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**PORT OF BENTON
REGULAR COMMISSION MEETING
Agenda**

8:30 a.m., January 13, 2021

3250 Port of Benton Boulevard, Richland, Washington

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. CONSENT AGENDA

1. Approval of Minutes from the December 9, 2020 Commission Meeting
2. Approval of Vouchers and Certifications, Including Payroll for Month of December Totaling \$845,902.67
3. Resolution 21-03, To Cancel Warrant No. 073813, in the amount of \$239.45

D. PUBLIC COMMENT

E. ITEMS OF BUSINESS

1. Selection of Port of Benton Commission Officers
2. Economic Development Corporation (EDC): Approval of Minutes from January 8, 2020 EDC Meeting, Selection of Officers
3. Resolution 21-01, A Resolution of the Port of Benton Approving Delegation of Authority for the Executive Director and Her Designees
4. Resolution 21-02, A Resolution of the Board of Commissioners of the Port of Benton Authorizing the Port Executive Director to Sell and Convey Surplus Property with Less Than \$10,000 Value

F. INFORMATION REPORTS

1. Grants Update

G. COMMISSIONER REPORTS/COMMENTS

H. DIRECTOR REPORTS/COMMENTS

1. Executive Director
2. Port Attorney
3. Finance Director
4. Economic Development & Governmental
5. Marketing
6. Real Estate
7. Special Projects
8. Facilities & Operations
9. Airports

I. EXECUTIVE SESSION: Real Estate and Potential Litigation

J. ADJOURNMENT

The next Port of Benton Commission meeting is Wednesday, February 10, 2021. Visit portofbenton.com for notices and information.

**PORT OF BENTON
COMMISSION MEETING MINUTES
DECEMBER 9, 2020**

A. CALL TO ORDER: The regular monthly meeting was called to order at 8:33 a.m. at Port of Benton Commission Meeting Room, 3250 Port of Benton Boulevard, Richland, Washington.

PRESENT: Commissioner Roy D. Keck (via remote telecommunications), Commissioner Robert D. Larson (via remote telecommunications), Commissioner Jane F. Hagarty. Executive Director, Diahann Howard, PPM® (via remote telecommunications); Director of Economic Development and Governmental Affairs, Miles Thomas (via remote telecommunications); Administrative Tech, Summers Miya (via remote telecommunications); Director of Real Estate, Teresa Hancock (via remote telecommunications); Director of Marketing, Wally Williams (via remote telecommunications); Administrative Assistant, Sheri Collins (via remote telecommunications); Facilities Manager, Ron Branine (via remote telecommunications); Director of Airports, Joe Walker (via remote telecommunications); Director of Special Projects, John Haakenson (via remote telecommunications); Director of Finance/CPA, Danielle Connor (via remote telecommunications); Sundance Aviation, Devin Alder (via remote telecommunications); Century West Engineers, Bryan Condon (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 and remotely; 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 noted that she would read action items aloud alphabetically by last name and asked that each commissioner signify their vote by announcing 'Yes' or 'No' 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: Commissioner Roy Keck led those present in reciting the Pledge of Allegiance.

C. CONSENT AGENDA:

A motion was made by Commissioner Robert Larson, seconded by Commissioner Roy Keck and unanimously passed by the Commission approving the November 17, 2020 Commission Meeting Minutes, and approval of vouchers and certifications, including payroll, for the month of November totaling \$934,594.78.

D. PUBLIC COMMENT:

Devin Alder of Sundance addressed the Commission, noting he had questions about the Airport Fee Schedule for 2021 that was included in the packet, as well as questions about the Airport Coordinator position.

Commissioner Hagarty asked Director of Airports, Joe Walker to address these questions during his presentation, which Walker confirmed.

E. ITEMS OF BUSINESS:

1. Resolution 20-28, Authorizing a Sale of Real Property by Real Estate Contract (Dufresne-Redding Properties LLC, Brian Brendel): Director of Real Estate, Teresa Hancock introduced the Resolution, noting that she has been in conversation with Brian Brendel for a few years regarding the sale of the property. Hancock noted that the closing date is expected to be January 29, 2021 and per RCW 53.08.091, there will be a 4% down payment, with 6% per annum and there will be a balance of \$987,446, to be paid in monthly installments over a 10-year period, \$10,962mo/\$131,552.16yr.

Hancock added that there is a sale contingency that the purchaser is to construct public improvements with approved receipts, as highlighted on Lot 7, required per the City of Richland, for RS 5306, with a max amount of \$150k and this construction must be completed by December 31, 2021 to receive credit for balance owing.

Hancock stated that the purchaser is working with a new financial officer, but intends to pay off within 24 months at a more favorable interest rate (10-year / 120-month term).

A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving Resolution 20-28, authorizing a sale of real property by real estate contract (Dufresne-Redding Properties LLC, Brian Brendel).

2. Resolution 20-56, Authorizing a 5-Year Lease (M'Liss Bierlink dba Sister to Sister on the Ave.): Director of Real Estate, Teresa Hancock stated that she was pleased to announce the 5-year lease with Sister to Sister on the Ave. in Vintner's Village at 236-B Port Ave. Hancock explained that the tenant is using the space as a working bakery with gifts and apparel, along with wholesale online sales. Hancock added that the tenant has invested over \$70k and Hancock will be stair stepping the lease and provided the Commission with the lease terms:

- Year 1-3, (\$9.00psf) \$21,807 per year
- Year 4-5, \$23,018.50 per year
- Option Term (5 Year): Fair market value market, but not less than previous paid
- Security deposit – 2 months
- Financial Impact (less tenant improvements) initial term: +\$88k

Hancock added that the tenant started in the space in November of 2019 as a temporary space, then COVID-19 halted the long-term lease, but the tenant has been pleased with the space throughout the year and is excited to move forward.

A motion was made by Commissioner Robert Larson, seconded by Commissioner Roy Keck and unanimously passed by the Commission approving Resolution 20-56, authorizing a 5-year lease to M'Liss Bierlink dba Sister to Sister on the Ave.

3. Airport Fee Schedule for 2021: Director of Airports, Joe Walker introduced the Airport Fee Schedule for 2021 stating that the fees discussed in the documents are for new tenants, operators, and customers of the airport going forward, we would like to implement the fee structure January 2021 and the Port fully intends to fulfill the terms of current leases. Walker continued, noting that there are a

variety of leases at both airports, some which allow and call for rent increases and others that have limitations. Walker stated that going forward, the Port would want to work with every tenant on an individual basis to strike a balance and for any tenant that would have their rate increased significantly, the Port is proposing stair-stepping the rate as to not cause financial strain to the tenants, while providing the airport with fair revenues. Walker added that development of this fee structure is a requirement by FAA within the grant assurances.

Walker provided further detail on the Grant Assurance 24 Fees and Rental Structure:
"...maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection."

Walker went through the proposed schedule item by item.

Walker stated that the airport sponsor's obligation to make an airport available for public use does not preclude the owner or sponsor from recovering the cost of providing the facility, and the owner or sponsor is expected to recover its costs through the establishment of fair and reasonable fees, rentals, or other user charges that will make the airport as self-sustaining as possible under the circumstances existing at the particular airport.

Walker remarked that Landing Fees are typically reserved for airports with commercial service, limited ramp space, or very high-demand airports, noting that the Port does not have the operational volume to warrant charging landing fees and in the future, as larger aircraft use the airport, landing fees may become necessary to offset additional costs associated with larger aircraft. Walker noted this item is currently reserved.

Walker continued, commenting that as the airport grows and space becomes more limited, it may be necessary to charge business apron or business operator fees and this item is currently reserved.

Walker continued with an explanation on the Fuel Flowage item, stating that currently, the Prosser Airport collects fuel flowage and Richland does not. Walker added that fuel flowage fees are best practice in the aviation industry, as flowage fees allow the airport sponsor access to fuel licenses, inspections, and environmental reports that also disclose fuel sales, which are reported to the WSDOT, FAA and used in master planning. Walker added that aircraft owners are granted a right to self-fuel aircraft on the airport, fuel co-operatives are still not allowed and the airport can impose reasonable restrictions on self-fueling to ensure all applicable laws are being followed and environmental contamination is not occurring. Walker added that increased flowage for fuel brought from off the airport is due to the increased wear and tear of airport gates and pavement associated with self-fueling.

Walker moved on the Car Rental item, pointing out that currently we do not have an onsite car rental operation, but this gives us a starting point for those operations, should they become available at the airport.

Walker explained the Ground Lease rates item, noting that the rates listed come directly from the AMCG Rent Study and the rates are slightly higher than many other competitive airports in the area. Walker noted that when reviewing the competitive airports around the Richland and Prosser airports, none of them have undergone a recent rent study, and many have never conducted a rent study or regularly update competitive rates. Walker felt it should be noted that while demand has increased, availability of leasable land has not, which is a primary driving factor. Walker stated that land is leased as unimproved and when the improvement is completed, the land migrates to the improved rate and our leases will reflect the improvement.

Walker said that a primary theme that was brought up by himself and several pilots/tenants and addressed with AMCG was the disparity in rates between aeronautical land and non-aeronautical. Walker added that this disparity is caused by multiple factors that include:

- The access of aeronautical property to what is likely well over 30 million in infrastructure, runways, taxiways, approaches, parking, weather equipment
- The business park sits on a piece of property currently zoned industrial, rather than commercial zoning that is more appropriate based on current uses
- There is a large amount of land available outside the airport that devalues the comps that are able to be used for the business park.

Walker stated that these are items that the Port will address over time.

Walker moved on to the Port-Owned buildings item, stating that these are negotiated based on the current market rate and are often verified with comps by the Director of Real Estate to ensure we are receiving the appropriate amount of revenue.

Walker addressed the Port-owned FBO buildings, stating that the Port owns very few buildings on the aeronautical side of the Richland airport and these buildings typically serve a commercial aeronautical use and rates are negotiated with the rent study in mind, but also with an emphasis on the services provided to the users of the airport.

Walker continued, addressing the Monthly Tiedown fee item, stating that while each FBO at each airport operates tiedowns, the airport does not maintain responsibility of some tiedowns outside the leased areas. Walker added that often derelict or abandoned aircraft appear in these locations and become difficult to remove and Washington has a very specific process for removal of derelict aircraft, one of the elements is to identify charges owed to the airport. Walker pointed out that there are currently no charges to identify. Walker added that it is very common for airports to maintain reserved tiedowns for aircraft that spend an extended time parked at the airport.

Walker explained that many airports collect Transient Overnight fees for overnight stays, which is not an uncommon practice and added that this is essentially a daily tiedown rate. Walker noted that the challenge is for the airport operator to collect the fees, since they are charged daily. Walker stated that he will continue to investigate if this is possible and work toward a best practice for these particular fees.

Walker addressed the Terminal Fees item, stating that he anticipates that in the future, there will be a terminal building located at the airport, which would provide for appropriate fees to be charged and this category is reserved for future use.

Walker also stated that the Security Fees are also reserved for possible future implementation of a card access system.

Walker addressed the SASO/Specialized Aviation Service Operator item, noting that this item relates to Grant Assurance 22/Non-Economic Discrimination. Walker added that SASO's provide one or more services, such as aircraft maintenance, avionics or instrument maintenance, aircraft rental or flight training, aircraft charter or aircraft management, aircraft sales and other commercial aeronautical activities. Walker added that fees associated with a SASO are to ensure operators maintain the appropriate business licenses, insurance and remain equally competitive with service that may be offered by an FBO.

Walker moved on to the independent flight instructor fee item, stating that this is for a flight instructor not employed by an FBO or SASO and the Port would like to also verify that the instructor maintains the appropriate insurance while operating at the airport.

Walker next addressed the equipment standby fees, stating that hazmat cleanup fees would be billed to an insurance company if required and these fees are mainly to recover the supply expenses of large cleanups of avgas, jet fuel or oil spills.

Walker concluded the review with an explanation of the Snow Removal Fee, noting that this fee is for removing snow from a tenant leased ground at their request. Walker added that currently,

tenants are free to remove the snow themselves or request the Port remove the snow for a fee after the airport has been sufficiently cleared to maintain safe operations.

A motion was made by Commissioner Robert Larson, seconded by Commissioner Roy Keck and unanimously passed by the Commission approving a motion to move forward with the 2021 Airport Fee Schedule.

4. Northwest Municipal Advisors Bond Refinancing Contract: Executive Director, Diahann Howard stated that the Port is looking forward to refinancing two bonds and believes that the refinance will drop the annual debt payment from \$500k to \$300k. Howard explained that the Port conducted a review and has selected Northwest Municipal Advisors to assist with the refinance and the contract is \$17,500. Howard stated that the Port expects to have the refinance complete by February or March 2021.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the Northwest Municipal Advisors contract as presented.

5. Review Engagement Letter for Bond Counsel: Executive Director, Diahann Howard explained that the engagement letter for the issuance of limited tax general obligation improvement refunding bonds, 2021 provides a scope of engagement with bond counsel, William G. Tonkin.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the engagement letter for bond counsel.

6. 2021 Architect, Engineer and Professional Roster: Executive Director, Diahann Howard explained that approving the Professional Roster is an annual process that allows the Port to move quickly and to be flexible on projects.

Howard added that the proper processes were followed in preparing the list and more submittals were received, which adds more variety and options to the 2021 roster.

A motion was made by Commissioner Robert Larson, seconded by Commissioner Roy Keck and unanimously passed by the Commission approving the 2021 professional roster as presented.

F. INFORMATION REPORTS:

1. Grants Update: Executive Director Howard commented that the EDAi6 2017 grant amendment is a no cost extensions to finish; under \$12k remains, FUSE is over \$268k in cost share and has raised \$1.5 million to date and have placed in equity funds and the Christopher Cree admin fees are paid directly from the grant.

Howard added that last month the Port participated in the Tax Increment Financing seminar with WEDA and WPPA and there were over 190 attendees and WPPA is still getting calls about it. Howard added that the LRF has been renamed and will be using video during the legislative session.

Howard noted that she has met with the recently-hired PEDa grant writer, who hails from the Commission Meeting
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Hood River/The Dalles, OR area and is very familiar with Port districts. Howard added that they discussed the various opportunities available and noted that the Port will follow-up regarding the USS Triton project.

Howard noted that the Port would like to proceed with remaining Benton County .09 app, as it takes a great deal of time to secure. Howard added that she would like to focus on new ICC building in the new application.

G. COMMISSIONER REPORTS/COMMENTS:

Commissioner Keck took the opportunity to commend the entire Port of Benton team on all of their efforts and achievements, particularly with the 2021 budget. Commissioner Keck noted that he has attended all recent meetings via virtual communications and expects that to be the new norm for some time.

Commissioner Larson seconded Commissioner Keck's sentiments about virtual meetings, adding that he has been attending all Rotary meetings via Zoom and he recently attended the WPPA and PNWA Annual Meetings via Zoom. Commissioner Larson remarked that Zoom allows for the opportunity to see and hear others and stay connected.

Commissioner Hagarty commented that she misses the physical interaction with others, including other Commissioners and Port speakers, adding that the WPPA Port Reports did not provide the same level as interaction as they have done in the past, but added that the meetings do allow for certain connections, learning and less isolation.

H: DIRECTOR REPORTS/COMMENTS

1. EXECUTIVE DIRECTOR: Howard stated that PNWA recently announced the Mission to Washington scheduled for March 14-18 has been changed to an all-virtual format.

Howard provided an update on the Department of Energy, stating that DOE is requiring 100% elimination of staff augmentation subcontracting, effective on day one of the new prime contracts following transition, which is January 25, 2021 for the HMEESC and CPCC contracts, which does not allow for sufficient time for the primes to reconfigure the current work in order to be subcontracted going forward as meaningful work. Howard continued, noting that as a result, the prime contractors are planning to terminate their staff augmentation subcontracts, and to self-perform that work using prime contractor employees, beginning on January 25, 2021.

Howard added that for the most part, current subcontractors employees will be offered jobs by the primes and when the primes are eventually able to define and subcontract meaningful scopes of work, in 6-9 months, many of these same employees will be offered jobs with the successful small business, which may or may not be their original employer.

Howard noted that this course of action is unnecessarily harmful to the employees, the small businesses and the local business community and this is happening because DOE is being arbitrary about the end date for staff augmentation – day 1 vs. day 30 or day 60, who whatever it takes to pivot from staff augmentation to meaningful performance-based task subcontracts without putting the current subcontractors out of business.

Howard added that the Port is weekly monitoring but being asked if needed to sign on to a letter or position paper with the contribution/endorsement of key community organizations such as TRIDEC, Regional Chamber, Hanford Communities, nothing that the action is correct, but the Port

wanted to ensure discussion with the commission before proceeding.

Howard stated that the Maritime Economic Development Committee through AAPA has recently shared a new team structure, as Ed O'Connell and Aaron Ellis have announced their respective retirements. Howard added that the Maritime Transportation Emergency Relief Act has been implemented, which creates a mechanism to provide funds to ports for emergency situations, such as COVID via NDAA and to make up for revenue shortfalls. Howard added that she is looking into whether or not the Port barge falls into a category to receive emergency aid for improvements.

Howard informed the Commission that the AAPA Annual Meeting & Convention will be held in Austin, TX September 26-29, 2021 and will be held in-person, as well as virtually.

Howard commented that the AWB federal forum, awbinstitute.org combines all trends data and the Tri-Cities region is faring much better than many other similar markets.

Howard added that there will be follow-up conversation with a potential client at the Clore center and the Port hopes to have an agreement by January.

Howard noted that the Port has provided a final review including regarding American Rock and the Port has taken a loss for some time. Discussion between the parties and new terms should be final by the next commission meeting.

Howard concluded with an update that the Port has provided a year-end article to the Journal of Business per their request.

2. PORT ATTORNEY: Executive Director Howard announced that Port Attorney David Billetdeaux was out on PTO that week and she would be filling in with an update on rail. Howard added that the Port has learned that TCRY has advised a permanent slow order of 5 mph on the rail. She will coordinate with David upon his return.

3. FINANCE DIRECTOR/AUDITOR: Director of Finance/Auditor, Danielle Connor noted that expenditures for November were \$935k, including general operating, project and payroll expenses.

Connor added that a cash forecast model has been created to support strategic timing and proactive response to budget and funding availability. Connor notes that she plans to update regularly to keep an eye on cash balances and upcoming cash needs.

Connor stated that the Port has recently received the November reports from the Benton County Treasurer's office and the Port cash balance at the end of November, including reserved cash was \$3.2M. Connor added that the Port is forecasting starting 2021 with approximately \$2.3M in cash.

Connor added that \$586k of debt payments are due in December, of which have either been paid or are scheduled to be paid, which includes debt from GO Bonds, Banner Bonds and the HAEIFC loan.

Connor noted that the rail project is about complete, there was a large disbursement in November and the Port is preparing to submit for reimbursement from WSDOT, noting the Port expects to receive around \$248k in January or February 2021.

Connor added that with Stormwater project also wrapping up, the Port plans to submit for reimbursement soon from the City of Richland and CERB and expects to receive \$75k in January/February.

Connor stated that the Port has several capital projects that are slotted to begin in January/Quarter 1 of 2021 and \$550k are Port-funded capital projects and \$250k are grant funded.

Connor continued with an update on the Integration Project, stating that the team is still scheduled to go live January 4, 2021 with Intacct and Criterion. Connor noted that the team has made progress with the basic user acceptance testing, and are continuing to define and test advanced processes. Connor added that they are in the process of testing the initial parallel payroll in Criterion

and the second payroll test is scheduled to begin next week.

Connor stated that the Port is continuing to identify a potential application for work orders and some options have been reviewed and evaluated.

4. ECONOMIC DEVELOPMENT & GOVERNMENTAL AFFAIRS: Director of Economic Development & Governmental Affairs, Miles Thomas announced that the Port and City of Richland are quickly putting the finishing touches on the joint recruitment webpage, Discoverrichland.com, which will be published prior to the January/February release of site selector magazine. Thomas added that Teresa Hancock has been hard at work preparing the handful of spaces for new lessees and the Port is well on the way to market those properties and many receiving local interest. Thomas added that the materials and sites will be shared broadly locally and afar for recruitment.

Thomas stated that as a result of the Port's collateral material promoting new nuclear business, he has been asked to present to the sustainability committee he sits on for the International Economic Development Council. Thomas noted that Jason Herbert from Energy Northwest will be joining him to speak about the history of Richland, the Manhattan Project and Hanford, before bringing the energy production capacity into the framework of the presentation, including the new opportunity with X-Energy and Energy Northwest.

Thomas shifted to his state governmental affairs duties, highlighting that Port staff has not conducted airport obstruction evaluation meetings with the Cities of Richland and West Richland and Benton County. Thomas explained that these meetings allow the Port to keep a positive rapport with regional partners on opportunities to expand and improve our general aviation airports in their jurisdiction. Thomas added that many positive discussions have commenced, due to these collaborative and educational meetings.

Thomas provided an update on the Tri-Cities Legislative Council, stating that the Council has been holding stakeholder meetings for the last several weeks, which were concluded just last night. Thomas highlighted the draft priorities, which would be discussed for finalization:

- Rural Broadband
- Transportation Infrastructure
- Economic Development Financing
- Higher Education & K-12 Funding
- Clean Energy & Lower Snake River Dams
- Possible Inclusion: Paper on Employer Compensation Tax Proposal; Tourism

Thomas explained that the Council is more specifically working on and supporting the Tax Increment Financing Proposal, Extension of Rural County Capital Funds, and expansion and sustainability to the Community Economic Revitalization Fund (CERB).

Thomas clarified that the Council understands the statewide conversation on broadband access, the Council is not positive that the issues of access are well articulated or at least consistent. Thomas added that this is a complex issue and past initiatives have leveraged enabling Ports to extend fiber, which the Port already does in the business and industrial community, but the Port does not particularly the Port as being the best implementor of broadband in residential areas outside of an advisory knowledge role.

5. MARKETING: Director of Marketing, Wally Williams stated that he has been working on the Port of Benton eNews publication that will go out next Monday, as well as four short 60 second videos for Teresa that highlight available real estate and facilities, including the southside of the 3250

building, 2345 Stevens Dr., 2019 Butler Loop and 3100 George Washington Way.

Williams added that he has been working with Director of Airports, Joe Walker to create a new brochure for the Richland Airport that will be similar to the Port of Benton overall brochure and will show the capabilities at the Richland Airport.

Williams noted that he has also been working with Facilities Manager, Ron Branine on the new Port of Benton branding logo decals that will be placed on all Port fleet vehicles in 2021.

6. REAL ESTATE: Director of Real Estate, Teresa Hancock stated that in tandem to the recent AMCG rate study and approval of the Port's Strategic Plan outlining Port objectives, the Port recently obtained current market studies for the various property located in Benton City. Hancock shared the values of the properties:

- 515 9th (Subway) – Value \$252k
- 719 9th (Busy Bee Quilting/Labrie Glass) - \$261k
- 721-723 9th (L&G Salon and corner lot) - \$100k

Hancock added that the lease rate range is \$6-\$10psf, with L&G at \$8psf, with escalations and purchase interest.

Hancock stated that an unexpected payoff was requested on December 8, 2020 for the 2015 sale of 22.16 acres formerly known as the "Gap Road Property", which was an 18-year contract with the late Stan Jones. Hancock added that the payoff is expected on Friday, December 11, 2020.

Hancock stated that Notices to Terminate have been received from Busy Bee Quilting at 719 9th in Benton City and Vibragenix at 3100 George Washington Way. Hancock added that efforts to backfill 719 9th are underway for a single user with multiple parties, expressing interest in both lease and purchase. Hancock noted that turnover maintenance is underway.

Hancock stated that 2345 Stevens Dr. has been subject to evolving occupancy within this flagship facility in the past couple of months, but the Port is working to backfill the areas with market leases and seeing renewal of existing leases for Q1 of 2021.

Hancock concluded with an update that the RIC land sale interest is continuing and she anticipates incoming offers for a few parcels in Q1 of 2021.

7. SPECIAL PROJECTS: Director of Special Projects, John Haakenson stated that he has been working with D Hittle on a design pertaining to the irrigation pump failure at Crow Butte Park.

Haakenson added that he has also been working with Facilities Manager, Ron Branine on the Pavement Maintenance plan for 2021 and they hope to partner with the City of Richland on the project.

Haakenson added that he has been working on an inventory at the Park and has also been assisting with internet and service issues.

Director of Economic Development & Governmental Affairs, Miles Thomas added that he recently visited the Park with Ron Branine and uncovered that PocketiNet provides satisfactory internet service to the park and they may discuss extending a satellite for camp hosts. Thomas also noted that the current phone has a 3-4 second delay and they may be switching to Century Link landline phone service to combat that issue. Thomas added that there are bandwidth issues because no provider is interested in extending fiber to the area because there are simply not enough people.

8. FACILITIES & OPERATIONS: Facilities Manager, Ron Branine noted that they are finishing up on 3250 within the old BNL Tech space, but there is quite a bit of furniture remaining.

Branine added that they have started on the Intermech space with some minor painting, but still developing the overall plan on what they will do there.

Branine added that they are also working to get the Create building ready for lease and are waiting on a new front door and window replacement. Branine noted that they have been working hard to get the Subway basement watertight and also planning the space in the previous Labrie Glass and Quilting building, which was the old fire station.

Branine commented that they are still testing radios to be able to use for better communications, especially for emergency operations, snow removal and other larger events and several portable radios that work in smaller areas, noting that Crow Butte staff is excited about being able to better communicate within the park.

Branine explained that the other projects that he is developing a scope of work on include: 2345 lighting project and carpet replacement, 3100 access controls and the annual herbicide/pesticide plan.

Branine remarked on Director of Special Projects, John Haakenson's earlier comments and reaffirmed that they hope to partner with the City of Richland this year and if so, the Port dollars will go further.

Branine assured the Commission that they are 100% ready for snow.

9. AIRPORTS: Director of Airports, Joe Walker stated that they are moving forward with the Richland Airport Master Plan and they are close to a preferred alternative and appreciate all the feedback from the tenants and individuals on and off the airport, noting that the feedback was very supportive of the future growth of the airport. Walker added that he, along with Miles Thomas and Diahann Howard, met with Benton County Planning to address an area of obstruction identified in the master plan process, which is near the Yakima River. Walker stated that they will continue to work with entities around the airport to ensure the airport remains in the conversation for land use planning. Walker added that meetings thus far have provided a general awareness of potential impacts to both airports and all the agencies contacted have been supportive of the future development of the airport.

Walker added that the Prosser Airport, SVID project has wrapped up on the airport side of the project and is currently being finished outside the airport fence. Walker updated that they continue to work on the 2021 taxi lane construction project and continues to explore options to add additional hangar sites at the Prosser Airport.

I. EXECUTIVE SESSION: The regular Commission Meeting was recessed at 10:38 a.m. and an Executive Session was convened at 10:40 a.m. to discuss real estate matters and to review the performance of a public employee. The Commission announced the Executive Session would last no longer than 45 minutes. At 11:25 a.m., the Commission announced the Executive Session would be extended another 30 minutes. At 12:05 p.m., the Commission announced the Executive Session would be extended another 10 minutes. The Executive Session was adjourned at 12:14 p.m. and the regular Commission Meeting was reconvened.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the Executive Director to receive a salary increase from \$155k to \$180k. Additionally, Commissioner Keck added that the Commission agreed to give Executive Director Howard an additional \$2k annual employer contribution to Howard's Deferred Compensation, but no further changes to the Executive Director's existing contract would be made.

After reconvening the regular meeting, the Commission waited for five (5) minutes for any remote attendance participants to reconnect to the meeting. None did.

J. ADJOURNMENT: With no further business, the meeting was adjourned at 12:19 p.m.

Roy D. Keck
Commission Secretary

**Port of Benton, Benton County, Washington
Voucher Certification and Approval
for the Month of December 2020**

General Expenses

Accounts Payable Warrants #	73799	-	73955	\$ 663,410.97
Electronic /Wire Transfers None issued				<u>\$ 37,962.63</u>
Total General Expenses				<u>\$ 701,373.60</u>

Payroll

Direct Deposit				
Employee Payroll - Check #	5949	-	5994	\$ 105,979.51
Wire Transfers:				
IRS Payroll Tax Deposit	December 15, 2020			20,128.03
IRS Payroll Tax Deposit	December 31, 2020			18,421.53
Total Payroll				<u>\$ 144,529.07</u>
Total General Expenses and Payroll				<u><u>\$ 845,902.67</u></u>

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the Port of Benton and that I am authorized to authenticate and certify to said claim.

Attest:



Director of Finance/Port Auditor

We, the undersigned Commissioners of the Port of Benton, Benton County, Washington, do hereby certify the following vouchers/warrants have been certified and approved for payment, this the _____ day of _____, 2021.

President

Vice President

Secretary

**Port of Benton, Benton County, Washington
Voucher Certification and Approval
for the Month of December 2020**

**Dec-20
Cash Disbursements
Batch Totals**

General Expenses

Accounts Payable Warrants #	73799	-	73955	\$ 663,410.97	\$	171,680.12	12/7/2020
					\$	51,010.71	12/8/2020
Electronic /Wire Transfers					\$	211,945.89	12/14/2020
None issued				\$ 37,962.63	\$	99,827.30	12/17/2020
					\$	29,864.44	12/22/2020
Total General Expenses				\$ 701,373.60	\$	99,082.51	12/28/2020

Payroll

Direct Deposit							
Employee Payroll - Check #	5949	-	5994	\$ 105,979.51	\$	663,410.97	

ACH Payment

Wire Transfers:						19,122.22	DRS
IRS Payroll Tax Deposit	December 15, 2020			20,128.03	\$	18,840.41	DRS
IRS Payroll Tax Deposit	December 31, 2020			18,421.53			

Total Payroll	\$ 144,529.07	\$	37,962.63
---------------	---------------	----	------------------

Total General Expenses and Payroll

\$ 845,902.67

PAYROLL

\$	55,631.37	12/15/2020
\$	50,348.14	12/31/2020
\$	105,979.51	

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the Port of Benton and that I am authorized to authenticate and certify to said claim.

FEDTAX

\$	20,128.03	12/15/2020
\$	18,421.53	12/31/2020
\$	38,549.56	

Attest: _____ Director of Finance/Port Auditor

We, the undersigned Commissioners of the Port of Benton, Benton County, Washington, do hereby certify the following vouchers/warrants have been certified and approved for payment, this the _____ day of _____, 2020.

_____	President
_____	Vice President
_____	Secretary

Bank Reconciliation Positive Pay Export Log
Sorted by Check Number

PORT OF BENTON (POB)

Bank Code: A General Fund

Check Number	Check Date	Reference Number	Payee Name	Check Amount
073799	12/7/2020	00BANNERB	BANNER BANK	171,680.12
Number of Checks Selected: 1				Bank Code A Total: 171,680.12
Total Number of Checks Selected: 1				Report Total: 171,680.12

Bank Reconciliation Positive Pay Export Log
Sorted by Check Number

PORT OF BENTON (POB)

Bank Code: A General Fund

Check Number	Check Date	Reference Number	Payee Name	Check Amount
073800	12/8/2020	00AIRS	AIRSIDE SOLUTIONS, INC.	1,371.27
073801	12/8/2020	00BCPUD	BENTON PUD	2,037.86
073802	12/8/2020	00BILLET	DAVID BILLETDEAUX	112.35
073803	12/8/2020	00C OF P	CITY OF PROSSER	3,539.88
073804	12/8/2020	00CENTURY	CENTURYLINK	3.61
073805	12/8/2020	00EFC	EFC Equipment Feed Pet Supply	19.54
073806	12/8/2020	00EXPEM	EXPRESS SERVICES, INC.	3,241.30
073807	12/8/2020	00HAAK	JOHN HAAKENSEN	100.00
073808	12/8/2020	00LIFE	LIFE FLIGHT NETWORK FOUNDATION	1,357.00
073809	12/8/2020	00MOONSEC	MOON SECURITY SERVICES, INC	703.19
073810	12/8/2020	00NATIONW	NATIONWIDE RETIREMENT SOLUTION	2,857.90
073811	12/8/2020	00PACBS	PACIFIC BACKFLOW SERVICES LLC	4,967.05
073812	12/8/2020	00PALMER	PALMER ROOFING COMPANY	25,865.26
073813	12/8/2020	00REDWING	RED WING SHOES	239.45
073814	12/8/2020	00SANDOLL	SANDOLLAR LLC	4,500.00
073815	12/8/2020	00WWALLY	WALLACE WILLIAMS	95.05

Number of Checks Selected: 16

Bank Code A Total: 51,010.71

Total Number of Checks Selected: 16

Report Total: 51,010.71

Bank Reconciliation Positive Pay Export Log
Sorted by Check Number

PORT OF BENTON (POB)

Bank Code: A General Fund

Check Number	Check Date	Reference Number	Payee Name	Check Amount
073816	12/14/2020	00ALA	ALA CART GOLF CARTS, LLC	792.92
073817	12/14/2020	00AT&TMOB	AT & T MOBILITY	698.69
073818	12/14/2020	00CBIT	COLUMBIA BASIN IT	250.00
073819	12/14/2020	00CONOVER	CONOVER INSURANCE, INC.	9,500.00
073820	12/14/2020	00CROWN	CROWN PAPER & JANITORIAL INC.	2,455.77
073821	12/14/2020	00ECOM	ECOMODUS, LLC	7,464.80
073822	12/14/2020	00ELECTRI	ELECTRICAL UNLIMITED, INC	1,012.46
073823	12/14/2020	00FAST	FASTSIGNS	27.15
073824	12/14/2020	00FASTENA	FASTENAL COMPANY	53.17
073825	12/14/2020	00HAEIF	HAEIFAC	74,596.70
073826	12/14/2020	00HANFORA	HANFORD & ASSOCIATES LLC	4,930.00
073827	12/14/2020	00HEALTH	HEALTH CARE AUTHORITY	28,677.32
073828	12/14/2020	00HOSTED	HOSTED SERVICES	456.36
073829	12/14/2020	00JUB	JUB ENGINEERS, INC	30,101.77
073830	12/14/2020	00KELLERR	KELLER ROHRBACK LLP	27,931.56
073831	12/14/2020	00MPCONST	M/P CONSTRUCTION, INC.	9,889.11
073832	12/14/2020	00PASC	RANCH AND HOME	44.50
073833	12/14/2020	00ROSSJAM	ROSS JAMES PHOTOGRAPHY	2,166.57
073834	12/14/2020	00SGGLASS	SUPERIOR GLASS	6,744.06
073835	12/14/2020	00STO	STONEWAY ELECTRIC SUPPLY INC	261.57
073836	12/14/2020	00TWRIV	TWO RIVERS TERMINAL	3,891.41

Number of Checks Selected: 21

Bank Code A Total: 211,945.89

Total Number of Checks Selected: 21

Report Total: 211,945.89

Bank Reconciliation Positive Pay Export Log
Sorted by Check Number

PORT OF BENTON (POB)

Bank Code: A General Fund

Check Number	Check Date	Reference Number	Payee Name	Check Amount
073837	12/17/2020	00ABADAN	ABADAN, INC	321.90
073838	12/17/2020	00ACE HAR	GEO WAY ACE HARDWARE	112.88
073839	12/17/2020	00AFLAC	AFLAC	866.62
073840	12/17/2020	00ALLI	ALLIANT COMMUNICATIONS	162.90
073841	12/17/2020	00APS	ADVANCED PROTECTION SERVICES	62.93
073842	12/17/2020	00ARCH	ARCHIBALD & COMPANY ARCHITECTS	52.50
073843	12/17/2020	00ASPECT	ASPECT CONSULTING	1,358.00
073844	12/17/2020	00BCPUD	BENTON PUD	982.92
073845	12/17/2020	00BENTONR	BENTON RURAL ELEC ASSOCIATION	485.32
073846	12/17/2020	00BEPRNET	BentonREA's POWER NET	9.95
073847	12/17/2020	00BNL	BNL TECHNICAL SERVICES	4,008.59
073848	12/17/2020	00BOILER	DEPT of LABOR & INDUSTRIES	463.40
073849	12/17/2020	00BRUTZ	BRUTZMAN'S INC	82.33
073850	12/17/2020	00C OF BC	CITY OF BENTON CITY	304.67
073851	12/17/2020	00CASTLE	CASTLE EVENT CATERING	426.15
073852	12/17/2020	00CENTRAL	CENTRAL HOSE & FITTINGS INC	212.70
073853	12/17/2020	00CITY	CITY OF RICHLAND	13,444.51
073854	12/17/2020	00CLA	CLIFTON LARSON ALLEN LLP	5,623.40
073855	12/17/2020	00CONNELL	CONNELL OIL, INC	1,154.69
073856	12/17/2020	00DEAN'S	DEAN'S AUTOMOTIVE REPAIR	197.96
073857	12/17/2020	00DESERTG	DESERTGREEN LAWN & TREE CARE	1,742.33
073858	12/17/2020	00DHITTLE	DHITTLE & ASSOCIATES, INC.	1,580.00
073859	12/17/2020	00DIGITAL	DIGITAL IMAGE TRI-CITIES, INC.	228.06
073860	12/17/2020	00EDSDISP	ED'S DISPOSAL, INC.	65.15
073861	12/17/2020	00EXPEN	EXPRESS SERVICES, INC.	3,718.50
073862	12/17/2020	00FASTENA	FASTENAL COMPANY	232.74
073863	12/17/2020	00FUSE	FUSE, SPC	3,324.11
073864	12/17/2020	00HAGERTY	JANE HAGARTY	649.74
073865	12/17/2020	00HARBFRT	HARBOR FREIGHT TOOLS, INC.	168.32
073866	12/17/2020	00HARVEYK	KRIS HARVEY	146.00
073867	12/17/2020	00KECK	ROY KECK	168.04
073868	12/17/2020	00KELLEY	KELLEY'S Tele-Communication, Inc.	134.42
073869	12/17/2020	00KONE	KONE Inc. 4156	2,708.64
073870	12/17/2020	00LARSON	ROBERT D. LARSON	169.99
073871	12/17/2020	00MOONSEC	MOON SECURITY SERVICES, INC	646.18
073872	12/17/2020	00PARADIS	PARADISE BOTTLED WATER CO	92.12
073873	12/17/2020	00PASC	RANCH AND HOME	67.31
073874	12/17/2020	00PEDA	PROSSER ECON DEV ASSOCIATION	12,500.00
073875	12/17/2020	00PERSON	PERSONAL TOUCH CLEANING, INC.	10,850.89
073876	12/17/2020	00PHAM	TRI-CITY COMPUTER CONSULTING LLC	2,019.96
073877	12/17/2020	00PPR	Prominence Public Relations	1,147.50
073878	12/17/2020	00RDO	RDO EQUIPMENT CO	635.29
073879	12/17/2020	00RECMGMT	CI INFORMATION MANAGEMENT	207.30
073880	12/17/2020	00RGW	RGW ENTERPRISES P.C. INC	13,380.00
073881	12/17/2020	00SCALE	Scales NW LLC	792.78
073882	12/17/2020	00SMITHCM	C. MARK SMITH ASSOCIATES	200.00
073883	12/17/2020	00STE	STEEBER'S LOCK SERVICE, LLC	91.77
073884	12/17/2020	00SUN	SUNWEST SPORTSWEAR	91.25
073885	12/17/2020	00SUNDANC	SUNDANCE AVIATION	5,000.00
073886	12/17/2020	00TCH	TRI-CITY HERALD	292.01

**Bank Reconciliation Positive Pay Export Log
Sorted by Check Number**

PORT OF BENTON (POB)

Bank Code: A General Fund

Check Number	Check Date	Reference Number	Payee Name	Check Amount
073887	12/17/2020	00THEHOME	THE HOME DEPOT CRC/GECF	1,135.51
073888	12/17/2020	00TIRE	TIRE FACTORY	641.85
073889	12/17/2020	00TRIDEC	TRIDEC, INC.	2,916.67
073890	12/17/2020	00WESTRIC	WEST RICHLAND RENTALS	21.11
073891	12/17/2020	00WOOD'D	WOOD'S NURSERY Inc	169.99
073892	12/17/2020	00ZIPLY	ZIPLY FIBER	1,557.45
Number of Checks Selected: 56				Bank Code A Total: 99,827.30
Total Number of Checks Selected: 56				Report Total: 99,827.30

Bank Reconciliation Positive Pay Export Log
Sorted by Check Number

PORT OF BENTON (POB)

Bank Code: A General Fund

Check Number	Check Date	Reference Number	Payee Name	Check Amount
073893	12/22/2020	00A/L	A-L COMPRESSED GASES, INC	57.94
073894	12/22/2020	00ACE HAR	GEO WAY ACE HARDWARE	99.13
073895	12/22/2020	00BCPUD	BENTON PUD	18.90
073896	12/22/2020	00BFHD	BENTON-FRANKLIN HEALTH DEPT.	25.00
073897	12/22/2020	00C OF P	CITY OF PROSSER	199.35
073898	12/22/2020	00CBIT	COLUMBIA BASIN IT	1,569.34
073899	12/22/2020	00CENTURY	CENTURYLINK	602.54
073900	12/22/2020	00CHARTER	CHARTER COMMUNICATIONS	759.96
073901	12/22/2020	00CITY	CITY OF RICHLAND	776.43
073902	12/22/2020	00CITY	CITY OF RICHLAND	6,987.46
073903	12/22/2020	00CONNELL	CONNELL OIL, INC	1,032.17
073904	12/22/2020	00DEAN'S	DEAN'S AUTOMOTIVE REPAIR	2,248.05
073905	12/22/2020	00DESERTG	DESERTGREEN LAWN & TREE CARE	3,328.71
073906	12/22/2020	00DIGITAL	DIGITAL IMAGE TRI-CITIES, INC.	55.87
073907	12/22/2020	00GENSCO	GENSCO, INC	221.54
073908	12/22/2020	00HARBFRT	HARBOR FREIGHT TOOLS, INC.	83.58
073909	12/22/2020	00HARTWIG	STEPHAINE HARTWIG	900.00
073910	12/22/2020	00KIE	KENNEWICK IND. & ELEC. SUPPLY	287.03
073911	12/22/2020	00MIYA	SUMMERS MIYA	49.87
073912	12/22/2020	00NATIONW	NATIONWIDE RETIREMENT SOLUTION	2,874.46
073913	12/22/2020	00NETSERV	NETWORK SERVICE BILLING, INC.	10.65
073914	12/22/2020	00PASC	RANCH AND HOME	957.75
073915	12/22/2020	00RDO	RDO EQUIPMENT CO	96.10
073916	12/22/2020	00SANITAR	SANITARY DISPOSAL, INC.	230.74
073917	12/22/2020	00SIEFKEN	SIEFKEN & SONS CONSTN., INC.	3,631.98
073918	12/22/2020	00STINSON	STAN STINSON	2,190.00
073919	12/22/2020	00SUPERME	DEX MEDIA	21.50
073920	12/22/2020	00THRIFTY	THRIFTY SUPPLY	56.76
073921	12/22/2020	00TIRE	TIRE FACTORY	288.81
073922	12/22/2020	00TREACOF	TREASURE VALLEY COFFEE	116.77
073923	12/22/2020	00ZIPLY	ZIPLY FIBER	86.05
Number of Checks Selected: 31			Bank Code A Total:	29,864.44
Total Number of Checks Selected: 31			Report Total:	29,864.44

Bank Reconciliation Positive Pay Export Log
Sorted by Check Number

PORT OF BENTON (POB)

Bank Code: A General Fund

Check Number	Check Date	Reference Number	Payee Name	Check Amount
073924	12/28/2020	00ACE HAR	GEO WAY ACE HARDWARE	204.84
073925	12/28/2020	00AIRE	AIREFCO, INC.	117.68
073926	12/28/2020	00ASK	A S KLEIN ENGINEERING, PLLC	5,000.00
073927	12/28/2020	00BANNER2	BANNER BANK	21,234.41
073928	12/28/2020	00BCPUD	BENTON PUD	109.54
073929	12/28/2020	00BEATTY	ROSS BEATTY	40.00
073930	12/28/2020	00BLUESTA	BLUE STAR ENTERPRISES NW INC.	7,602.00
073931	12/28/2020	00C & M	C & M LANDSCAPING	157.36
073932	12/28/2020	00CASCADE	CASCADE NATURAL GAS CORP	10,749.29
073933	12/28/2020	00CENTURY	CENTURYLINK	45.62
073934	12/28/2020	00CITY	CITY OF RICHLAND	90.14
073935	12/28/2020	00CREE	CHRISTOPHER CREE	1,105.00
073936	12/28/2020	00DRAIN	The Drain Surgeon	709.16
073937	12/28/2020	00DSD	DSD BUSINESS SYSTEMS	3,038.39
073938	12/28/2020	00ELECTRI	ELECTRICAL UNLIMITED, INC	214.10
073939	12/28/2020	00FASTENA	FASTENAL COMPANY	16.50
073940	12/28/2020	00GTTC	Gordon Tilden Thomas & Cordell LLP	11,229.40
073941	12/28/2020	00IRONE	IRONESQUE INC.	10,585.24
073942	12/28/2020	00JCOOK	JOHN COOK	1,253.39
073943	12/28/2020	00JUB	JUB ENGINEERS, INC	9,780.07
073944	12/28/2020	00MONT	Veronica Serna	567.36
073945	12/28/2020	00MOONSEC	MOON SECURITY SERVICES, INC	196.52
073946	12/28/2020	00OLSONG	GERALD G. OLSON	2,407.72
073947	12/28/2020	00OLSONK	KATHRYN S. OLSON	2,455.85
073948	12/28/2020	00PIT	PITNEY BOWES, INC	195.48
073949	12/28/2020	00POCKET	POCKETINET COMMUNICATIONS, INC.	195.00
073950	12/28/2020	00PURCHAS	PURCHASE POWER	520.99
073951	12/28/2020	00REDWING	RED WING SHOES	239.45
073952	12/28/2020	00THEH	TERESA HANCOCK	1,256.67
073953	12/28/2020	00WESTON	WESTON MOUNTAIN ONIONS LLC	6,770.40
073954	12/28/2020	00WPPA	WA PUBLIC PORTS ASSOCIATION	600.00
073955	12/28/2020	00ZIPLY	ZIPLY FIBER	394.94
Number of Checks Selected: 32				Bank Code A Total: 99,082.51
Total Number of Checks Selected: 32				Report Total: 99,082.51

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KEY BANK ACCOUNT TRANSFER REQUEST FORM**OUT****FROM ACCOUNT:** **479681118606** Benton County Main Checking**TO ACCOUNT:** **479681118622** DRS**SETTLEMENT DATE:** **12/7/2020****AMOUNT:** \$ **19,122.22****District**
Port of Benton**REQUESTED BY:** **Veronica Serna****District Authorized Personnel Only****TRANSFERRED BY:** **Treasurer's Office Staff Only**

Port of Benton

Benton County Treasurer
KeyBank

Account #

479681118622 DRS

DATE	Bank	AMOUNT of Transfer
12/7/2020	Key Bank	\$ 19,122.22

Date of Withdrawal 12/7/2020

Transfers must be delivered to the Accounting Department of the Treasurer's Office or sent to the fedtax.directdeposit@co.benton.wa.us mailbox at least one day prior to the date Department of Retirement Systems will debit this account.

PREPARED BY: Veronica Serna

AUTHORIZED BY: Danielle Connor

TITLE: Finance Director

DATE: 12/3/2020

Received by: _____

Date: _____

[illegible]

KEY BANK ACCOUNT TRANSFER REQUEST FORM**OUT****FROM ACCOUNT:** **479681118606** Benton County Main Checking**TO ACCOUNT:** **479681118622** DRS**SETTLEMENT DATE:** **12/18/2020****AMOUNT:** \$ **18,840.41****District****Port of Benton****REQUESTED BY:** Veronica Serna**District Authorized Personnel Only****TRANSFERRED BY:** Treasurer's Office Staff Only

Port of Benton

Benton County Treasurer
KeyBank

Account #

479681118622 DRS

DATE	Bank	AMOUNT of Transfer
12/18/2020	Key Bank	\$ 18,840.41

Date of Withdrawal

12/18/2020

Transfers must be delivered to the Accounting Department of the Treasurer's Office or sent to the fedtax.directdeposit@co.benton.wa.us mailbox at least one day prior to the date Department of Retirement Systems will debit this account.

PREPARED BY: Veronica Serna

AUTHORIZED BY: Danielle Connor

TITLE: Director of Finance

DATE: 12/16/2020

Received by: _____

Date: _____

REMITTANCE REPORT		
0000-101	Current Expense	
0101-101	Road	
0106-101	Auditor's O & M	
0108-101	Human Services	
0109-101	Treasurer's Invest Pool	
0111-101	Elections	
0110-102	Park Development	
0112-101	Treasurer's O & M	
0115-101	Juvenile Center	
0116-101	Inmate Benevolence	
0120-101	Crime Victim Comp	
0124-101	Benton County Fairgrounds	
0126-101	Sheriff Investigavite	
0127-101	Sheriff/Boat Patrol	
0131-101	Probation Assessment	
0134-101	Noxious Weed Control Board	
0135-101	Economic Development	
0136-101	Domestic Violence	
0138-101	Family Services	
0146-101	Clerks Collection	
0148-101	Public Safety Tax Fund	
0149-101	Protective Inspection Services	
0150-101	Horticultural Pest & Disease	
0155-101	Solid Waste Collection	
0158-101	Domestic Violence Assessment	
0305-101	Capital Acquisition	
0501-101	Equipment Rental & Revolving	
0502-101	Central Services	
0503-101	Workmens Comp	
0504-101	Insurance Management	
0505-101	Accumlataive Leave	
6312-101	B F Health Dist	
6601-101	Port of Benton- General	\$ 55,631.37
6601-207	Port of Benton- Bond	
6601-601	Port of Benton- Reserve	
DATE/TOTAL	12/15/2020	55,631.37
Prepared by	VERONICA SERNA	Port of Benton
Trans Type	PAYROLL-DISTRICTS	

KEY BANK ACCOUNT TRANSFER REQUEST FORM**OUT****FROM ACCOUNT:** **479681118606** **Benton County Main Checking****TO ACCOUNT:** **479681118648** **PAYROLL-DISTRICTS****SETTLEMENT DATE:** **12/15/2020****AMOUNT:** **\$ 55,631.37****District****Port of Benton****REQUESTED BY:** **DANIELLE CONNOR****District Authorized Personnel Only****TRANSFERRED BY:**
Treasurer's Office Staff Only

Port of Benton

Benton County Treasurer
KeyBank

Account #

479681118648 PAYROLL-DISTRICTS

DATE	Bank	AMOUNT of Transfer
12/15/2020	Key Bank	\$ 55,631.37

Date of Withdrawal 12/15/2020

Transfers must be delivered to the Accounting Department of the Treasurer's Office or sent to the fedtax.directdeposit@co.benton.wa.us mailbox at least one day prior to the date Department of Retirement Systems will debit this account.

PREPARED BY: VERONICA SERNA

AUTHORIZED BY: DANIELLE CONNOR

TITLE: DIRECTOR OF FINANCE

DATE: 12/11/2020

Received by: _____

Date: _____

[illegible]

KEY BANK ACCOUNT TRANSFER REQUEST FORM**OUT****FROM ACCOUNT:** **479681118606** Benton County Main Checking**TO ACCOUNT:** **479681118648** PAYROLL-DISTRICTS**SETTLEMENT DATE:** **12/31/2020****AMOUNT:** **\$ 50,348.14****District**
Port of Benton**REQUESTED BY:** **DANIELLE CONNOR****District Authorized Personnel Only****TRANSFERRED BY:**
Treasurer's Office Staff Only

Port of Benton

**Benton County Treasurer
KeyBank**

Account #

479681118648 PAYROLL-DISTRICTS

DATE	Bank	AMOUNT of Transfer
12/31/2020	Key Bank	\$ 50,348.14

Date of Withdrawal

12/31/2020

Transfers must be delivered to the Accounting Department of the Treasurer's Office or sent to the fedtax.directdeposit@co.benton.wa.us mailbox at least one day prior to the date Department of Retirement Systems will debit this account.

PREPARED BY: VERONICA SERNA

AUTHORIZED BY: DANIELLE CONNOR

TITLE: DIRECTOR OF FINANCE

DATE: 12/28/2020

Received by: _____

Date: _____

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KEY BANK ACCOUNT TRANSFER REQUEST FORM**OUT****FROM ACCOUNT:** **479681118606** Benton County Main Checking**TO ACCOUNT:** **479681118622** FED TAX**SETTLEMENT DATE:** **12/15/2020****AMOUNT:** **\$ 20,128.03****District
Port of Benton****REQUESTED BY:** **Veronica Serna****District Authorized Personnel Only****TRANSFERRED BY:**
Treasurer's Office Staff Only

LETTER OF TRANSFER

Email to: fedtax.directdeposit@co.benton.wa.us
Benton County Treasurer
Key Bank
Account #479681118622
For Payroll Taxes

Employer Identification Number	Employer Name	Date of Transfer	Tax Period	Federal Income Tax Withholding	FICA Withholding	Medicare Withholding	Amount
91-0750272	Port of Benton	12/15/2020	4th	\$ 8,601.85	\$ 9,189.66	\$ 2,336.52	\$ 20,128.03
Totals				\$ 8,601.85	\$ 9,189.66	\$ 2,336.52	\$ 20,128.03

This amount should be equal to
remittance, book transfer, and
transfer request form.

Control Total from wk Sheet remit \$ 20,128.03

Match

Authorized by: DANIELLE CONNOR

Signature:

Title: DIRECTOR OF FINANCE

Date: 12/11/2020

E-mail: serna@portofbenton.com

Confirmation of processing will be sent to this email.

Port of Benton

Benton County Treasurer
KeyBank
479681118622 FED TAX

Account #

DATE	Bank	AMOUNT of Transfer
12/15/2020	Key Bank	\$ 20,128.03

Date of Withdrawal 12/15/2020

Transfers must be delivered to the Accounting Department of the Treasurer's Office or sent to the fedtax.directdeposit@co.benton.wa.us mailbox at least one day prior to the date Department of Retirement Systems will debit this account.

PREPARED BY: VERONICA SERNA

AUTHORIZED BY: DANIELLE CONNOR

TITLE: DIRECTOR OF FINANCE

DATE: 12/11/2020

Received by: _____

Date: _____

REMITTANCE REPORT		
0000-101	Current Expense	
0101-101	Road	
0106-101	Auditor's O & M	
0108-101	Human Services	
0109-101	Treasurer's Invest Pool	
0111-101	Elections	
0110-102	Park Development	
0112-101	Treasurer's O & M	
0115-101	Juvenile Center	
0116-101	Inmate Benevolence	
0120-101	Crime Victim Comp	
0124-101	Benton County Fairgrounds	
0126-101	Sheriff Investigate	
0127-101	Sheriff/Boat Patrol	
0131-101	Probation Assessment	
0134-101	Noxious Weed Control Board	
0135-101	Economic Development	
0136-101	Domestic Violence	
0138-101	Family Services	
0146-101	Clerks Collection	
0148-101	Public Safety Tax Fund	
0149-101	Protective Inspection Services	
0150-101	Horticultural Pest & Disease	
0155-101	Solid Waste Collection	
0158-101	Domestic Violence Assessment	
0305-101	Capital Acquisition	
0501-101	Equipment Rental & Revolving	
0502-101	Central Services	
0503-101	Workmens Comp	
0504-101	Insurance Management	
0505-101	Accumulative Leave	
6312-101	B F Health Dist	
6601-101	Port of Benton- General	\$ 18,421.53
6601-207	Port of Benton- Bond	\$ -
6601-601	Port of Benton- Reserve	\$ -
DATE/TOTAL	12/31/2020	18,421.53
Prepared by	VERONICA SERNA	Port of Benton
Trans Type	FED TAX	

KEY BANK ACCOUNT TRANSFER REQUEST FORM**OUT****FROM ACCOUNT:** **479681118606** Benton County Main Checking**TO ACCOUNT:** **479681118622** FED TAX**SETTLEMENT DATE:** **12/31/2020****AMOUNT:** **\$ 18,421.53****District**
Port of Benton**REQUESTED BY:** **Veronica Serna****District Authorized Personnel Only****TRANSFERRED BY:**
Treasurer's Office Staff Only

LETTER OF TRANSFER

Email to: fedtax.directdeposit@co.benton.wa.us
Benton County Treasurer
Key Bank
Account #479681118622
For Payroll Taxes

Employer Identification Number	Employer Name	Date of Transfer	Tax Period	Federal Income Tax Withholding	FICA Withholding	Medicare Withholding	Amount
91-0750272	Port of Benton	12/31/2020	4th	\$ 7,855.51	\$ 8,411.50	\$ 2,154.52	\$ 18,421.53
Totals				\$ 7,855.51	\$ 8,411.50	\$ 2,154.52	\$ 18,421.53

This amount should be equal to
remittance, book transfer, and
transfer request form.

Control Total from wk Sheet remit \$ 18,421.53

Match

Authorized by: DANIELLE CONNOR

Signature: _____

Title: DIRECTOR OF FINANCE P1

Date: 12/28/2020

E-mail: sema@portofbenton.com Confirmation of processing will be sent to this email.

Port of Benton

**Benton County Treasurer
KeyBank**

Account # 479681118622 FED TAX

DATE	Bank	AMOUNT of Transfer
12/31/2020	Key Bank	\$ 18,421.53

Date of Withdrawal 12/31/2020

Transfers must be delivered to the Accounting Department of the Treasurer's Office or sent to the fedtax.directdeposit@co.benton.wa.us mailbox at least one day prior to the date Department of Retirement Systems will debit this account.

PREPARED BY: VERONICA SERNA

AUTHORIZED BY: DANIELLE CONNOR

TITLE: DIRECTOR OF FINANCE

DATE: 12/28/2020

Received by: _____

Date: _____

RESOLUTION 21-03
A RESOLUTION OF THE PORT OF BENTON, WASHINGTON
TO CANCEL A WARRANT

WHEREAS, General Expense Fund Warrant No. 073813, in the amount of \$239.45, which was issued to Red Wing Shoes., warrant has been determined to be destroyed, and

WHEREAS, said warrant is hereby considered to be canceled, and the Port Commission wishes to remove this warrant from the active accounting records.

NOW THEREFORE, the Port Commission hereby resolves to cancel Warrant No. 073813.

DATED AND SIGNED at Richland, Washington January 13, 2021.

Jane F. Hagarty
President

Robert D. Larson,
Vice President

Roy D. Keck,
Secretary

AGENDA
PORT OF BENTON
ECONOMIC DEVELOPMENT CORPORATION BOARD MEETING
January 13, 2021
8:40 a.m.
3250 Port of Benton Boulevard
Richland, Washington

- A. Call to Order
- B. Approval of January 8, 2020, Port of Benton Economic Development Corporation Board Meeting Minutes
- C. Selection of Officers for 2021
- D. Adjournment

**PORT OF BENTON
ECONOMIC DEVELOPMENT CORPORATION
MEETING MINUTES
January 8, 2020**

- A. **CALL TO ORDER:** The meeting was called to order at 8:35 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 were Port Counsel, David Billetdeaux; Executive Director, Diahann Howard, PPM®; Director of Finance, Stuart B. Dezemmer, CPA, PPM®; Director of Real Estate, Teresa Hancock; Director of Marketing, Wally Williams, Director of Special Projects, John Haakenson and Administrative Assistant Kelly Thompson. Also, in attendance was Randy Slovic.
- B. **APPROVAL OF MINUTES:** A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the January 9, 2019, Economic Development Corporation (EDC) minutes.
- C. **CURRENT BUSINESS:**
1. **SELECTION OF OFFICERS:** As required by the Port of Benton EDC bylaws, an annual board meeting was held on this date. A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the EDC officers for 2020: President, Jane F. Hagarty; Vice President, Robert D. Larson and Secretary, Roy D. Keck.
- D. **ADJOURNMENT:** The meeting was adjourned at 8:38 a.m.

Roy D. Keck, Secretary
Port of Benton
Economic Development Corporation

RESOLUTION NO. 21-01

DELEGATION OF AUTHORITY

A Resolution of the Port of Benton adopting a master policy directive on the administrative authority of the Executive Director and her designees.

WHEREAS, Section 53.12.270 of the Revised Code of Washington provides authority to the Port Commission for delegation of powers to the Executive Director: and

WHEREAS, the Port Commission has previously adopted policy directives in Resolution 94-01 delegating administrative authority to the Executive Director and his/her designees for the purpose of expeditious administration of the Port; and

WHEREAS, the Port Commission has from time to time found it necessary to amend and revise such directives due to changes in law and/or operations of the Port; and

WHEREAS, the Port Commission now wishes to provide an updated master policy directive on the administrative authority of the Executive Director and her designees, and to repeal any prior resolutions dealing with the same subject other than Resolution 20-18, discussed hereafter;

WHEREAS, the Port Commission previously authorized Delegating Authority to the Executive Director in Response to the Outbreak of Covid-19 under Resolution 20-18; and

WHEREAS, the Covid-19 Outbreak and subsequent response remains in effect to this day, thereby necessitating the Commission to continue to delegate emergency powers to the Executive Director under Resolution 20-18 in addition to all powers delegated below under Exhibit "A" attached to this Resolution and incorporated herein by such reference;

NOW, THEREFORE, BE IT RESOLVED by the Port Commission of the Port of Benton as follows:

SECTION 1. The master policy directive of the Port Commission of the Port of Benton as set forth as Exhibit "A" attached to this Resolution and incorporated herein by such reference, is for the purpose of establishing administrative authority for the Executive Director and her designees.

SECTION 2. The Revised Code of Washington 53.08.090 authorizes the Port Commission to delegate to the Executive Director by resolution, the authority to sell and convey port district property as outlined in Exhibit A, Section XX. In as much as state law requires that this authority be renewed from year to year, the Port Commission is authorized to accomplish the same by motion; provided, however, that in the event this authority is amended or repealed, such amendment or repeal must be by resolution adopted by the Port Commission.

ADOPTED by the Commission of the Port of Benton this January 13, 2021, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof.

PORT OF BENTON COMMISSION

Jane F. Hagarty,
President

Robert D. Larson,
Vice President

Roy D. Keck,
Secretary

EXHIBIT "A" TO RESOLUTION NO. 20-01

Port of Benton

COMMISSION POLICY DIRECTIVE

AUTHORITY OF EXECUTIVE DIRECTOR AND DESIGNEES

The following policy is adopted by the Port Commission for the purpose of establishing the administrative authority of the Executive Director who is responsible for normal Port operations. The phrase "normal Port operations" as used herein, means regular day-to-day business transactions involving personnel, materials and money. The Commission shall retain an Executive Director to implement the objectives of the Port, which shall be established by the Port Commission. The Executive Director derives authority from the Commission acting as the governing body. The Executive Director shall retain professional staff, which shall operate and manage according to directives from the Executive Director. The Executive Director shall regularly inform and consult with the Commission regarding significant information and business transactions, by a method mutually agreeable to the Commission and the Executive Director. The Executive Director shall serve as the primary spokesman for management. The Executive Director shall be solely responsible for the conduct of business transactions of the Port.

The Commission is responsible for setting policy and direction for all Port business. It does so by annually adopting a budget and, from time to time, adopting other policy-setting documents. Within the general scope of and in conformance with the direction established by such documents and with the exception of the limitations identified in the specific policies which follow, the Executive Director shall be responsible for the operation, maintenance, administration and use of the Port's properties and facilities; the development of industrial districts; the implementation of construction work and alterations and improvements to the Port's real estate and physical facilities and necessary planning incidental thereto; the administration of the day-to-day operations which include personnel administration (salary and benefit matters, task and project

assignments, hiring, firing, training, grievance procedures, employee enrichment and improvement, etc.); execution. of contracts; the delivery of services essential to the Port's mission; financial and accounting related matters; legal matters and all other administrative matters. Further, Executive Director is hereby authorized to publish notice of any and all public hearings which are required by law or are necessary for Port Commission action. Except as may be prohibited by state law, all delegations described herein with monetary limitation shall be automatically adjusted at the beginning of each year to conform with the preceding years, etc.

Prior to implementation, the Executive Director will notify the Port Commission of the index adjustments which will then become effective as of February 1.

The Executive Director may delegate to appropriate Port staff such of his/her administrative authority or reporting requirements herein established as, in his/her discretion, is necessary and advisable in the efficient exercise of such authority. To implement delegations of authority to Port staff, the Executive Director shall promulgate Port of Benton Policy and Procedure Manuals, monetary delegations, authority to execute contracts, and other documents such as employee position descriptions, affirmative action plans, office manuals, etc., which shall include such delegations as appropriate. The responsibility for all administration and day-to-day operations of the Port rests solely with the Executive Director. Any Commission directives or initiatives shall be made through the Executive Director and shall be made only by the Port Commission acting as a body.

PORT OF BENTON
SPECIFIC POLICY DIRECTIVES OF
ADMINISTRATIVE AUTHORITY OF EXECUTIVE DIRECTOR
AND DESIGNEES

I. REAL PROPERTY AGREEMENTS

A Types of Agreements

The following directives of this Article I apply to all agreements for use of Port real property, including but not limited to leases, license agreements, rental agreements, operating agreements and use agreements (all hereinafter referred to as "Real Property Agreements or "Agreements").

B. General Real Property Agreement Policy

Except as provided in Paragraph I(c), all real property of the Port shall be used pursuant to an appropriate written instrument approved by the Port Commission and accompanied by security in accordance with law.

Prior to the execution of such instrument, the Executive Director shall have secured authority to enter negotiations and shall have appraised the Port Commission of the progress of such negotiations; provided for proper security, submitted the Agreement to Port Counsel for approval; and followed all other applicable laws and Port Commission created Lease Policy.

C. Real Property Agreement Procedures

The Executive Director is authorized to perform the following actions without Port Commission approval, but must quarterly provide the Port Commission a report summarizing actions:

1. Agreements having a term (including any options) of five years duration or less may be approved and signed by the Executive Director provided the Port's standard Agreement form is used (except for provisions inapplicable), Agreement terms conform to proper real estate practices and the guidelines set forth in the Lease Policy, and there is no financial obligation of the Port for improvements.
2. To the extent assignments, subleases, or options are permitted in the basic Agreement the same may be approved by the Executive Director, provided; other substantive terms of the Agreement are unchanged; any option or options do not result in an Agreement term (including options) of more than five years; rental adjustments consistent with Port Lease Policy are made; and provided an amendment to the Agreement may be approved by the Executive Director if the scope of the amendment is otherwise within the authority of the Executive Director under this Resolution.
3. Easements of five years or less, licenses and permits ancillary to the normal operation of the Port may be granted by the Executive Director.
4. The Executive Director is charged with the responsibility to insure that all agreement terms are complied with and is authorized to take necessary measures to cause compliance or to protect the Port's legal position, including but not limited to the giving of all notices provided for in the Agreement.
5. Customary and usual easements granted for installation of utilities to service Port properties or for rights of way for access to Port properties may be executed by the Executive Director on behalf of the Port regardless of the length of the term. Other easements with a term of five years or less, licenses or permits ancillary to the normal operation of the Port may be executed by the Executive Director on behalf of the Port.

II. REAL PROPERTY AGREEMENT SECURITY AND INSURANCE

The Executive Director is authorized to take all necessary actions on behalf of the Port Commission in connection with Agreement surety bonds, Agreement surety, rental insurance, or other security (hereinafter referred to as "Agreement Security") and insurance coverage required pursuant to any Agreements of the Port, including any of the following actions:

- A. Where the Agreement is not in default, to release any Agreement Security where an adequate substitute security has been provided.

- B. To approve any Agreement Security or insurance submitted in fulfillment of the requirements of any Agreement, including substitute or replacement coverage for any terminated bond or other Agreement Security.
- C. To approve any substitute or modification of insurance, and to release any insurance company when substitute or replacement insurance coverage has been provided.

III. REAL PROPERTY TRANSACTIONS

- A. When the Port Commission authorizes the acquisition of real property by negotiated purchase or condemnation, the Executive Director shall take all necessary steps, including appraisals, to secure title of such property for the Port. The acquisition price of individual properties (or ownerships) shall in no case exceed the Port's appraisal without further specific Commission approval. When several parcels are authorized for purchase by the Port Commission, the total price paid for all such properties shall not exceed the Port's appraisal without further specific Commission approval.
- B. When the Port Commission authorizes the sale of Port real property, the Executive Director shall be empowered to take all necessary administrative steps including the acquisition of appraisals in order that execution of the conveyance instrument by the Commission may occur. After execution of the instrument by the Commission, the Executive Director is authorized to take any and all other necessary steps, including delivery, to finalize the sale.

IV. CONTRACTS FOR PERFORMANCE OF WORK

- A. Contract Awards for Construction and Maintenance
 - 1. The Executive Director may, without prior Commission approval, execute on its behalf small works roster contracts where the total estimated contract price does not exceed Fifty Thousand Dollars (\$50,000), the work is within Capital Budget authorized limits, and so long as all statutory procedures are followed.
 - 2. The Executive Director may, without Port Commission approval, prepare plans and specifications, issue notices calling for bids, award and accept contracts for work where the total estimated contract price does not exceed Fifty Thousand Dollars (\$50,000), provided that all requirements of R.C.W. 53.08.120-135 are met, and the work is within authorized Capital Budget limits. Change order amounts are at the discretion of the Executive Director, provided they do not increase the adjusted contract to an amount in excess of \$50,000. If the project scope varies from the Commission approved

Capital Budget, it will be brought before the Commission before obligation of any funds.

3. On contracts for work exceeding Fifty Thousand Dollars (\$50,000), Commission approval shall be required prior to the preparation of plans and specifications for such work. Request for authorization to prepare plans and specifications shall include an estimate as to the total cost of the work. Upon completion of plans and specifications, the Executive Director is authorized to publish notice calling, for bids. Award of contract will be made with Commission approval unless there is a time constraint. In the event of a time constraint, Commission approval for award by the Executive Director will be requested in connection with the request for authorization to prepare plans and specifications. If an award is to be made to other than the lowest responsible bidder; if there is a material deviation from the Port's General Conditions; or if the bid is in dispute, Port Commission approval shall be sought prior to the award. Port Commission approval shall be required for the rejection of all bids.
4. When any emergency shall require the immediate execution of a contract for work, the Executive Director, pursuant to the procedures of R.C.W. 39.04.020 (as it may be amended or succeeded), is authorized to make a finding of the existence of such emergency and execute any contracts necessary to respond to the existing emergency, provided that the Executive Director shall, at the first Port Commission meeting following the Executive Director's finding of the existence of an emergency, request Port Commission ratification of the finding of emergency and any contracts awarded and/or executed pursuant to that finding.

B. Change Orders

Where contracts for the performance of work exceeding \$50,000 have been awarded and under which the work is in progress, and individual changes in plans and/or specifications are necessitated in order to properly accomplish the work, the Executive Director is authorized to execute individual change orders to the contract provided the following conditions are met:

1. The estimated cost of the individual changes in plans and/or specifications will not exceed Ten Thousand Dollars (\$10,000) or 10% of the contract price, whichever is less. However, when an individual change order issued under any contract shall cause the total cash amount of change orders to that contract to exceed a sum equal to 20% of the original contract amount, or Fifty Thousand (\$50,000), whichever is less, such change order shall not be issued without prior Commission approval and no future change orders to said contract may be issued without Commission approval.

2. The contract provides for issuance of change orders.
3. The individual change order has been approved and certified by the Port's Architect or Engineer supervising the contract as being necessary to the proper accomplishment of the work called for in the basic contract.
4. Any time extension for completion of said contract which accompanies said change order does not exceed forty-five (45) days, except a change order extending the contract determined time beyond forty-five (45) days where it is to be a result of fire and other casualties not the fault of the contractor; strikes, riots and other civil disorders; unsuitable weather, or other act of God which results in suspension of work by order of the Port's architect or Engineer supervising the contract.

C. Reports

Notwithstanding the authorities granted in the preceding sections A and B, the Executive Director shall keep the Commission advised of all contracts on a monthly basis.

V. UTILIZATION OF PORT CREWS

- A. The Executive Director is authorized to use necessary workers for operations and maintenance of facilities pursuant to Port Commission approved labor agreements.
- B. The Executive Director shall be responsible for obtaining, prior Port Commission approval for work projects which are new construction or major modifications of Port facilities to be carried out by Port crews when the total estimated cost exceeds Fifty Thousand Dollars (\$50,000).

VI. CONTRACTS FOR ACQUISITION OF UTILITIES, MATERIALS, EQUIPMENT, SUPPLIES, AND SERVICES

The Executive Director shall have the responsibility for following all statutory requirements and procedures in connection with all contracts for the acquisition of utilities, materials, equipment, supplies and services. Utilities, materials, equipment, supplies and services (including services provided by public agencies) may be acquired on the open market, pursuant to published tariffs, or by competitive bidding when necessary for the normal maintenance and operations of the Port, and no prior Port Commission approval shall be required but shall, where appropriate, be approved as part of normal monthly expenses and shall be within authorized budgets. Where a requirement exists for formal competitive bidding, the Executive Director may execute contracts for the acquisition of utilities, materials, equipment, supplies and services subject to the following conditions:

- A. The contract or purchase order price for one year does not exceed Fifty Thousand Dollars (\$50,000) or, if specifically identified in the annual budget, the amount shown in such budget, and the contract provides for no more than two (2) options to extend the contract for one (1) year periods, provided that the basic contract or purchase order price and any contract extensions must be within appropriate annual budget limits.
- B. The award is made to a bidder who has submitted a proposal based on the plans and specification on file, or, where permissible, based upon his own plans and specifications and accompanied by a bid proposal deposit as may be required, and which is, as nearly as practicable, in accordance with the requirements of R.C.W. 53.08.120, (as it may be amended or succeeded).
- C. The successful bidder has provided, where required, a performance bond with sureties which comply with the requirements of the applicable law.

VII. REIMBURSABLE SERVICES

The Executive Director is authorized to enter into agreements pursuant to which the Port will provide reimbursable services, when such services are part of normal Port operations or incident thereto.

VIII. ARCHITECTURAL, ENGINEERING, AND TECHNICAL SERVICES

The Executive Director is authorized to contract with qualified architectural, engineering, and technical testing and inspection firms licensed in the State of Washington to provide such services as required for maintenance, engineering work or small projects of the Port. Selection and reimbursement for such services shall follow all required statutory procedures and shall be consistent with normal established fees paid for such services. If the fee on any single project or closely related work is estimated to exceed Fifty Thousand Dollars (\$50,000), Port Commission approval shall be required. Where architectural and engineering services are ancillary to capital projects, Port Commission approval shall not be required so long as those fees do not exceed 15% of the estimated contract amount. The Executive Director will endeavor to use a variety of firms (including minority and women-owned business firms) based on the nature of the work and the expertise of the firms.

IX. PROFESSIONAL AND CONSULTANT SERVICES

Except as provided in Section VIII of this Exhibit A, the Executive Director shall be responsible for obtaining professional and consultant services where deemed necessary in carrying out normal Port operations and provided all applicable legal requirements are met. The Executive Director may arrange for such services where the estimated cost of

the proposed service does not exceed the amount of Fifty Thousand Dollars (\$50,000), provided all such arrangements shall be reported to the Port Commission monthly.

X. LEGAL SERVICES AND OTHER REPRESENTATION

The Executive Director and Commission appointed Port Counsel shall be responsible for management and supervision of all legal services required by the Port and for litigation in which the Port has an interest, direct or indirect. For purposes of this section, "litigation" shall mean the assertion of any position, right or responsibility by or against the Port (or in which the Port may have an interest) which has been filed in any court of general jurisdiction, be it state or federal, or any quasi judicial or administrative forum.

A. Legal Services

The Executive Director is authorized to retain law firms, through Port Counsel as necessary, to provide legal services. Retained legal counsel may act solely on behalf of the Port or jointly with other interested parties. Payment for legal services other than litigation shall be by reimbursement not to exceed established hourly rates plus expenses. In litigation matters, legal counsel shall be reimbursed at a rate not to exceed their established hourly rate plus expenses.

B. Engagement of Other Representatives

In connection with litigation or other legal matters in which the Port has a direct or indirect interest, the Executive Director may engage, or cause to be engaged through the Port Counsel, other representatives to act solely on behalf of the Port or jointly with other interested parties. Such representatives shall be reimbursed at their established hourly rates plus expenses or on another basis which is standard for their services.

C. Engagement of Experts

The Executive Director may engage or cause to be engaged through the Port Counsel, such experts as may be necessary to the orderly preparation of litigation in which the Port has a direct or indirect interest, within limitations otherwise prescribed in Section IX above. Such engagement shall be upon authorization given by the Executive Director after having been satisfied that such expenditure is necessary to the adequate preparation and representation of the Port's position in such litigation and shall wherever practicable include evaluation of the litigation and an estimate of the probable cost of such experts.

D. Settlement

Unless otherwise specified herein any matter which is the subject of litigation may be compromised and settled by the Executive Director provided that the settlement amount does not exceed .1% of the Port's estimated current year gross operating revenues and that the Port Counsel shall certify to the Executive Director that such compromise and settlement is justified on the basis of the following:

- a. Claims filed against the Port
 - i) the likelihood that a judgment rendered in the case would be in the amount claimed, or higher than the amount claimed, or that there is reasonable cause to believe that there is considerable exposure of liability for the Port; or
 - ii) the likelihood that the expenses involved in litigation would be unnecessarily high in relation to the amount claimed, or the likely result.
- b. Claims filed on behalf of the Port
 - i) that the determination to settle the claim outweighs the risk of resorting litigation; or
 - ii) that the settlement of the claim would provide prompt payment to the Port and eliminate extensive delays; or
 - iii) that the proposed offer of settlement is reasonable in light of the claim asserted.

**XI. ADJUSTMENT AND SETTLEMENT OF CLAIMS
(except those as referenced above)**

The Executive Director shall be responsible for the observance of necessary procedures whereby the adjustment and final settlement of all claims, either against or on behalf of the Port, shall be carried out. Necessary procedures in the handling of such claims shall include the following:

- A. For purposes of this section, "Claim" shall mean the assertion of any position, right or responsibility by or against the Port, but not including (1) accounts receivable to the extent covered in Section XII, or (2) claims asserted by or against the Port which have become the subject of litigation as defined in Section X above.

- B. No claims against the Port shall be considered unless and until proper notice has been served by the claimant upon the Port.
- C. Any individual claim which exceeds .1% of the Port's estimated current year gross operating revenues may be processed in all respects (except for final approval and payment) by the Executive Director and Port Counsel. No such claims shall be submitted for approval to the Port Commission until a tentative agreement has been reached with the parties concerned for settlement. Claims which in the opinion of the Executive Director may exceed .1% of the Port's estimated current year gross operating revenues shall be reported to the Port Commission promptly.
- D. Any single claim not exceeding .1% of the Port's estimated current year across operating revenues may be adjusted and settled and paid by the Executive Director provided that all of the following conditions are met:
 - 1. The Port Counsel shall certify to the Executive Director that payment of the claim is justified on the basis of the following:
 - a. Claims filed against the Port:
 - i) a substantial likelihood that the Port is or could be found liable; or
 - ii) the likelihood that a judgment rendered in the case would be in the amount claimed, or higher than the amount claimed or that there is reasonable cause to believe that there is considerable exposure of liability for the Port;
 - iii) the likelihood that the expenses involved in litigation would be unnecessarily high in relation to the amount claimed, or the likely result.
 - b. Claims filed on behalf of the Port:
 - i) that the determination to settle the claim outweighs the risk of resorting to litigation;
 - ii) that the settlement of the claim would provide prompt payment to the Port and eliminate extensive delays;
 - iii) the proposed offer of settlement is reasonable in light of the claim asserted.

2 All such claims, when paid, shall be reported to the Port Commission monthly.

XII. ADJUSTMENT AND WRITE-OFF OF ACCOUNTS RECEIVABLE

The Executive Director is authorized to establish procedures to (1) make adjustments to accounts receivable for valid business reasons which do not constitute a gift of public funds, or (2) to write off any uncollectible account which does not exceed .05% of the Port's estimated current year gross operating revenues.

Prior to adjusting or writing off of any account receivable or uncollectible, the Executive Director shall be satisfied that every reasonable effort has been made by the staff to resolve or accomplish the collection of the account. For those accounts that fail to make payment, the Executive Director shall authorize the Port Counsel to bring action in courts of law, or if more appropriate, to assign the same to collection agencies in an attempt to collect such accounts. If, after attempting all normal account collection procedures, the account is still uncollectible after 90 days or more, the Executive Director shall be authorized to provide for writing off such an account. Any account in excess of .05% of the Port's estimated current year gross operating revenues which is deemed to be uncollectible shall be referred to the Port Commission for final approval of writing off that account.

XIII. INVESTMENT OF TEMPORARILY IDLE PORT FUNDS

For purposes of this section, "Temporarily Idle Port Funds" shall mean those funds which are not required for immediate expenditure. The Executive Director is authorized to direct the Port Treasurer, in accordance with applicable law relating to the investment of public funds, in the investments of temporarily idle Port funds. These directives include, but shall not be limited to, investments in authorized government securities, sale of such investments, and necessary inter-fund transfers. A summary report of investments shall be provided to the Port Commission monthly.

XIV. INSURANCE PROGRAMS

The Executive Director shall be authorized to negotiate and obtain appropriate policies of insurance to cover Port property, liability, employee coverages, and other areas appropriately included within a comprehensive insurance program. The Executive Director is authorized to approve changes or modifications within the policies of insurance, including programs to provide deductible provisions, so long as such programs are promptly and regularly reported to the Port Commission so it is kept informed of basic changes made in the overall insurance program of the Port.

XV. TRADE DEVELOPMENT PROGRAMS

The Executive Director is authorized, consistent with statutory limitations, to develop and carry out programs of trade development (which may include tourism and tourism promotion), advertising (including the use of advertising firms within budgetary authority and promotion of the Port, including its properties, facilities and services. This may include participation in programs and agreements designed to provide shippers which use or may use the Port of Benton with the most competitive service and lowest possible, freight rates including negotiation of warehouse rates, consolidation of traffic and prepayment of freight charges by the Port, and all necessary activities related to the intermodal movement of interstate and foreign cargo. Such programs of trade development and promotion shall be reviewed by the Port Commission from time to time so it may be informed as to chances which occur.

XVI. ISSUANCE OF TARIFFS

Except in the case of the port operated marina, the Executive Director is authorized to issue tariffs and tariff amendments as necessary, provided the Port Commission will be given a report of adjustments on a quarterly basis.

XVII. RULES AND REGULATIONS

The Executive Director is authorized to adopt any administrative rules and regulations necessary for the efficient operation of the Port so long as such rules and regulations are reported to the Port Commission quarterly.

XVIII. AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT

It is the basic policy of the Port of Benton to provide equal opportunity to the users of all Port services and facilities, all contracting entities, Port employees and applicants for employment, and to assure that there be absolutely no discrimination against any persons on grounds of race, creed, color, national origin, sex, sexual preference, marital status, age, or the presence of any sensory, mental, or physical handicap. This policy is to be implemented by the Executive Director as more specifically set forth by Resolution of the Port Commission (as it may be amended from time to time) and Port policies covering affirmative action, equal employment opportunity and minority and women-owned business participation in Port contracts.

XIX. TRAVEL OF EMPLOYEES AND OTHER AUTHORIZED REPRESENTATIVES OF THE PORT

The Executive Director is authorized to approve travel by employees and/or other authorized representatives of the Port in accordance with the established travel policy in order to effectuate necessary normal Port operations, provided that reimbursable personal travel expenses for an individual trip shall not exceed Three Thousand Five

Hundred Dollars (\$3,500) within the continental United States or Eight Thousand Five Hundred Dollars (\$8,500) internationally, and provided that the Commission shall be advised monthly of major travel made by Port staff.

International trade missions will receive Port Commission review and approval.

The President of the Commission shall be notified in advance of any absence greater than 48 hours of the Executive Director and be furnished a report of major travel monthly.

XX. SALE OF PERSONAL PROPERTY

The Executive Director is authorized pursuant to R.C.W. 53.08.090 to sell and convey surplus personal property of the Port pursuant to the requirements of R.C.W. 53.08.090-.092 (as amended or succeeded). In no case shall surplus personal property of the Port be sold to any Port Commissioner or Port employee or to members of their immediate families without the specific approval of the Port Commission. This provision does not prohibit commissioners, employees, and members of their immediate families from bidding on excess Port property sold at public auction.

XXI. BANKING SERVICES

The Executive Director is authorized to negotiate for banking services and enter into agreements for such services for terms not to exceed five years. Procedures shall be established for the deposit/disbursal of Port funds recognizing the requirements cited in R.C.W. 53.36.010 and providing for an adequate system of internal control. Funds may be deposited in an impress bank account for miscellaneous expenditures in an amount not to exceed Four Thousand Dollars (\$4,000). Warrants/checks may require single or dual signatures as is deemed appropriate.

XXII. AUTHORIZATION OF EXPENDITURES

The Executive Director is authorized to establish an adequate system to control purchases of materials, supplies and services. Such system should take into consideration the nature of the purchases and the dollar amounts involved. No funds shall be expended unless the purchase invoices have been properly approved in accordance with the provisions of the system established.

XXIII. IMPRESS WORKING FUNDS (PETTY CASH/CHANGE FUNDS)

The Executive Director is authorized to establish various working funds, provided that the total amount of any such fund shall not exceed Five Hundred Dollars (\$500). The working funds provide for petty cash purchases/change funds, and the dollar amount thereof shall be recorded on the Port's balance sheet. The Executive Director is also authorized to establish and maintain procedures for the creation and control of such funds.

RESOLUTION 21-02

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF PORT OF BENTON AUTHORIZING THE PORT EXECUTIVE DIRECTOR TO SELL AND CONVEY SURPLUS PROPERTY WITH LESS THAN \$10,000 VALUE

WHEREAS, the Board of Commissioners of Port of Benton met this 13th day of January, 2021, a quorum of the Commissioners being present; and

WHEREAS, from time to time it is necessary to surplus items no longer needed for Port District purposes; and

WHEREAS, RCW 53.08.090 provides that the Port Commissioners may authorize the Port Executive Director to sell and convey property of less than \$10,000 in value; and

WHEREAS, that prior to each such disposition of Port property, the Port Executive Director is directed to present to the Commission an itemized list of the property and to make written certification that the listed property is no longer needed for Port District purposes; and

NOW, THEREFORE, BE IT RESOLVED by the Port of Benton Commissioners to authorize the Port Executive Director to surplus Port property no longer needed for Port purposes which has a value of \$10,000 or less; and

BE IT FURTHER RESOLVED that this resolution shall be in force for one calendar year and shall expire on January 13th, 2022.

DATED AND SIGNED at Richland, Washington this 13th day of January, 2021.

Jane F. Hagarty,
President

Robert D. Larson,
Vice President

Roy D. Keck,
Secretary

**PORT OF BENTON
PROJECTS AND GRANTS STATUS**

January 2021

Project	Description	Grants Pursued/Received	Comments
1	Washington State Department of Transportation	Yakima River Railroad Bridge (I-182) Railroad Bridge, Tie Replacement Project, and Jadwin	FRAP \$1,500,000 grant FRIB-\$250,000 loan POB \$250,000 match
2	Prosper Airport Taxiway extension design	Extend taxiway into area for new hangars - design only	FAA \$90,000 POB \$9,000
3	Richland Airport Master Plan	Master plan update of Airport	FAA \$400,000 POB \$40,000
4	Community Economic Revitalization Board (CERB) Storm Water Master Planning	1,341 Acre Industrial Property Master Planning of storm water and other utilities	CERB - \$50,000 POB - \$25,000 COR - \$25,000
5	Richland Innovation Center Rural County Capital Funds	Infrastructure improvements across already developed lots and the widening of Fermi Avenue	Benton County RCCF \$1,100,000
6	Richland Airport - Airfield Signage and Lights (PH1)	Replace Airfield Signs, Replace runway lights on RW 8/26 & 1/19 MIRL - DESIGN	FAA - \$250,000 WSDOT - \$12,500 POB - \$12,500
7	Prosper 2021 Taxilane Construction	Construct a new taxilane	FAA - \$490,000 WSDOT - \$24,500 POB - \$24,500

**PORT OF BENTON
PROJECTS AND GRANTS STATUS**

January 2021

	Project	Description	Grants Pursued/Received	Comments
8	2017 EDA i6	Creation of small business equity fund with FUSE SPC	EDA \$300,000 grant FUSE \$538,000 cost share Cree \$31,000 Grant Funded	EDA Amendment accepted, planning grant close out Q2/3
9	Rural County Capital Funds - North Richland Development Building	Construct a 10,000 sf development building to support small business/commercialization	State Legislature	Seeking additional funding opportunities
10	Rail Improvements	Rail, ties and crossings	State Legislature	Submitting \$5m capital request



MEMORANDUM

To: Port of Benton Commissioners

From: Diahann Howard, PPM® Executive Director *SH*

Subject: Annual Agreements for Professional & Technical Services

Date: January 7, 2021

At your December, 2020 meeting approval was provided regarding selection of Architects, Engineers, Consultants and Misc. Professional services.

The following are annual agreements that we would like to get in place from our approved 2021 roster and budget. This list is not fully inclusive of our needs; others will follow or be project specific and if over the delegation of authority or not within budget will be provided for Commission for full consideration.

1. Desertgreen Lawn & Tree Care, LLC – Herbicide, Insecticide, and Pesticide Services for 2-year Agreement at all Port of Benton Sites. (2021-2023)
2. RGW Enterprises- Misc. Engineering \$140,000 approved within 2021 budget
3. Stan Stinson- Misc. Engineering not to exceed \$20,000, **item needs budget approval**



MEMORANDUM

To: Port of Benton Commissioners

From: David Billetdeaux, Port Counsel

Subject: TestAmerica Site – Final Closeout

Date: January 7, 2021

The Port of Benton received estimated costs of approximately \$35,000 from environmental consultants to accomplish environmental close-out procedures at the TestAmerica site. After various discussions and negotiations with EuroFins, the parent company of TestAmerica, the Port was able to leverage their relationship with contractors GeoSyntec for a much lower price.

Geosyntec finalized the work for \$25,238.30; even less than their initial estimate. The Port then continued negotiations with TestAmerica, finally coming to a recommended portion of approximately 40%, or \$10,000. Although we'd prefer it to be \$0, this is much cheaper than an even more prolonged closeout process. This will allow us to begin marketing the land immediately and recouping our costs.

I will be seeking a Motion to approve a \$10,000 payment to close out all environmental work, so that the Port can then begin efforts to find the best use for this land and begin to market it.