

**PORT OF BENTON
SPECIAL COMMISSION MEETING MINUTES
February 26, 2020**

A. **CALL TO ORDER:** The Special Commission Meeting was called to order at 9:00 a.m. at the Port of Benton Commission Meeting Room, 3250 Port of Benton Boulevard, Richland, Washington. Present were Commissioners Jane F. Hagarty (via telephone) Roy D. Keck and Robert D. Larson. Staff members present included Port Counsel, David Billetdeaux; Executive Director, Diahann Howard, PPM®; Director of Finance, Stuart Dezember, CPA, PPM®, Director of Marketing, Wally Williams; Director of Real Estate, Teresa Hancock and Administrative Assistant, Kelly Thompson.

B. **PLEDGE OF ALLEGIANCE:** David Billetdeaux led those present in reciting the Pledge of Allegiance.

C. **CURRENT BUSINESS:**

1. **AWARD OF FERMI POWER RELOCATION PROJECT TO RELOCATE THE OVERHEAD POWER IN THE RICHLAND INDUSTRIAL CENTER (RIC) ON THE FIVE-ACRE CURIE STREET PARCEL:** The Executive Director stated as part of the Port's land sale to Summerlin Associates, LLC, (\$799,908), we agreed to underground the overhead power line utilities and relocate existing utilities to the edge of the property as typical, anticipated the cost to be approximately \$80,000. The Port solicited six bids and only received three. The lowest responsive and responsible bid was for \$55,006.99 from C & E Trenching, LLC, including sales tax for the conduits and vaults. The Port will also pay the City of Richland to install conduit and power, cost estimated at \$59,645.51, for a total project cost of \$114,652.50.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission authorizing the Executive Director to execute all necessary documents to award the bid to for \$55,006.99 from C&E Trenching, LLC, including sales tax for the conduits and vaults, The Port will also pay the City of Richland to pull the wire, cost estimate of \$59,645.51, for a total project cost of \$114,652.50.

2. **AWARD OF THE 2019 FREIGHT RAIL ASSISTANCE PROGRAM (FRAP) AND FREIGHT RAIL INVESTMENT BANK PROGRAM (FRIB) REHABILITATION PROJECT:** The Executive Director discussed this is for the Port's WSDOT Grant and loan for the bridge repairs, previous to the construction bid the Port requested and received Commission approval for ties and ballast total cost \$369,986.44. The work was advertised, and the Port received one bid. The lowest responsive and responsible bidder was received from RailWorks Track Systems Inc., in the amount of \$1,249,698.21, including all alternatives, this along with contingency brings the total project amount to \$1,681,684.65, including alternatives and sales tax. This amount is below the engineer's estimate, therefore the Port request that the base bid and all alternatives be awarded. Also request preauthorization to have up to 5% of the cost of construction budget or \$62,000 for change orders so we can respond as rehabilitation work may uncover other issues.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission authorizing the Executive Director to execute all necessary documents to award the base bid and all alternatives to the lowest responsive and responsible bidder RailWorks Track Systems Inc., in the amount of \$1,249,698.21, including all alternatives, this along with contingency brings the total project amount to \$1,681,684.65, including alternatives and sales tax; and including preauthorization to have up to 5% of the cost of construction budget or

\$62,000 for change orders so we can respond as rehabilitation work may uncover other issues.

APPROVAL OF RESOLUTION 20-06: The Executive Director discussed Resolution 20-06, accepting work completed by Central Paving, LLC for the 2019 Yearly Port-Wide Maintenance Project. The project has been completed in accordance with approved plans and specifications, has been inspected by the Port of Benton and the project has been duly inspected by the engineer, JUB Engineers, Inc.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission approving Resolution 20-06, Accepting work completed by Central Paving, LLC for the 2019 Yearly Port-Wide Maintenance Project.

- 3. DISCUSSION OF POTENTIAL AMENDMENT TO LEASE AGREEMENT FOR CHUKAR CHERRIES COMPANY:** The Executive Director discussed a request for amendment to lease agreement received from Chukar Cherries Company so that they can obtain a license to ship wine from their production facility at 320 Wine Country Road, Prosser. The Commission advised Port staff to move forward with discussions, and development of the amendment. This will be presented at the March Commission Meeting.

- 4. DISCUSSION OF PROPOSED RESOLUTION 20-07:** The Executive Director stated a request was received from Port of Whitman, seeking several ports pass a resolution that can be sent to Governor Inslee. This Resolution is in support of dams within the federal Columbia-Snake River System. Commissioners Roy Keck and Jane Hagarty discussed the Port should support this item and may become involved with the Inland Ports Navigation Group (IPNG).

A motion was made by Commissioner Roy Keck, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission approving Resolution 20-07, in support of dams within the federal Columbia-Snake River System.

- D. EXECUTIVE SESSION:** The regular Commission Meeting was recessed at 8:45 a.m. and an Executive Session was convened pursuant to RCW 42.30.110 to discuss potential litigation. The Commission announced the Executive Session would last five (5) minutes. At 8:50 a.m. the Executive Session was adjourned, and the regular Commission Meeting was reconvened.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission approving the agreement with Stuart Dezember, Director of Finance.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission, authorizing the Executive Director to begin negotiations to hire an Interim Director of Finance.

- F. ADJOURNMENT:** With no further business, the Special Commission meeting was adjourned at 8:54 a.m.



Roy D. Keck,
Commission Secretary