

**PORT OF BENTON
COMMISSION MEETING MINUTES
October 9, 2018**

ORIGINAL

- A. CALL TO ORDER:** The regular monthly meeting was called to order at 8:30 a.m. at the Port of Benton Commission Meeting Room, 3250 Port of Benton Boulevard, Richland, Washington. Present were Commissioners Jane F. Hagarty, Roy D. Keck and Robert D. Larson. Staff members present included Executive Director, Scott D. Keller, PPM ®; Director of Finance, Stuart B. Dezember, CPA, PPM®; Director of Special Projects, John Haakenson; Director of Economic Development and Governmental Affairs, Diahann C. Howard; Director of Airports and Operations, Kevin Howard, C.M.; Director of Real Estate, Teresa Hancock; In House Counsel, David Billetdeaux; Administrative Assistant, Kelly Thompson and Director of Marketing, Wally Williams. Also in attendance were Carl Adrian, Bea Baker, V.J. Meadows and Chuck Larson.
- B. PLEDGE OF ALLEGIANCE:** Scott D. Keller led those present in the pledge of allegiance.
- C. CURRENT BUSINESS:**
- 1. CONSENT ITEMS:** A motion was made by Commissioner Robert Larson, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission approving the September 12, 2018 Commission Meeting Minutes, Resolution 18-24, to Cancel Warrant No. 069298, Resolution 18-25, to Accept Work completed by Crown Coating Company for Roofing Repair of the Kaiser Building and Resolution 18-26, to Accept Work completed by Banlin Construction Company for the Vintner's Village Phase II.
 - 2. UNSCHEDULED BUSINESS/VISITORS:** There were none.
 - 3. TRIDEC:** Carl Adrian provided an update on TRIDEC's activities and highlighted the upcoming Power Gen Conference, which will be held later this year. He advised that TRIDEC recently spent one day in Seattle meeting with the United States Department of Commerce and Port of Seattle to review 2019 plans. He also reviewed the 2019 draft Hanford Budget, including legacy management projects and the future development of the recently transferred 1,641 acres.
 - 4. BENTON CITY ECONOMIC DEVELOPMENT CORPORATION (EDC):** Bea Baker provided an update on the Benton City EDC, which included the launch of a new website and the hiring of V.J. Meadows as Executive Director. An architect has been hired to facilitate revamping of some downtown facilities and holding community workshops. She thanked the Port for their continued partnership and staff support provided by the Director of Special Projects and the Director of Real Estate.
 - 5. JUB ENGINEERS:** Chuck Larson provided an update on current projects, 2019 projects and related budget estimates. He discussed the Richland Airport Master Plan, helipad construction, signage, walls, archway and runway lighting. He also discussed the Prosser Airport Master Plan and future projects regarding apron widening/improvements. He discussed the importance of having projects identified and ready, should the Port receive any grant dollars from Federal Aviation Administration (FAA) discretionary funds.

- D. COMMISSIONER COMMENTS:** Commissioner Robert Larson reported on his attendance at the Benton Franklin Council Governments (BFCOG) and the Hanford Communities board meetings.

Commissioner Hagarty reported on her attendance at the Walter Clore Wine and Culinary Center and the Prosser Chamber of Commerce board meetings. She also attended Riverfest with Commissioner Roy Keck.

Commissioner Roy Keck reported on his recent board meeting with Washington Public Ports Association (WPPA) regarding the 2019 budget. He will provide a copy of the WPPA's official letter opposing Initiative 1631, regarding carbon tax.

- E. COUNSEL COMMENTS:** In house Counsel presented a draft addendum to the Personnel Policy which adds a Code of Conduct regarding any Port employee's work involvement with a federal grant. The Commission will need to adopt an amendment to the Port's Personnel Policy at the November 9, 2018, Commission Meeting. He also reminded the Commissioners of the online training required of all Port Commission and staff, which is required to be completed by December 31, 2018. He stated the Executive Director received an e mail request from the Capital Press newspaper publication. The Port has no comment due to ongoing litigation. The Port continues to discuss insurance coverage with Enduris.

The taxpayer lawsuit has been transferred to Division I, but no date has been set for a hearing. Counsel also shared that the Port was recently made aware of a failed Washington Utility Transportation Commission (WUTC) inspection by TCRY after reviewing exhibits in the Federal lawsuit. The Port is investigating the issue.

- F. EXECUTIVE DIRECTOR COMMENTS:** The Executive Director discussed the HDR Engineering, Inc., selected railroad assistance. The original contract amount is \$49,524.36, Amendment No. 1 in the amount of \$15,131.61, Amendment No. 2 in the amount of \$14,886.41 for a contract total of \$79,542.38. Amendment No. 2, is to provide support related to the Federal Railroad Administration (FRA), Yakima River Bridge Deck Replacement Planning and estimating coordination of annual inspection.

A motion was made by Commissioner Robert Larson, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission authorizing the Executive Director to execute the necessary documents relating to Amendment No. 2 with HDR Engineering Inc., for selected railroad assistance. Amendment No. 2 is in the amount of \$14,886.41 for a revised contract total of \$79,542.38.

The Executive Director discussed the Banlin Construction, Change Order No. 7 in the amount of \$14,053.76. This amount reflects labor and materials to relocate emergency fire detection devices to the west wall, and provide additional labor and materials for the project. This will complete the building: Change Order No. 7 including tax in the amount of \$5,262.38, for a contract total, including tax, in the amount of \$1,393,761.36.

A motion was made by Commissioner Robert Larson, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission authorizing the Executive Director to execute the necessary documents to complete Banlin Construction Change Order No. 7 in the amount of \$14,053.76. This amount reflects labor and materials to relocate emergency fire protection devices to the west wall, and provide additional

labor and materials for the project. This will complete the building: Change Order No. 7, including tax, in the amount of \$15,262.38, for a contract total, including tax, in the amount of \$1,393,761.36.

The Executive Director discussed the Chukar Cherry Company new lease for a term of 20 years plus two (2) five year renewal options, beginning October 1, 2018. The building is 12,000 square feet and rent and leasehold excise tax is in the amount of \$10,155.60 per month. CPI or 6% minimum will be reviewed every three years, and this lease includes a security deposit for one month of \$10,155.60.

A motion was made by Commissioner Jane Hagarty, seconded by Commissioner Robert Larson and unanimously passed by the Commission authorizing the Executive Director to execute the terms of the Chukar Cherry Company new lease for a term of 20 years plus two (2) five year renewal options, beginning October 1, 2018. The building is 12,000 square feet and rent and leasehold excise tax is in the amount of \$10,155.60 per month. CPI or 6% minimum will be reviewed every three years, and this lease includes a security deposit for one month of \$10,155.60.

The Executive Director updated the Commission on a meeting he recently had with WSU-TC Chancellor Sandra Haynes.

G. STAFF INFORMATION REPORTS:

COMMUNICATIONS AND MARKETING: The Commission was provided a copy of the 2018 fall newsletter. The Director of Communications and Marketing stated he is in the process of gathering information for the video being produced for the Tri City Area Chamber of Commerce's annual State of the Ports address, which will be held in November. The Director of Economic Development and Governmental Affairs briefed the Commission on two upcoming tours; one for the University President, hosted by Lamb Weston and one for the Association of Washington Businesses (AWB) manufacturing tour stops including Wine Science Center, B Reactor and Chukar Cherry Company.

GRANTS: The updated copy of the Grants Status report was reviewed and discussed.

ECONOMIC DEVELOPMENT AND GOVERNMENTAL AFFAIRS: The Director of Economic Development and Governmental Affairs provided an update on her projects. She also stated she was recently asked to be appointed to the Environmental Management Advisory Board (EMAB), by the Secretary of Energy, Rick Perry. This is a two year term and the Department of Energy will reimburse any travel costs associated with this position. She also stated the recently held Tri City Tech Summit was a success.

H. SITE PROJECTS UPDATE: The Commission was briefed on the Technology and Business Campus, Tri Cities Enterprise Center Building, Richland Business Park, Railroad, Richland Innovation Center, Richland Airport, Prosser Airport, Prosser Wine and Food Park, Vintners Village, Walter Clore Wine and Culinary Center, Benton City Properties and Crow Butte Park.

The Executive Director offered praise to Port Maintenance staff, Robert Jackson and Trevor Thompson for their continued dedication and efforts in maintaining the landscaping at all Port sites. They will be featured in the 2019 Spring Newsletter.

- I. PORT FINANCIAL ISSUES:** Vouchers audited by the Auditor as required by RCW 42.24.080 and certified expense reimbursement claims as required by RCW 42.24.090 have been recorded on a listing, which has been made available to the Port Commission. As of this date, October 9, 2018, Port Commission by unanimous vote approved for payment those vouchers included in said listing and further described as follows: Payroll Warrants numbered 04604 through 04656 totaling \$105,590.73 and General Expense Warrants numbered 069281 through 069450 totaling \$981,396.11 from the General Expense Fund.

The Director of Finance stated he and the Deputy Auditor recently attended a workshop at the Port of Pasco explaining updates to the Paid Family Medical Leave (PFML). Effective January 1, 2019, employees will start contributing 0.4% of their salaries to the PFML fund, administered by the Employment Security Department.

- J. EXECUTIVE SESSION:** The Commission Meeting was recessed at 11:00 a.m. and an Executive Session was convened to discuss pending litigation pursuant to RCW 42.30.110 (1) (i). The Commission announced the Executive Session would last no longer than thirty (30) minutes. The Executive Session was adjourned at 11:30 a.m.

- K. ADJOURNMENT:** With no further business, the meeting was adjourned at 11:30 a.m.



Robert D. Larson
Commission Secretary