to be used in preparing a sublease for Columbia Park West (CPW) site of the Hanford Reach Interpretive Center (Reach), regional project of the RPF D,**

**WHEREAS, the RPF D will be required to conduct studies to complete federal permitting requirements in order to construct the Reach at CPW,**

**WHEREAS, the RPF D will enter into a contract with the United States Army Corp of Engineers (USACE) to conduct the studies for the federal permitting,**

**WHEREAS, the USACE requires a retainer be submitted before they can begin working on the required studies to obtain the federal permits,**

**BE IT RESOLVED, staff of the RPF D is requesting approval to issue a retainer to the USACE to conduct the studies needed to obtain the federal permits, not to exceed \$90,000.00.**

DATED this 17th day of May, 2010

  
Linda Boomer, President of the RPF D

  
Eric Gerber, Vice President of the RPF D

  
Joel Rogo, Secretary of the RPF D

  
Burt Vaughan, Board Member of the RPF D

  
Rich Emery, Board Member of the RPF D