

**PORT OF BENTON  
COMMISSION MEETING MINUTES  
JUNE 10, 2020**

**A. CALL TO ORDER:** The regular monthly meeting was called to order at 8:32 a.m. at Port of Benton Commission Meeting Room, 3250 Port of Benton Boulevard, Richland, Washington.

**Present:** Commissioner Roy D. Keck, Commissioner Robert D. Larson, Commissioner Jane F. Hagarty. Executive Director, Diahann Howard, PPM; Director of Economic Development and Government Affairs, Miles Thomas; Director of Special Projects, John Haakenson; Administrative Tech, Summers Miya; Interim Director of Finance, Karen Schmidt; Director of Real Estate, Teresa Hancock; Port Counsel, David Biletdeaux (via remote telecommunications); Engineer, Roger Wright (via remote telecommunications); Director of Marketing, Wally Williams (via remote telecommunications); CEO of TRIDEC, Karl Dye (via remote telecommunications); Senior Accountant, Veronica Serna (via remote telecommunications); Administrative Assistant, Sheri Collins (via remote telecommunications); Facilities Manager, Ron Branine (via remote telecommunications); and Director of Airports, Joe Walker (via remote telecommunications).

The Commission Meeting was conducted using the CDC (Centers for Disease Control) recommended social distancing protocols for COVID-19 with Commissioners meeting in-person; public attending remotely and Port staff members participating in-person or remotely, and said meeting was noticed as required by RCW 42.30.070.

Commissioner Hagarty will read action items aloud alphabetically by last name and ask that each commissioner signify their vote by announcing 'Yay' or 'Nay' aloud. Further, when a Commissioner wishes to speak, the name of the Commissioner will be announced for those using remote telecommunications.

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

**C. CONSENT AGENDA**

**1. A motion was made by Commissioner Robert Larson, seconded by Commissioner Roy Keck and unanimously passed by the Commission approving the May 13, 2020 Commission Meeting Minutes, May 27, 2020 Special Commission Meeting Minutes, and approval of vouchers and certifications, including payroll, for the month of May totaling \$544,451.05.**

**D. PUBLIC COMMENT:** There were no comments from the public or visitors. The public was able to participate via Zoom or telephonic conference and instructions were given to the public as to how they could comment.

**E. PUBLIC HEARING:** Commission Hagarty opened the Public Hearing at 8:36 a.m. to accept public comment on the Six Year Transportation Improvement Program for the years 2021 through 2026, inclusive. Roger Wright explained that the projects must be on the list in order to qualify for federal and state funding. Mr. Wright noted that #15 on the memorandum has changed, which is Rail Crossings Improvements and may include repair/replacement of the crossings at Center Parkway, Steptoe Street, Cemetery/Swift Blvd., Van Giesen Street, Airport Way, Saint Street, SR 240, Battelle Blvd. and Horn Rapids Road. A public hearing will be held in September for all transportation projects through the Benton-Franklin Council of Governments.

Commissioner Hagarty asked for public comment. There were no public comments.

The Public Hearing was closed at 8:40 a.m.

**RESOLUTION 20-25: SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM: A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving Resolution 20-25, accepting the Port's Six Year Transportation Improvement Program for the years 2021 – 2026, inclusive.**

**F. ITEMS OF BUSINESS:**

**1. Update of Rail Bridge Project:** Engineer Roger Wright remarked that there has been quite a bit of activity within the last few weeks identifying and replacing skewed and bad ties. A photo slideshow was presented displaying the skewed ties that have moved or torn apart, as well as an example of the machinery needed to replace and move the ties. A final photo was displayed showing the level of disintegration and wear of the old ties. Wright noted that the current week's focus is: Placing ballast, gapping/aligning rail and tamping. The week of June 17-21 will focus on the Yakima River Bridge ties. Work is scheduled to be completed and in compliance by the end of July 2020.

Commissioner Keck inquired if the trains will be approved for higher speeds, within a safe range, once the improvements have been made.

Mr. Wright did not see any need for restrictions once the improvements have been completed, and a discussion on the speed of the trains and what is considered safe commenced.

Commissioner Hagarty asked for any further comments or discussion about the Rail Bridge Project. There were no additional comments.

**2. RESOLUTION 20-26: DECLARING AN EMERGENCY UNDER RCW 39.04.280 TO TAKE APPROPRIATE ACTION IN REGARD TO DAMAGE CAUSED BY A MAY 30, 2020**

**WINDSTORM:** Executive Director, Diahann Howard informed the Commission that Crow Butte Park was hit by a severe windstorm, with tornado-like winds on the evening on

May 30, 2020. With the Executive Director's Delegation of Authority, action was able to be taken swiftly to assess the level of damage as well as the repair needed.

Director of Special Projects, John Haakenson took over and detailed the destruction further. Haakenson explained that there was an approximate 250-foot-wide path of destruction, with many large trees, branches and debris strewn throughout the area, with a debris trail towards the day use area of the park and many signs damaged and destroyed. Haakenson pointed out that if the park would have been operating as usual, there would have undoubtedly been many camper trailers damaged in the storm.

Commissioner Keck commented that the tree removal and maintenance work done earlier this spring was also likely very beneficial and if not done, could have added even more damage during the storm.

Haakenson continued that the Port has been working with an insurance adjuster in order to file a claim with Enduris for the cleanup and repair.

In addition to the trees, a pump was also struck by lightning and destroyed and there was no water at the park in the immediate days following the storm. The day use area of the park, along with the restrooms were closed.

Since the storm, Haakenson, the camp hosts and the maintenance team have worked to clean up the park. American Tree Trimmers was hired to trim cracked trees and assist with tree cleanup. Davis Pumps was hired to examine the pump and determined that a new one was necessary. The day use area was reopened on June 9, 2020. All tree cleanup should be completed by June 10, 2020. Many of the trees were cut to manageable size and will be saved for future firewood when the park reopens. The new pump is scheduled for install on June 11, 2020.

Commissioner Hagarty commented that all work and travel time put towards storm cleanup should be tracked accordingly. Commissioner Keck complimented the team on their hard work on the cleanup efforts.

It is estimated that \$25,000 – \$30,000 worth of damage was received from the storm. In addition to storm cleanup, Haakenson has also been working on the water and sewer project. More slides were displayed highlighting the water and sewer lines and sometimes hard to find drains and pipes. Many issues have been discovered from simply walking the grounds of the park. Excavation and repair continue on the water and sewer system.

**RESOLUTION 20-26: DECLARING AN EMERGENCY UNDER RCW 39.04.280 TO TAKE APPROPRIATE ACTION IN REGARD TO DAMAGE CAUSED BY A MAY 30, 2020 WIND STORM: A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving Resolution 20-26, Declaration of Emergency at Crow Butte Park.**

**3. Karl Dye TRIDEC Quarterly Report** – Karl Dye provided an update on TRIDEC’s recent activities and stated that much of the TRIDEC’s team recent attention has been focused on COVID-19, including a COVID-19 website page with business resources, PPE donation drives, weekly Zoom meetings with economic development partners, facilitating WWSBEG on behalf of the Washington State Department of Commerce, proactively marketing the Tri-Cities to site selectors and industrial contacts throughout the U.S. with four active projects, creating the Tri-Cities Open and Safe Program and working on the Benton County CARES Act business grants.

Dye explained that their targeted sectors are: Food processing, energy technology, logistics, training activities and advanced manufacturing.

TRIDEC outreach continues to use the Whittaker SmartLeads Program as he predicts that many of the industry tradeshow events that TRIDEC staff typically attend will change their formatting because of the COVID-19 outbreak. Dye emphasized that the TRIDEC team is focusing on cultivating relationships with senior management in the target industry sectors and site selectors/third-party advisors by engaging with them in multiple ways.

Commissioner Hagarty welcomed Dye to the community.

Commissioner Keck expressed his thanks towards Karl.

## **G. INFORMATION REPORTS**

**1. Grants Update:** Executive Director, Diahann Howard announced that word was received on June 9, 2020 regarding the .09 dollars and the Port did receive a nod for the \$1,000,000 required for the plat improvements at the RIC.

Additionally, write-ups have been completed for the three rail crossings that Roger Wright previously mentioned along with a completed write-up for 2021 for WPPA.

Miles Thomas added that they are considering funding for three separate development sites:

- The Discovery Center, in conjunction with the Triton Sail Park and B Reactor Tours,
- An extension of infrastructure to the 1,341 acres in North Richland and
- A commercialization incubator space within the research district.

The incubator space and 1,341 acres is top priority, based on the grant opportunities focused on job creation. In conversations with Mid-Columbia Energy Initiative, the Port was asked about its ability to lead the development of a commercialization building that would serve startups connected to PNNL and support WSU Tri-Cities’ educational pursuits.

Thomas continued explaining that numerous developmental inquiries have been received for the 1,341 area and sewer extension continues to be a key driver towards the expansion

of this area. Thomas explained that with the US Economic Development Administration's job recovery focus, he feels the 1,341 site is a strong candidate for a public works investment in the expansion of sewer to the site.

The Port will be submitting a joint application with the City of Richland, an equal match for an EDA grant seeking \$4,000,000 dollars for the sewer. The application is extremely focused on job creation and resiliency.

Executive Director, Howard added that she has had recent conversations with Gary Petersen and Bob Ferguson and they are continuing to explore federal funding opportunities for the sail park/Discovery Center and Howard reminded the group that job creation and benefit is very integral at this time and this project may be delayed as job creation is the primary focus, rather than tourism.

Howard said that the Port team will continue to look for ways to partner and collaborate on the future of the sail park joint facility.

**2. Chukar Façade Update:** Director of Special Projects, John Haakenson provided a basic scope on the façade update of the Chukar Cherries building. The new beams have been added and the building lengthened. A new door, new windows and some new framing and the painting has begun. The matching of the paint to the existing had complications, but Haakenson said all blended well and the work should be completed this week.

Commissioner Hagarty complimented how nice the building was looking.

Facilities Manager, Ron Branine joined the group to provide an update on the pavement maintenance project. This project is very weather dependent, and they are currently crack-sealing Terminal Drive and preparing cracks for slurry seal next year.

**H. COMMISSIONER COMMENTS:** Commissioner Keck stated that as the Port of Benton representative on the TRIDEC Board of Directors, he recently had the opportunity to sign a letter of support, which moved to support Benton County moving to Phase II of the Stay Home, Stay Health order. After sharing the letter with the Executive Director and the other Commissioners, he added his name to the letter.

Commissioner Keck also noted that he has been attending the weekly WPPA calls via Zoom and has also been really enjoying the Friday morning Zoom calls, Coffee with Karl, which is with TRIDEC CEO, Karl Dye. Commissioner Keck has also been active on the PNWA Zoom calls and commented that this new and advanced level of communication may be the new normal and wondered what this means for the future of training.

Commissioner Hagarty noted that AAPA plans to decide this month regarding the status of the annual training in Quebec City, Canada later this year. Canada's COVID-19 restrictions are currently stricter than the United States and the conference may also be postponed or cancelled. Commissioner Hagarty feels that Zoom does not allow for the same team-

building opportunities that in-person trainings provide.

Commissioner Hagarty also noted that most of the meetings she has been participating in are Zoom or WebEx meetings. The Walter Clore Wine and Culinary Center Board meeting is next week. Commissioner Hagarty remarked that she has expressed the desire to put any Walter Clore financial meetings on hold until the financials have been thoroughly examined. Commissioner Hagarty will keep the Port apprised on any updates with the Walter Clore. Commissioner Hagarty is still active in PEDDA and announced that they have confirmed three WebEx interviews in June for potential Executive Director candidates.

Commissioner Hagarty also noted that the new grocery store in Prosser has pushed their grand opening to the fall.

Commissioner Larson remarked that he has been participating in the weekly Richland Rotary Zoom meetings. He also pointed out that the Triton Sail was commissioned to the Port of Benton on November 10, 2011 and is the only place in the United States with a periscope and sail and feels it is a beautiful museum with exciting visuals and engaging aspects. Commissioner Larson hopes to see funding for future development of the sail park and the joint facility soon.

Executive Director, Diahann Howard reaffirmed the Port's acknowledgment of the importance of the Triton Sail Park and the connection to the Atomic Age. Howard assured that the Port will continue to collaborate and will also continue to work with Gary Petersen for funding opportunities.

## **I. DIRECTOR REPORTS/COMMENTS**

**1. EXECUTIVE DIRECTOR:** Executive Director, Diahann Howard announced that the recently hired Director of Finance, Danielle Connor, will start on June 22, 2020.

Howard also noted that the Port recently provided a letter of support to Benton County, supporting the move into Phase II of the Stay Home, Stay Healthy order. Howard would like to support the educational side of the order.

Howard informed that the RiverFest event, which is spearheaded by the Pasco Chamber of Commerce and highlights river dams is still scheduled for October 10, 2020.

Howard also commented about the changes to the Harbor Maintenance Tax and the port's likely action to support larger ports in the northwest. We will have future conversations about this measure.

Howard noted that she recently participated in a conference call with Congressman Newhouse regarding COVID-19 recovery and Newhouse is strongly advocating for farm workers and adequate PPE supply.

Howard is also following the Department of Energy's new mission strategy for advanced

nuclear industry, as no place else can do it better. Howard assured the group that the Port will remain in close partnership to seek opportunities that can be leveraged for economic development in the region.

Howard noted that she will work with Port staff to reevaluate all insurance coverages to ensure the Port is receiving the best coverage at the best cost.

Commissioner Hagarty encouraged Howard to reach out to Port of Tacoma to begin research on what other Ports are doing for their insurance and reaffirmed Howard's sentiments that it doesn't hurt to put out for another bid regarding insurance.

- 2. PORT ATTORNEY:** David Billetdeaux began with thanking Commissioner Keck for bringing up the fact that Commissioners cannot attend meetings and trainings in person at this time and he will pay attention to when current Commissioner certifications expire. All certifications are up to date at this time, but this is something to keep in mind as many annual trainings are being reformatted to an online format. Billetdeaux will follow-up with information on how to attend public record training meetings from home.

Billetdeaux continued with two environmental updates: The former Test America site (2800 George Washington Way), has not been closed out yet. A couple sampling sites reflected environmental exceedances above standard levels and further remediation and sampling work was recommended by Shannon-Wilson. Site excavation occurred with some material being spread on the property by the former tenant. The consultant asked for more detail as the original sampling sites are now mixed with backfill ground cover. Questions came up as to where the dirt was moved. Pricing proposals to finalize remediation are going to be provided to the Port within the next few weeks.

The former Blue Star site (2019 Butler Loop), has been taking precedent to site remediation. The former 20-year tenant, Mr. Dobush, is assisting with the cleanup. Shannon & Wilson took samples from the ground and appears all samples were negative for toxins exceedance outside the original Phase I report. The clean soil will be used to backfill the site. This site will soon be available to market to a new tenant pending turnover repairs and maintenance.

Billetdeaux then provided a brief technology update, noting that he has undertaken the project of auditing all cellular lines, old iPhones and iPads. US Cellular, which was once the best provider for Crow Butte Park, has been completely cancelled, as it has been determined that Verizon offers the best coverage, particularly at Crow Butte Park. Billetdeaux informed the Commission that Miles Thomas found a solution for the Crow Butte camp hosts to collect funds at the park with different technical options. The Port will begin the transfer of all AT&T lines to Verizon and he hopes to have this completed by the end of the year, depending on current AT&T contracts.

Billetdeaux then shared updates on TCRY and began with a positive note that the recent petition to the Surface Transportation Board has been withdrawn. This petition by TCRY had sought the cancellation of the 1947/1948 agreements. Also noted was the fact that the City of Richland has settled with TCRY on the Center Parkway, a decade old case.

Additionally, Billetdeaux announced that TCRY has recently sent a new tariff to the Port for review. The Port is going through its usual due diligence process as it relates to tariff review, which includes review by outside counsel and request for comments from affected entities.

TCRY has recently alleged through counsel that the Port has not presented all TCRY settlement offer to the Commission transparently, which Billetdeaux denied. Port counsel again publicly stated that all settlement offers will be reviewed by the Commission, as will all relevant TCRY correspondence.

- 3. FINANCE DIRECTOR:** Interim Director of Finance, Karen Schmidt began with complimenting the Crow Butte sewer project's expenses, as in 2020 only \$17,830 has been spent, which is a miniscule amount in comparison to all the work that has been done. This savings is a tremendous benefit to the Port and the community.

Schmidt also informed that a truck was recently purchased for about \$24,000 with an ROI of less than two years. The mileage of the Director of Special Projects was worked out and it made financial sense to purchase the vehicle.

Schmidt noted that in the past year, \$37,000 has been spent on vehicle maintenance.

Executive Director, Diahann Howard commented that Facilities Director, Ron Branine purchased the new truck, leveraging trade in of old vehicles with new.

Commissioner Hagarty suggested creating a rotation on vehicles, which Branine acknowledged as something that is in process.

- 4. ECONOMIC DEVELOPMENT & GOVERNMENTAL AFFAIRS:** Miles Thomas provided a site selection update and informed the group that he has recently pitched the 60 acres in North Richland (adjacent to Framatone).

Thomas noted future plans to connect with WPPA and WEDA on their legislative priorities, noting the potential of a special session in addition to the 2021 session, focused on post COVID-19. The potential for a special 2020 session is low, but preparation is important. Key priorities for WPPA included: Rulemaking related to the state environmental policy, transportation funding in regard to economic development, defending CERB from budget cuts and identifying budgetary protections for the Freight Mobility Strategic Investment Board.

Thomas highlighted an upcoming leadership meeting with the entire staff, which will be



facilitated by Maul Foster Alongi (MFA). The focus of this workshop will be Port fundamentals, discussion on staff priorities for executing strategic plan objectives. Recently hired Danielle Connor will be joining the workshop via Zoom.

Friday's all staff meeting will be followed by a Leadership Staff Meeting and then a Community Leader Focus Group on Tuesday.

Additionally, Thomas added that he has been working with Teresa and MFA on an independent, brief real estate analysis that is focused on key Port development sites. Thomas provided a brief overview of the recent work he has devoted to resolving some technical issues with Crow Butte's phone service. Thomas worked with Port Attorney, David Biletdeaux and has moved the camp hosts onto a Verizon plan that provides a desk phone along with an app on their cell phones to take calls. There is also an automated, prerecorded message and allows callers to choose to call a camp host, leave a voicemail or contact the Port office.

- 5. MARKETING:** Wally Williams provided a visual presentation of the new website home page and "Business with Us" page, highlighting the simplicity, cleanness, and bold colors. Williams noted that the staff will receive training on how to update pages and explained that the new site will be easy and quick to manage. Williams noted that staff will be able to add links to current newsletters, so viewers have access to the most up to date information on hand. Executive Director Howard added that there will be a direct link to the Crow Butte site on the new website.

Williams continued with a notice that arrangements have been made for a photographer to be at the Port office before the next Commission meeting to take updated dress and casual individual shots, as well as an updated group photo.

- 6. REAL ESTATE:** Director of Real Estate, Teresa Hancock provided an update on recent real estate activity. The land sale to Summerlin Associates and/or Assigns, for 5.25-acre parcel (Stevens Drive/Curie Street within in the RIC), officially closed on May 29, 2020. The developer has submitted plans to the City of Richland for a secured storage business depicting approximately 77 units. This site will also offer flex space for office, industrial or RV/boat storage.

Additionally, port staff are in negotiation with current lessee, Brian Brendal, dba Columbia Energy Services, for 8.23 acres of land and building improvements within the RIC. Port staff will provide the commission an update prior to moving forward with any formal action.

Ms. Hancock explained that in light of the ever changing economic climate, good news to be shared for an existing tenant, BNL Technical Services (BNL). BNL occupies over 5,294 square

feet in the south end of the port's administrative building. The current lease term is a three- year term total, renewals annually. The current term expires August 31, 2020, and staff have been actively discussing downsizing their occupancy and relocating to a better suited office space across the hall and sized to 930 square feet. This action will provide another business opportunity for larger space needs.

Hancock added that she is working on and with Joe and David for approximately 10 separate leases or amendments at various sites. She advised we continue to field inquiries for property while adhering to state guidance as relates to real estate transactions during this period until August 1.

Commissioner Hagarty commented that she has been in recent discussions regarding the annual Toys for Tot bicycle project and the group is currently looking for a large building that could accommodate this event and asked the group to keep their ears and eyes open.

7. **SPECIAL PROJECTS:** Director of Special Projects, John Haakenson provided his updates on Crow Butte Park, the Chukar Cherry Façade update and the Pavement Maintenance Project earlier in the meeting.
8. **FACILITIES & OPERATIONS:** Facilities Manager, Ron Branine provided an update on Port Facilities. Branine updated that the HVAC unit was replaced at 2000 Logston Blvd. The unit was not very old, but the heat strips and compressor failed, and it was decided to replace the entire unit on Tuesday, June 9, 2020.

Branine continued that trainings will start this month, including driver training. Branine has received numbers from Ecomodus for the 2021 budget purposes at 2345 Stevens. Converting the building to all LED will be expensive initially but has a 4.1-year ROI. The Port is currently spending \$12,000 a year on lighting fixtures and issues and that number will continue to climb as the fixtures age.

Branine also provided an update on the Business Continuity Plan, explaining that the current crisis plan is more of a media plan geared towards airports. The Port currently has parts of a plan, but Branine is working on an all-inclusive, over-arching plan. This plan will cover every step, including recovery efforts for immediate recovery, 24 hours, 3 days, 5 days, and two weeks should Port staff ever be displaced from the 3250 building. The plan will lay out contingencies on where staff will go and provide examples on: Equipment to conduct business in another location (computers, network, phone backups and software), purchasing power, list of vendors, utilities, personnel, and identifying of who is responsible for what in the event of an emergency. Branine hopes to have the plan in place by July 1<sup>st</sup>,

with exercises of pre-planning also in place.

Branine moved on to provide an update on driver safety and lighting, explaining that currently most Port vehicles have a small amber lightbar that is an effective forward warning, but not a rear warning, especially in winter weather. DOE/SAE state specs indicated that vehicles need 360 degrees of lighting, which the Port is currently not in compliance. Branine added that safety is of upmost concern and the lighting updates to Port vehicles will be executed. The Port will be able to make many of the lighting installments in-house for less than \$100 per vehicle.

Branine continued with an update on ladders, as there are some that are uncompliant due to a 2017 OSHA update. The Port will begin inspecting all ladders annually, including ladders that are affixed to buildings, as many standards have been updated. Branine will then train the Port maintenance team on the guidelines of proper ladder use and control.

9. **AIRPORTS:** Director of Airports, Joe Walker provided an update on airport operations, including an update on the May 27, 2020 TAC meeting he recently participated in via Zoom. Walker thanked Commissioner Keck for attending this meeting and noted that they reviewed working paper 1, which consisted of the first three chapters of the master plan, including intro, inventory, and forecasts. The forecast is up in the air currently. JUB has submitted the first working paper to the FAA for review and the FAA has had some staff changes, which has caused some minor delays in receiving approval on working paper 1.

Walker continues to work on the airport rent study with AMCG and has site visits scheduled for July 6 and 7, 2020, with public outreach sessions via Zoom. There will be one session for Prosser Airport and one session for the Richland Airport and Walker added that he would like the Commission to participate in the outreach.

Walker added that he is continuing to update the airport development policy to maximize safety and services provided at the airport.

Walker thanked Miles Thomas for connecting him to the appropriate contact at the City of Richland and has since connected with the City with an FAA obstruction evaluator, which helps the City better understand their role in protecting the airport from obstructions.

Walker added that the installation of airport signage will continue, and 18 recent letters were sent to tenants requesting the cleanup outside of their hangars.

Conversation ensued regarding the camping area at the Prosser Airport and the Executive Director explained that small steps are being made towards the approved ALP and the removal of trees and locking of power for the safety of overall airport operations.

- J. EXECUTIVE SESSION:** The regular Commission Meeting was recessed at 11:19 a.m. and an Executive Session was convened to discuss potential litigation pursuant to RCW42.30.110(i), real estate pursuant to RCW 42.30.110(c), and personnel matters pursuant to RCW 42.30.110(g). The Commission announced the Executive Session would last no longer than one hour and thirty minutes. The Executive Session was adjourned at 12:49 p.m. and the regular Commission Meeting was reconvened.
- K. ADJOURNEMNT:** With no further business, the meeting was adjourned at 12:49 p.m.



---

Roy D. Keck  
Commission Secretary