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TO PARTICIPATE VIA ZOOM, PLEASE CLICK ON THE ZOOM MEETING LINK OR CALL THE PHONE NUMBER POSTED AT WWW.PORTOFBENTON.COM (**POSTED ONE HOUR PRIOR TO THE SCHEDULED MEETING**).

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**PORT OF BENTON
REGULAR COMMISSION MEETING**

Agenda

8:30 a.m., June 16, 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 May 12, 2021 Commission Meeting
2. Approval of Vouchers and Certifications, Including Payroll for Month of May
Totaling \$693,221.31
3. Resolution 21-16, To Cancel Warrant No. 077937, in the amount of \$825.48
4. Resolution 21-18, To Cancel Warrant No. 073931, in the amount of \$157.36

D. PUBLIC COMMENT

E. PUBLIC HEARING

1. Six Year Transportation Improvement Program - Public Hearing
2. Action - Following the Public Hearing, Resolution 21-17, Approving the Port of Benton's Six Year Transportation Improvement Program for the Years 2022-2027 inclusive

F. ITEMS OF BUSINESS

1. Facilities Agreement with Washington State University, Tri-Cities for the Walter Clore Center
2. 2579 Stevens Drive Roof Replacement Project Bid (\$75,539.99) to Wine Country Construction
3. Port-wide Pavement Maintenance Small Works Project Bid (\$72,924.36) to Central Paving, LLC
4. Resolution 21-19, Approval of Executive Director to Accept an FAA Grant for the Hangar Taxilane Project (\$600,854.00) at the Prosser Airport
5. Resolution 21-20, Approval of the Executive Director to Award the Prosser Airport Hangar Taxilane Project
 - i. Century West Engineering Task Order 2, (\$123,963) Hangar Taxilane Project Construction Period of Services at the Prosser Airport
 - ii. Award of Hangar Taxilane Project Construction (\$437,281.81) to Swaggart Brothers – Prosser Airport
6. Resolution 21-21, Approval of the Executive Director to Accept an FAA Grant for the Richland Airport Electrical Replacement Design (\$254,893.00)
7. Resolution 21-22, Approval of Executive Director to Award the Richland Airport Electrical Replacement Design Services
 - i. Century West Engineering Task Order 1, (\$249,893.48) – Richland Airport, Electrical Replacement Project Design Services

G. INFORMATION REPORTS

1. Grants Update

H. COMMISSIONER REPORTS/COMMENTS

I. DIRECTOR REPORTS/COMMENTS

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

J. EXECUTIVE SESSION: Ongoing Litigation and Real Estate

K. ADJOURNMENT

The next Port of Benton Commission meeting is Wednesday, July 14, 2021. Visit portofbenton.com for notices and information.

**PORT OF BENTON
COMMISSION MEETING MINUTES
MAY 12, 2021**

A. CALL TO ORDER: The regular monthly meeting was called to order at 8:31 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®, Attorney, David Billetdeaux (via remote telecommunications); Director of Economic Development and Governmental Affairs, Miles Thomas (via remote telecommunications); Executive Administrator, Summers Miya (via remote telecommunications); Director of Real Estate, Teresa Hancock (via remote telecommunications); Director of Marketing, Wally Williams (via remote telecommunications); Contract Specialist, Sheri Collins (via remote telecommunications); Director of Facilities & Operations, Ron Branine (via remote telecommunications); Director of Special Projects, John Haakenson (via remote telecommunications); Director of Airports, Joe Walker (via remote telecommunications); Director of Finance/CPA, Danielle Connor (via remote telecommunications); JUB Engineers, Ben Hoppe (via remote telecommunications); Wendy Culverwell, Tri-Cities Area Journal of Business; (via remote telecommunications); Roger Wright, RGW Enterprises (via remote telecommunications), Bryan Condon, Century West Engineering (via remote telecommunications); Clint Wilson, Shannon & Wilson (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 April 21, 2021 Commission Meeting Minutes, and approval of vouchers and certifications, including payroll, for the month of April totaling \$482,451.06.

D. PUBLIC COMMENT:

There were no comments from the public.

E. ITEMS OF BUSINESS:

1. Approval of Contract for Fermi Ave. Widening Project:

Engineer Roger Wright stated that the Port has issued a call for bids for the widening of Fermi Avenue, between Curie Street and the south end of the Richland Innovation Center. Wright reminded the Commission that the funding for this project is coming from a portion of the Rural County Capital Funds (.09 money).

Wright added that the work consists of widening the roadway to 34 feet, installing curbs, gutters and sidewalk, installing streetlights and providing additional electrical along the roadway, in addition to miscellaneous landscaping and irrigation improvements.

Wright stated that calls for bids were advertised in the Tri-City Herald and bids were received on Tuesday, May 11, 2021 at 2 p.m. Pacific time. Wright noted that the Port received two bids for this work, including Inland Asphalt and Central Washington Asphalt. Wright added that Inland Asphalt's total bid was \$711,445.39 and Central Washington Asphalt's bid was \$755,094.71 and that both companies are more than qualified to complete this work, but Inland Asphalt provided the lowest responsive bid.

Wright recommended to the Commission that Inland Asphalt be found to be the lowest responsive bidder and authorize the Executive Director to execute a contract for the widening of Fermi Avenue for a cost, including sales tax, of \$711,445.39. Wright recommended the motion also to authorize the Executive Director to approve up to an additional 5% (\$35,572) of the cost of the work for change orders, should they occur.

A motion was made by Commissioner Robert Larson, seconded by Commissioner Roy Keck and unanimously passed by the Commission approving the contract for the Fermi Ave. Widening Project for a cost, including sales tax, of \$711,445.39, and up to an additional 5%, (\$35,572) of the cost of the work for change orders, should they occur.

2. Approval of 5-year Postage Machine Lease:

Port Attorney, David Biletdeaux clarified that a motion was requested per the delegation of authority to the Executive Director because the postage machine contract was for a term of 5 years or longer.

A motion was made by Commissioner Robert Larson, seconded by Commissioner Roy Keck and unanimously passed by the Commission approving the 5-year postage machine lease.

3. Resolution 21-15, A Resolution of the Port of Benton to Authorize the Executive Director to Execute and Submit a Grant Application to the U.S. Department of the Interior for Crow Butte Park:

Director of Economic Development & Governmental Affairs, Miles Thomas explained that Resolution 21-15 seeks authorization for the Executive Director to enter into the grant application to obtain improvements at Crow Butte Park. Thomas stated that he has been working with Grant Writer, Megan Hoak of Calyx Development Services on the application, which includes ADA improvements along the trail, in the day use area as well as the accessible equipment in the restrooms.

Thomas explained that the Port would like to offer a match using capital funds, which will make the grant more competitive in this third cycle of the application process. Thomas added that the

maximum request would be \$250k. Thomas stated that he needs a nod from the Commission in order to move forward with the application.

Commissioner Hagarty inquired on whether or not the grant funding included improved ADA accessibilities near the boat ramp and fish-cleaning station. Thomas explained that the grant may include the restroom near the boat launch, as well as improvements to campsites and will assess whether other improvements are eligible.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving Resolution 21-15, authorizing the Executive Director to execute and submit a grant application to the U.S. Department of the Interior for Crow Butte Park.

F. INFORMATION REPORTS:

1. Grants Update:

Executive Director, Diahann Howard stated that the Port was unsuccessful on recent state transportation requests, adding that the requests were dropped in the final hours of the legislative session.

Director of Economic Development & Governmental Affairs, Miles Thomas added that the North Richland Development Building will be split into two separate federal asks, with the first being the Hanford History Project and B Reactor Tour Headquarters and the second, the Innovation & Commercial Center.

Thomas added that the North Horn Rapids item has fallen off of the update list because the City of Richland is taking lead with the Port providing a Letter of Support.

Commissioners Hagarty and Larson complimented the work devoted to grants.

2. Infrastructure Update:

Engineer Roger Wright of RGW Enterprises provided an update on the ports rail, including estimated maintenance costs by year. These project costs and anticipated completion year were for budgetary purposes only.

Wright went down the project list, starting with the Switch and Frog repair. Wright explained that the location of where two tracks come together includes a switch and a frog (cross over track) and the work for these locations was in need of immediate repairs. Wright added that there will be continued switch and frog repair in 2022.

Wright stated that when the derailment incident took place in 2020, BNSF drove their cranes across Port tracks, which resulted in damage and the need of replacement to approximately 500 ties in addition to repair of the embankment erosion. Wright stated that this repair is slated for 2021.

Also in 2021, Wright added that the repair of shims on the Columbia Park Trail bridge will take place, with West Rail and MR Hughes covering most of the cost.

Wright provided an update on the rail crossing items, stating that there is the need for replacing crossing panels at 5 locations. These locations need to have the rail/road crossing panels replaced with concrete. Wright continued with a 2023 project to replace crossties, stating that the Port's system has approximately 36,000 ties in the main track and an additional 13,000 ties in sidings and spurs. Wright added that ties are estimated to have a 35 – 40 -year life and there are currently 16,200 failed ties and an additional 16,000 expected to fail in the next tie cycle (7 years). Wright estimates that less than 2,000 ties have been replaced by general maintenance in the last 23 years. The Port has replaced

approximately 4,000 ties in repair projects.

Wright provided an update on the Wye, which is the most significant part of the track, as this is where the locomotives are able to run around the cars to get to the other end of the train. Wright recommended that the Wye track be replaced with 136 lb rail due to the significant number of trains using the Wye, including the replacement of the switches and frogs in the Wye. Wright stated that this is a critical project.

Wright stated that most of the Port's system is made up of 90 lb rail which is starting to wear out and over the next several years should be replaced with 115 lb rail.

Wright wrapped up the update with projects that should be considered routine maintenance and items that are completed every year. Wright stated that the first 5 projects highlighted should be considered priority and the completion of them will put the Port in a good position this year and will also tee up grant opportunities in the future. Wright stressed that these projects cannot be put off any longer, as the Port rail is one of the most heavily travelled industrial track in the state.

Commissioner Keck sought clarification on what was budgeted for 2021. Executive Director Diahann Howard stated that the Port budgeted \$600k, but has since added \$50k.

Wright clarified that \$50k will cover the cost of the Van Giesen crossing design.

Commissioner Keck inquired if any of the funds put into the rail could be recouped from the Port's tenant. Port Attorney David Billetdeaux stated that most of the rail projects discussed over the past few months are not Port obligations, but that the Port is being forced to step in due to lack of maintenance by TCRY. This includes the current Switch and Frogs repair project. Billetdeaux stated that TCRY has refused to perform the work to maintain the track, which does not line up with what the lease states. Billetdeaux clarified that none of the issues Wright covered today would be needed today if routine maintenance would have been performed.

Billetdeaux stated that the Port has received word that the "black box" data from the BNSF derailment will be provided to the Port after a subpoena for that data was provided to BNSF. The data, and any video footage it contains, may help determine who was at fault.

Commissioner Keck stated that if the current lessee had performed routine maintenance, we would not be having this discussion.

3. Marketing & Communications Update:

Director of Economic Development & Governmental Affairs, Miles Thomas provided a Marketing & Communications update, taking the time to recognize Underground Creative for their work on the website. Thomas provided a screenshare preview of the new DiscoverRichland.com website and highlighted its capabilities, pointing out that the site is still in a developmental stage, but he is happy with the direction of the homepage at this point.

Thomas stated that the Port will be in the "Port Focus" category of Site Selector magazine with a Washington focused edition and added that this publication is distributed to Ports around the United States. Thomas added that a lot of traffic is seen from Site Selector, including international markets and businesses from California, as well as Washington.

Thomas provided a Communications & Outreach update and noted that the strategic document has been updated with a recommended schedule and has also broken items out in more detail.

Thomas added that the team has determined to take a different approach with Vintners Village and is committed to promoting Vintners Village as a destination, as a tourist destination will aid in future

sales of the area and be an attractive location for potential future tenants and the effort will aid in rebuilding a presence in the wine industry.

Thomas added that in recent industry meetings, he has learned that the wine industry will likely come back in phases and it will be up to six years until things will return to how things were pre-COVID.

Thomas noted that Executive Administrator, Summers Miya has been assisting with social media posts for the Port, Crow Butte, Vintners and the Research District, which has upped the engagement levels for the Port's social platforms.

Thomas agreed to share the document with the Commission once completed.

G. COMMISSIONER REPORTS/COMMENTS:

Commissioner Keck announced that he has continued to attend all virtual meetings, including the Regional Chamber's State of the Counties virtual luncheon. Commissioner Keck added that he also attended the Prosser Community Assessment, PEDAs annual meeting, PNWA, WPPA events and now sits on TRIDEC's Executive Board. Commissioner Keck added that he has been actively watching Coffee with Karl, who covers a broad range of subjects and added that he looks forward to in-person meetings.

Commissioner Larson stated he enjoys attending the Richland Rotary meetings from home and the Zoom format. Commissioner Larson announced that he has not been out of the Tri-Cities in over a year, but recently traveled to Walla Walla for lunch and will also soon be equipped with new hearing equipment.

Commissioner Larson stated that he looks forward to attending the APP annual conference in San Diego in the fall.

Commissioner Hagarty seconded Commissioner Keck's comments about Zoom meetings and stated that she feels there are far more meetings now than there were before COVID-19. Commissioner Hagarty complimented TRIDEC's Coffee with Karl series and stated that she hopes it continues post-pandemic, as she has learned so much through the information provided in Coffee with Karl.

Commissioner Hagarty stated that PEDAs Executive Director is currently taking Main Street Demographic classes, which will greatly assist in his role.

Commissioner Hagarty announced that the Viking Housing developer will be coming taking place in phases over the next 5 years and is slated to bring 260 homes to the Prosser community and Titan Development also plans to bring 4 phases of homes to the community. Commissioner Hagarty stated that these developments will be a huge asset for Prosser, as there are currently only four homes on the market!

Commissioner Hagarty was pleased to report that the high school will be holding an outdoor, ticketed graduation event.

Commissioner Hagarty stated that the Prosser Chamber of Commerce is in the process of applying for Department of Commerce grants to help make up for events that they could not have in 2020, due to the pandemic and should know by the end of the month. Commissioner Hagarty added that the Chamber is also applying for a National Historic grant for the Depot Building, as the deck is 15 years old and they are in need of a new one, or significant repair to the existing one. Commissioner Hagarty added that they are considering relocating the entrance to the building to face the street, which

may affect the freight doors.

Commissioner Hagarty stated that the recent WPPA Roundtable with the State Auditor was very informative.

H. DIRECTOR REPORTS/COMMENTS:

1. AIRPORTS:

Director of Airports, Joe Walker thanked Devin Alder of Sundance Aviation who assisted over the weekend with an incident at the Richland Airport. Walker explained that a private pilot came close to losing a tire, which resulted in the temporary closing of the runway. Walker stated that Alder, with the help of other tenants, assisted the pilot with the removal of the aircraft and that unfortunately, the situation was a perfect storm of events that exposed several areas that need improved upon. Walker stressed that the most important aspect is, no one was injured as a result of this incident.

Walker highlighted the following steps to remedy any possibility of a similar situation occurring in the future:

- Additional training for Port staff on response to airport emergencies. Training on issuance of NOTAMs, proper notifications, and additional resources available.
- Revising of the Airport Emergency Plan to be more effective across all types of accidents, incidents, and mishaps, large or small.
- Exploring the use of existing vendors to assist with aircraft removal when needed.
- Purchase of a small aircraft tug or equipment to assist in removal of disabled aircraft.

Walker thanked Ron Branine, Dan Davis and Devin Alder again for their assistance and ability to step up to assist during this situation.

Walker provided an update on the Richland Airport Master Plan, stating that the preferred alternative has been revised based on the feedback provided. Walker stated that tenants that are in affected areas to be redeveloped, expressed opposition to removal of hangars and it has been explained to them that the plan does not mean there are hangars being removed right away and the plan also calls for additional areas of growth that would allow for relocation of any lost capacity. Walker added that the Port will include the comments received in the Master Plan and stated that overall, the feedback was very supportive of the plan and tenants are very happy to see continued growth and the potential for future projects.

Walker noted that CRRSA grants were awarded for both Richland and Prosser Airports. Walker clarified that this is one time grant award requires no match money similar to the CARES act funding received in 2020.

Walker announced that the Prosser Airport continues to remove wildlife as issues arise. Walker stated that they have received a FOD Razor, which is a device that works like a street sweeper on the airport, removing foreign object debris (FOD) from the pavement.

2. FACILITIES & OPERATIONS:

Director of Facilities Ron Branine announced that the 2345 lighting project is still in the waiting

stage for all materials to arrive and this project will last up to six weeks and will cover every light fixture in the building and provide a 4.1 year return on investment.

Branine stated that the 2345 carpet replacement project started last week and is going well and quickly, as a third of the project has been completed as of today. Branine provided images of the new carpet and reminded the Commission that over 16k square feet of carpet will be replaced in all common hallways, as well as the southeast corner of the offices on the 2nd floor.

Branine provided an update on the pavement maintenance project, stating that JUB will be putting out a second bid solicitation for the extra work the Port is able to do this year and he hopes to have an opening on May 27th with a Notice to Proceed at the June meeting. Branine reminded the commission that this addition was already within the approved 2021 pavement maintenance budget and will almost catch the Port up on the multi-year backlog in pavement maintenance.

Branine continued with an update on two smaller LED upgrades, one being at Sundance Aviation and another at 219 Nunn Rd. in Prosser, which is another hangar the Port is looking into re-leasing. Branine added that these lighting upgrades will provide a 2-year return on investment.

Branine stated that the Facilities team will be replacing an AC unit at Total Site Services on Salk and since the work will be done in house by the Port's Certified HVAC Technician, Ed Stearns. Branine stated that Stearns recently replaced the unit at 2700 Salk and ultimately saved the Port over \$5k in labor.

Branine announced that his team has been working to find a solution to a multi-year problem at the Wine and Food Park building that potentially involves sewer gas in two of the spaces there. Branine believes that they have found the problem and are fast approaching a solution.

Branine provided a screen image of a rendering of the 3100 George Washington Way building featuring its future facelift. Branine thanked Director of Marketing, Wally Williams for the rendering and looks forward to the project.

Branine noted that the facilities team is working on a lot of site cleanup, with much more to do and was pleased to read a public comment received about Facilities team members Robert Jackson and Trevor Thompson: *"Best kept secret in Prosser! Good job to both of them and all the Facilities team for everything that they do!"* Branine clarified that the comment was regarding the maintenance of ground at Prosser Wine & Food Park facilities.

3. SPECIAL PROJECTS:

Director of Special Projects, John Haakenson stated that Crow Butte continues to experience issues, noting that he has leased a generator that will allow for irrigation to the park until word is received from the Army Corp to move forward with the repair. Haakenson stated that they have placed the generator 200-300ft away from the pump and have not received any noise complaints.

Haakenson added that there was a small fire the previous week due to embers from fire pit cleaning and he is working with Dan Davis on proper barrels for hot embers.

Haakenson stated that he continues to work on the sewer issues that are constantly plaguing the park and has recently uncovered a second chamber after finding a buried lid that was not noted on any of the plans. Haakenson stated that they have pulled the lid and uncovered years of root growth, which they will work to clear out with Mr. Rooter. Haakenson added that now that they are aware of the chamber, they can add to the routine and preventative maintenance schedule.

Haakenson noted that they lost camp hosts over the weekend and he is working to find a replacements.

4. REAL ESTATE:

Director of Real Estate, Teresa Hancock announced that she has been working with Bill Smoot, a resident of Benton City and business owner of Pepper Preppers Hot Sauce Manufacturing and Co-Packing to possibly purchase the 713 9th St. location in Benton City. Hancock stated that Mr. Smoot is interested in purchasing versus lease with the capital investment for a commercial kitchen designated for entrepreneurs. Hancock stated that Mr. Smoot's business was formerly housed in the Pasco Specialty Kitchen.

Hancock added that they are moving forward with construction estimates and feasibility for lending and operation success and Mr. Smoot is working on a business plan, certificate of formation along with a budget and marketing collateral.

Hancock thanked Director of Economic Development & Governmental Affairs, Miles Thomas for providing economic development contacts for possible grant opportunities for the business.

Hancock explained that Pepper Preppers Hot Sauce currently manufactures seven sauces and the products can be found on store shelves at Knutzen's Meat, Tailwood Concessions (Tri-Cities Airport), Ranch & Home Kennewick in addition to many out of area vendors and Mr. Smoot is hopeful to move forward in this new location.

Hancock provided an update on the 721 9th St. location in Benton City, which the sale was approved at the last Commission meeting to Luis and Gabriela Ruiz of Benton City for the use of L&G Salon.

Hancock stated that the sale continues to move forward, but there has been a change in the lender and for the time being, the tenants are paying market rent and are extremely happy with the lighting, location and are looking forward to owning the property, as they have big plans to creating their own "sense of place".

Hancock provided an outlook on available property marketing, stating that COVID-19 continues to be an ongoing concern and fortunate for many of our tasting rooms and restaurant tenants, outdoor seating provides some relief to the occupancy, as dictated in Proclamation 20.25.8.

Hancock added that in addition to the Port's web and social media program, LoopNet/CoStar is used to market properties whereas licensed brokers or paid private subscriptions have direct access and has been utilized to fill vacant space over the years quite effectively. During the website upgrade transition, the Port subscription became temporarily discontinued, but has since been reactivated. Hancock provided a screen share to highlight the current Port listings as shown on LoopNet and activity in a short amount of time. Hancock pointed out the metrics have been quite good in the short time the listings have been back online. Hancock highlighted the Vintners Village listings, which have received 1,500 hits in the last few weeks.

Hancock noted that recent calls and showings have been focused on industrial property, primarily land and buildings, and commercial office remains a struggle in North Richland. Hancock added that the partial closure and remote work of the lab, contractors and closed restaurants do prove challenging, as office opportunities open within city centers. Hancock added that Port staff continue to coordinate new opportunities, transitional occupancy and relocations.

5. MARKETING:

Director of Marketing, Wally Williams stated that he has been working on finishing up the spring

newsletter, which will be out the first part of June.

Williams added that he has been working with the Facilities team on the new Port real estate signage for Vintners Village and the signs should be installed by the end of next week. Williams added that he is also working to update all the address signs associated at each of the Port's facilities for easy identification from the street for first responders.

Williams noted that he is continuing to work on the Triton Sail Park brochure, as well as a 360 virtual tour script and video with Visit Tri-Cities to support STEM tourism.

Williams stated that Prosser's Wine Country RV Park is hosting their Vintage Trailer Rally this weekend.

6. ECONOMIC DEVELOPMENT & GOVERNMENTAL AFFAIRS:

Director of Economic Development & Governmental Affairs, Miles Thomas thanked the entire Port team for everybody's hard work and dedication to the various projects at hand.

Thomas stated that he continues to work through the marketing pieces and it has been great to be able to measure the digital reach of the new marketing efforts.

Thomas added that he has been inundated this week with requests to Senator Murray's office and has also been working on the design on the scope of work for the Hanford History Project and B Reactor Project.

Thomas added that Visit Tri-Cities has expressed a desire to be involved, possibly with a digital kiosk, as well as assisting with tours of the sail.

7. FINANCE DIRECTOR:

Director of Finance/CPA, Danielle Connor provided an update on the refinancing and debt initiative, stating that the final preliminary official statement is anticipated to go out today. Connor thanked the Port team for their contributions, as well as NW Municipal and Foster Garvey for all their work in getting the statement together, as it is a strong and comprehensive presentation of the Port and the project that the Port believes will be well-received by the market. Connor added that the bond sale is scheduled for next Wednesday, May 19th and call notices on the existing bonds are due in late May with redemption for early June. Connor stated that the Port will be making the scheduled debt payments that are due June 1st and the redemption for the remaining bond balances will immediately follow, with the next debt payments scheduled for December, which is consistent with the existing schedule. Connor added that the Port held the Aa3 rating with Moody's.

Connor stated that the Port continues to work with NW Municipal on the RFP for the Line of Credit, which will hopefully be in place in late June/July.

Connor provided an update on the IAP project, stating that she continues to work on the budget translation into Intacct and the reporting/dashboard buildout for the team and added that with other pressing initiatives, this aspect of the project has been slightly delayed.

Connor announced that the official Yardi kickoff meeting was held yesterday, with several Port team members in attendance. Connor added that although the official kickoff as commenced, the heavy-lifting will not begin until early June. Connor noted that in the meantime, she will be revising the internal timeline and project plan based on the recommended approach per Yardi, as they have recommended a phased approach. Connor added that Core Voyager, which is the lease administration piece, will be phase one and is estimated for three months, with an approximate go-live goal of September. Connor added that the Facility Manager will be the second phase, with an estimated 8-10

weeks and a go-live goal of the end of October. Connor stated that GASB 87 will also be a subsequent phase required to be ready for 2022. Calls are scheduled for next week with DSD and AcctTwo, the Intacct consultants and developers, to continue defining their scope and involvement in the project and in order to get an estimate in preparation to have them ready to be engaged and available as a resource when necessary.

Connor added that Yardi is to provide templates in preparation, and she will also be providing feedback in order to get them some information to help them understand the Port business and existing master records/processes.

Connor provided a brief update on the 2020 financial statements, noting that Teresa Hanford and one of her associates was onsite the last week of April and will continue to come onsite over the next few weeks to assist with the 2020 financial statements. Connor added that the team continues to make good progress on 2020 year end; the financial statement notes and disclosures are in process and being reviewed and updated. Connor stated that Fixed Assets is a large project and is currently in-progress with Senior Accountant Veronica Serna heading it. Connor thanked Veronica for all her help and extra time with the year-end reconciliations and added that the SAO deadline is May 30th, but she is aiming to file by the end of next week.

Connor provided an update on the Port's current financial status, stating that general expenditures for April were approximately \$482k, which is in line with what was forecasted. Connor added that projects continue to be somewhat quiet, but there was some AIP 31 activity as well as the purchase of Director of Airports, Joe Walker's truck in April. Connor noted that project expenditures are forecasted to start to get heavy in June into the fall as projects get started in the next few months. Connor added that she is working to get the line of credit and funding ready for the heavy project season.

Connor stated that the Port's unreconciled cash balance at the end of April, including reserved cash, was \$4.6M, which is in line with the updated forecast. Connor announced that in April, the Port received the \$1M in proceeds from the Brendle sale, as well as approximately \$1.1M in first half property taxes.

Connor stated that tenant A/R is currently sitting at \$373k outstanding, with about 39%, or \$144k aged greater than 90 days. Connor clarified that about 25% of the past due amount is a reflection of the contract transition from MSA to HMIS and Teresa Hancock and Veronica Serna continue to work together on the collections. Connor thanked both for their continued A/R efforts and reminded the Commission that monthly statements will continue to be sent out. Connor added that there is still approximately \$31k from the City of Richland outstanding for the Duportail rail crossing.

8. PORT ATTORNEY:

Port Attorney, David Billetdeaux stated that there has been a recent uptick on phishing and fraudulent email attempts. Billetdeaux added that the Commissioners handled the recent attempts correctly by contacting Port staff immediately with their concerns. Billetdeaux added that access to cyber-security training is available, which will feature a section on how to spot fraudulent emails. Billetdeaux stated that all staff should have received an email from Enduris inviting them to view assigned trainings.

Billetdeaux added that the Commissioners received an email from WPPA regarding the required Commissioner training that is being offered at the upcoming WPPA Spring Meeting. Billetdeaux encouraged the Commission to attend these Zoom trainings.

Billetdeaux stated that he has been spending a lot of time handling the recent public records

requests, many of which are broad requests regarding Crow Butte Park.

9. EXECUTIVE DIRECTOR:

Executive Director, Diahann Howard stated that she recently participated in the ECA and AAAE conferences, as well as the Prosser Community Assessment, PEDAs Annual Meeting and DOE EMAB briefing from Ike White.

Howard stated that the TIF was signed and thanked the Coalition and WEDA for their work. Howard stated that the Council of Governments performed a virtual SWOT analysis for the community and region.

Howard added that the Hanford Communities group recently held a good meeting and has launched their new website and social media presence.

Howard stated that she met with WSU-TC on an Economic Impact Analysis and will be meeting with industry as related to MCEI and noted that there is opportunity related to the co-chair committee she sits on for this group. Howard added that Tridec will be hosting a NuScale Virtual Supplier event next month and Howard looks forward to putting forth Port companies at this event.

Howard stated that she has continued one-on-one meetings with Ron and the Facilities team and thanked the entire team for their cooperation.

I. EXECUTIVE SESSION: The regular Commission Meeting was recessed at 10:50 a.m. and an Executive Session was convened at 10:55 a.m. to discuss real estate matters and ongoing litigation. It was announced that Executive Session would take 15 minutes and if any action was required, the Regular Commission Meeting will reconvene and bring forward the item at that time.

J. ADJOURNMENT: With no further business, the meeting was adjourned at 11:15 a.m.

Roy D. Keck
Commission Secretary

**Port of Benton, Benton County, Washington
Voucher Certification and Approval
for the Month of May 2021**

General Expenses

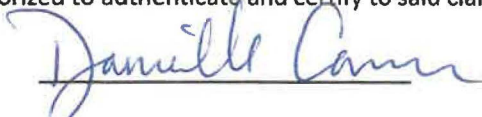
Accounts Payable Warrants #	78016	-	78124	\$ 511,531.28
Electronic /Wire Transfers				\$ 33,477.12
Total General Expenses				<u>\$ 545,008.40</u>

Payroll

Direct Deposit				
ACH				\$ 106,481.98
Wire Transfers:				
IRS Payroll Tax Deposit	May 15, 2021			19,757.35
IRS Payroll Tax Deposit	May 31, 2021			21,973.58
Total Payroll				<u>\$ 148,212.91</u>

Total General Expenses and Payroll \$ 693,221.31

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 Check Register

Date	Payee	Document No	Amount
	Bank: BCT MAIN - KeyBank National Association	Account No: 6601101	
05/03/2021	VEN00018--ALANA LARSON	078016	1,069.72
05/03/2021	VEN00069--BRUTZMAN'S INC	078017	102.06
05/03/2021	VEN00075--CASCADE NATURAL GAS CORP	078018	4,882.29
05/03/2021	VEN00162--FARMERS EXCHANGE	078019	108.62
05/03/2021	VEN00009--GEO WAY ACE HARDWARE	078020	165.82
05/03/2021	VEN00278--GERALD G. OLSON	078021	2,406.16
05/03/2021	VEN00214--IRRIGATION SPECIALISTS, INC	078022	290.28
05/03/2021	VEN00218--JOHN COOK	078023	1,253.54
05/03/2021	VEN00467--JOLENE YACONETTI	078024	1,260.00
05/03/2021	VEN00279--KATHRYN S. OLSON	078025	2,506.96
05/03/2021	VEN00228--KELLER ROHRBACK LLP	078026	6,662.60
05/03/2021	VEN00258--MOON SECURITY SERVICES, INC	078027	991.50
05/03/2021	VEN00224--NAPA/JT AUTOMOTIVE PARTS	078028	78.22
05/03/2021	VEN00326--RGW ENTERPRISES P.C. INC	078029	11,160.00
05/03/2021	VEN00369--SUNWEST SPORTSWEAR	078030	135.27
05/03/2021	VEN00390--TIRE FACTORY	078031	1,095.27
05/03/2021	VEN00410--USDA, APHIS	078032	825.06
05/03/2021	VEN00449--ZIPLY FIBER	078033	75.63
05/03/2021	10001--Larson, Robert	078034	174.99
05/03/2021	10013--Williams, Wallace	078035	173.45
05/04/2021	VEN00089--CITY OF RICHLAND	078036	2,304.13
05/04/2021	VEN00484--EUROFINS TESTAMERICA	078037	45,590.04
05/04/2021	VEN00225--JUB ENGINEERS, INC	078038	4,838.00
05/04/2021	VEN00483--YARDI SYSTEMS, INC.	078039	61,225.00
05/10/2021	VEN00044--BENTON PUD	078040	2,468.69
05/10/2021	VEN00069--BRUTZMAN'S INC	078041	351.03
05/10/2021	VEN00075--CASCADE NATURAL GAS CORP	078042	316.08
05/10/2021	VEN00071--CITY OF PROSSER	078043	5,383.55
05/10/2021	VEN00093--CLAYTON-WARD CO.,	078044	55.00
05/10/2021	VEN00077--COLUMBIA BASIN IT	078045	673.65
05/10/2021	VEN00105--CONNELL OIL, INC	078046	2,378.32
05/10/2021	VEN00107--COOK'S ACE HARDWARE	078047	12.79
05/10/2021	VEN00151--ELECTRICAL UNLIMITED, INC	078048	2,370.52
05/10/2021	VEN00162--FARMERS EXCHANGE	078049	367.07
05/10/2021	VEN00180--GENSCO, INC	078050	80.29
05/10/2021	VEN00200--HDR ENGINEERING, INC	078051	9,924.02
05/10/2021	VEN00201--HEALTH CARE AUTHORITY	078052	30,188.81
05/10/2021	VEN00214--IRRIGATION SPECIALISTS, INC	078053	44.10
05/10/2021	VEN00225--JUB ENGINEERS, INC	078054	9,781.00
05/10/2021	VEN00228--KELLER ROHRBACK LLP	078055	7,310.90
05/10/2021	VEN00229--KELLEY'S TELE-COMMUNICATION, INC.	078056	175.67
05/10/2021	VEN00224--NAPA/JT AUTOMOTIVE PARTS	078057	145.51
05/10/2021	VEN00359--STEEBER'S LOCK SERVICE, LLC	078058	308.86
05/10/2021	VEN00370--SUNBELT RENTALS	078059	3,979.61
05/10/2021	VEN00389--THRIFTY SUPPLY	078060	8,956.41
05/10/2021	VEN00394--TREASURE VALLEY COFFEE	078061	31.67
05/10/2021	VEN00397--TRI-CITIES BATTERY & TIRE PROS	078062	136.78
05/10/2021	VEN00298--TRI-CITY COMPUTER CONSULTING LLC	078063	1,629.00
05/10/2021	VEN00402--UNDERGROUND CREATIVE, LLC	078064	125.00
05/10/2021	VEN00404--UNITED WAY OF BENTON/FRANKLIN COUNTY	078065	210.00
05/10/2021	VEN00414--VERIZON	078066	1,210.72
05/10/2021	VEN00449--ZIPLY FIBER	078067	1,081.08
05/10/2021	10015--Billetdeaux, David	078068	254.49
05/10/2021	10021--Thomas, Miles	078069	105.60
05/10/2021	10007--Keck, Roy	078070	183.51
05/11/2021	VEN00089--CITY OF RICHLAND	078071	15,315.53
05/19/2021	VEN00008--ABM JANITORIAL SERVICES	078072	6,272.88
05/19/2021	VEN00017--ALA CART GOLF CARTS, LLC	078073	1,221.89
05/19/2021	VEN00029--ARCHIBALD & COMPANY ARCHITECTS	078074	112.50
05/19/2021	VEN00044--BENTON PUD	078075	930.12
05/19/2021	VEN00053--BENTON RURAL ELEC ASSOCIATION	078076	663.95
05/19/2021	VEN00085--CHARTER COMMUNICATIONS	078077	759.96
05/19/2021	VEN00321--CI INFORMATION MANAGEMENT	078078	222.09
05/19/2021	VEN00290--CI-PW, LLC	078079	38.47
05/19/2021	VEN00052--CITY OF BENTON CITY	078080	205.38
05/19/2021	VEN00234--CITY OF RICHLAND LANDFILL	078081	137.19
05/19/2021	VEN00105--CONNELL OIL, INC	078082	1,023.85
05/19/2021	VEN00136--DIGITAL IMAGE TRI-CITIES, INC.	078083	864.46
05/19/2021	VEN00148--ED'S DISPOSAL, INC.	078084	49.84
05/19/2021	VEN00161--EXPRESS SERVICES, INC.	078085	1,062.80

Port of Benton Check Register

Date	Payee	Document No	Amount
05/19/2021	VEN00162--FARMERS EXCHANGE	078086	21.22
05/19/2021	VEN00166--FERGUSON ENTERPRISES, INC.	078087	102.21
05/19/2021	VEN00009--GEO WAY ACE HARDWARE	078088	57.08
05/19/2021	VEN00231--KENNEWICK INDUSTRIAL & ELECTRICAL SUP-078089 PLY		2,647.18
05/19/2021	VEN00291--KENNEWICK RANCH AND HOME	078090	42.34
05/19/2021	VEN00380--MCCLATCHY COMPANY	078091	694.71
05/19/2021	VEN00297--PERSONAL TOUCH CLEANING, INC.	078092	5,656.25
05/19/2021	VEN00464--ROCKABILLY ROASTING CO.	078093	42.50
05/19/2021	VEN00334--SANITARY DISPOSAL, INC.	078094	509.34
05/19/2021	VEN00198--STEPHANIE HARTWIG	078095	2,025.00
05/19/2021	VEN00365--STRATTON SURVEYING & MAPPING	078096	240.00
05/19/2021	VEN00385--THE HOME DEPOT CRC/GECF	078097	1,634.88
05/19/2021	VEN00399--TRIDEC, INC.	078098	2,916.67
05/19/2021	VEN00449--ZIPLY FIBER	078099	753.80
05/19/2021	VEN00039--BANNER BANK - Bonds/Loans	078100	125,064.28
05/19/2021	VEN00039--BANNER BANK - Bonds/Loans	078101	46,615.84
05/25/2021	VEN00002--A-L COMPRESSED GASES, INC	078102	86.88
05/25/2021	VEN00038--BANNER BANK - Credit Card	078103	15,521.18
05/25/2021	VEN00044--BENTON PUD	078104	18.90
05/25/2021	VEN00059--BENTON-FRANKLIN HEALTH DEPT	078105	25.00
05/25/2021	VEN00069--BRUTZMAN'S INC	078106	411.95
05/25/2021	VEN00083--CENTURYLINK	078107	474.34
05/25/2021	VEN00089--CITY OF RICHLAND	078108	6,931.72
05/25/2021	VEN00105--CONNELL OIL, INC	078109	2,889.63
05/25/2021	VEN00108--CORWIN FORD TRI-CITIES	078110	354.83
05/25/2021	VEN00151--ELECTRICAL UNLIMITED, INC	078111	3,377.64
05/25/2021	VEN00162--FARMERS EXCHANGE	078112	608.14
05/25/2021	VEN00009--GEO WAY ACE HARDWARE	078113	31.81
05/25/2021	VEN00485--H.C. WILDLIFE & RODENT CONTROL	078114	543.00
05/25/2021	VEN00214--IRRIGATION SPECIALISTS, INC	078115	963.60
05/25/2021	VEN00225--JUB ENGINEERS, INC	078116	15,057.35
05/25/2021	VEN00231--KENNEWICK INDUSTRIAL & ELECTRICAL SUP-078117 PLY		21.13
05/25/2021	VEN00248--MATTHEW W. COCKRELL & ASSOCIATES	078118	1,810.13
05/25/2021	VEN00270--NETWORK SERVICE BILLING, INC.	078119	10.65
05/25/2021	VEN00306--PROMINENCE PUBLIC RELATIONS	078120	2,760.00
05/25/2021	VEN00310--PROSSER CHAMBER OF COMMERCE	078121	315.00
05/25/2021	VEN00307--PROSSER RENTALS, LLC	078122	162.90
05/25/2021	VEN00222--RDO EQUIPMENT/JOHN DEERE FINANCIAL	078123	401.93
05/25/2021	VEN00390--TIRE FACTORY	078124	1,235.02
05/14/2021	VEN00215--INTERNAL REVENUE SERVICE	05152021	19,757.35
05/28/2021	VEN00215--INTERNAL REVENUE SERVICE	05312021	21,973.58
05/20/2021	VEN00239--STATE OF WA DEPT OF REVENUE	2021-2022	373.66
05/25/2021	VEN00239--STATE OF WA DEPT OF REVENUE	APRIL-2021	772.46
05/06/2021	VEN00425--WASHINGTON STATE SUPPORT REGISTRY	CS04-2021	88.00
05/06/2021	VEN00122--DEPT OF RETIREMENT SYSTEMS	DCP-04-30	4,828.61
05/28/2021	VEN00122--DEPT OF RETIREMENT SYSTEMS	DCP-05-15	4,797.25
05/05/2021	VEN00268--NATIONWIDE RETIREMENT SOLUTION	NW-04-30	2,914.36
05/27/2021	VEN00268--NATIONWIDE RETIREMENT SOLUTION	NW-05-15	2,853.01
05/07/2021	VEN00122--DEPT OF RETIREMENT SYSTEMS	PERS-04-30	15,478.86
05/27/2021	VEN00171--EMPLOYMENT SECURITY DEPT	Q1-2021UI	168.74
05/05/2021	VEN00171--EMPLOYMENT SECURITY DEPT	Q1-PFML	1,202.17
	Total for BCT MAIN		586,739.33

RESOLUTION 21-16
A RESOLUTION OF THE PORT OF BENTON, WASHINGTON
TO CANCEL A WARRANT

WHEREAS, General Expense Fund Warrant No. 077937, in the amount of \$825.48, which was issued to HDR Engineering, Inc., warrant has been determined to be lost, 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. 077937.

DATED AND SIGNED at Richland, Washington, this 16th day of June, 2021.

Jane F. Hagarty
President

Robert D. Larson,
Vice President

Roy D. Keck,
Secretary

RESOLUTION 21-18
A RESOLUTION OF THE PORT OF BENTON, WASHINGTON
TO CANCEL A WARRANT

WHEREAS, General Expense Fund Warrant No. 073931, in the amount of \$157.36, which was issued to C&M Nursery., warrant has been a duplicate payment, 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. 073931.

DATED AND SIGNED at Richland, Washington June 16, 2021.

Jane F. Hagarty
President

Robert D. Larson,
Vice President

Roy D. Keck,
Secretary

RESOLUTION 21-17
A RESOLUTION OF THE PORT OF BENTON, WASHINGTON,
TO APPROVE THE SIX YEAR TRANSPORTATION
IMPROVEMENT PROGRAM FOR THE PORT OF BENTON
FOR THE YEARS 2022-2027 INCLUSIVE

WHEREAS, pursuant to the requirement of RCW 35.77.010, the Port of Benton, Benton County, Washington prepared a six-year transportation improvement program for the ensuing calendar years of 2022-2027 inclusive, and

NOW THEREFORE, the Commissioners of the Port of Benton, Benton County, Washington, do resolve that the six-year transportation improvement program, set forth as Exhibit A, and attached hereto, and by this reference incorporated herein, is hereby adopted as the SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM for the six years of 2022-2027, inclusive.

DATED and signed at Richland, Washington, this 16th day of June, 2021.

Jane F. Hagarty
President

Robert D. Larson
Vice President

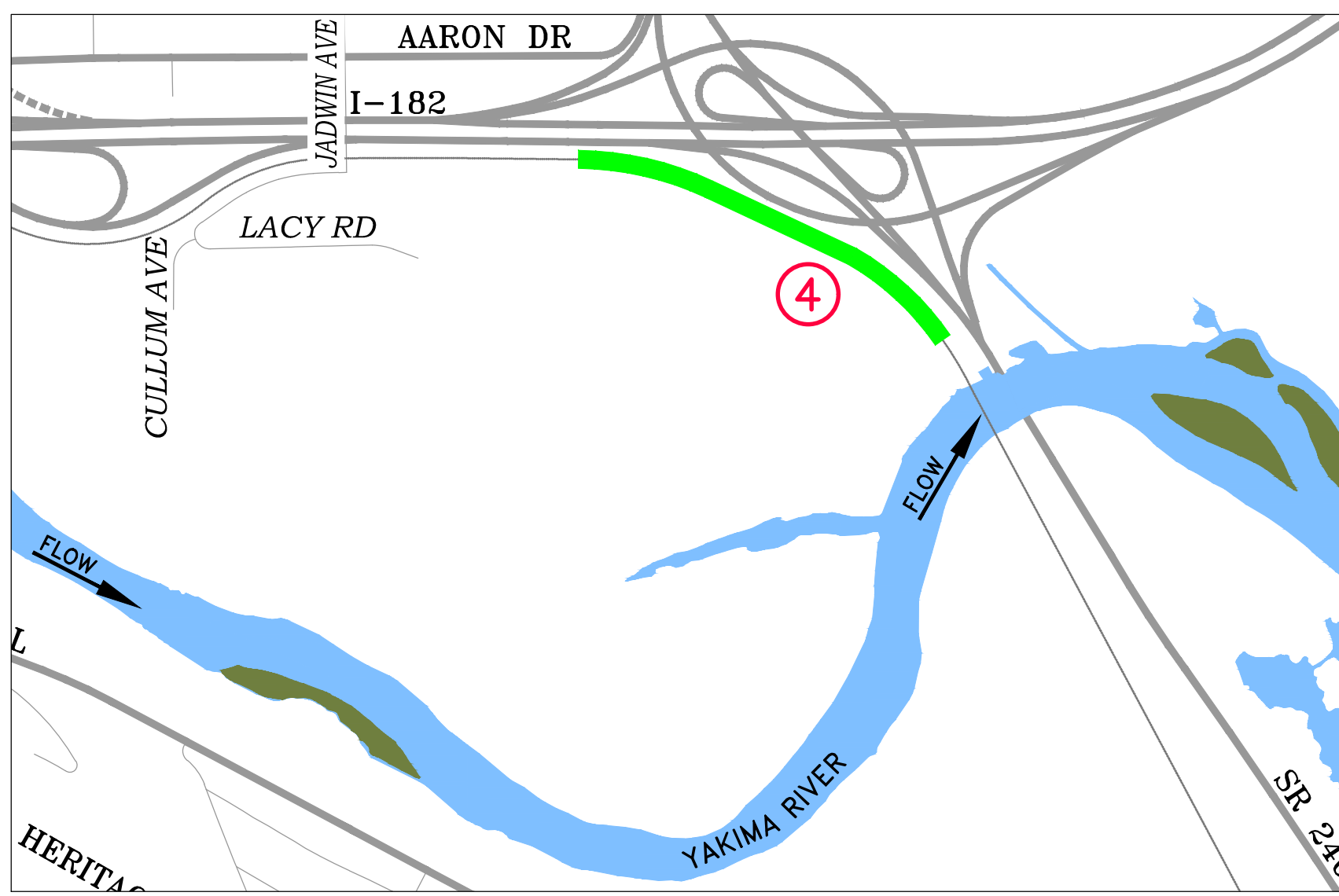
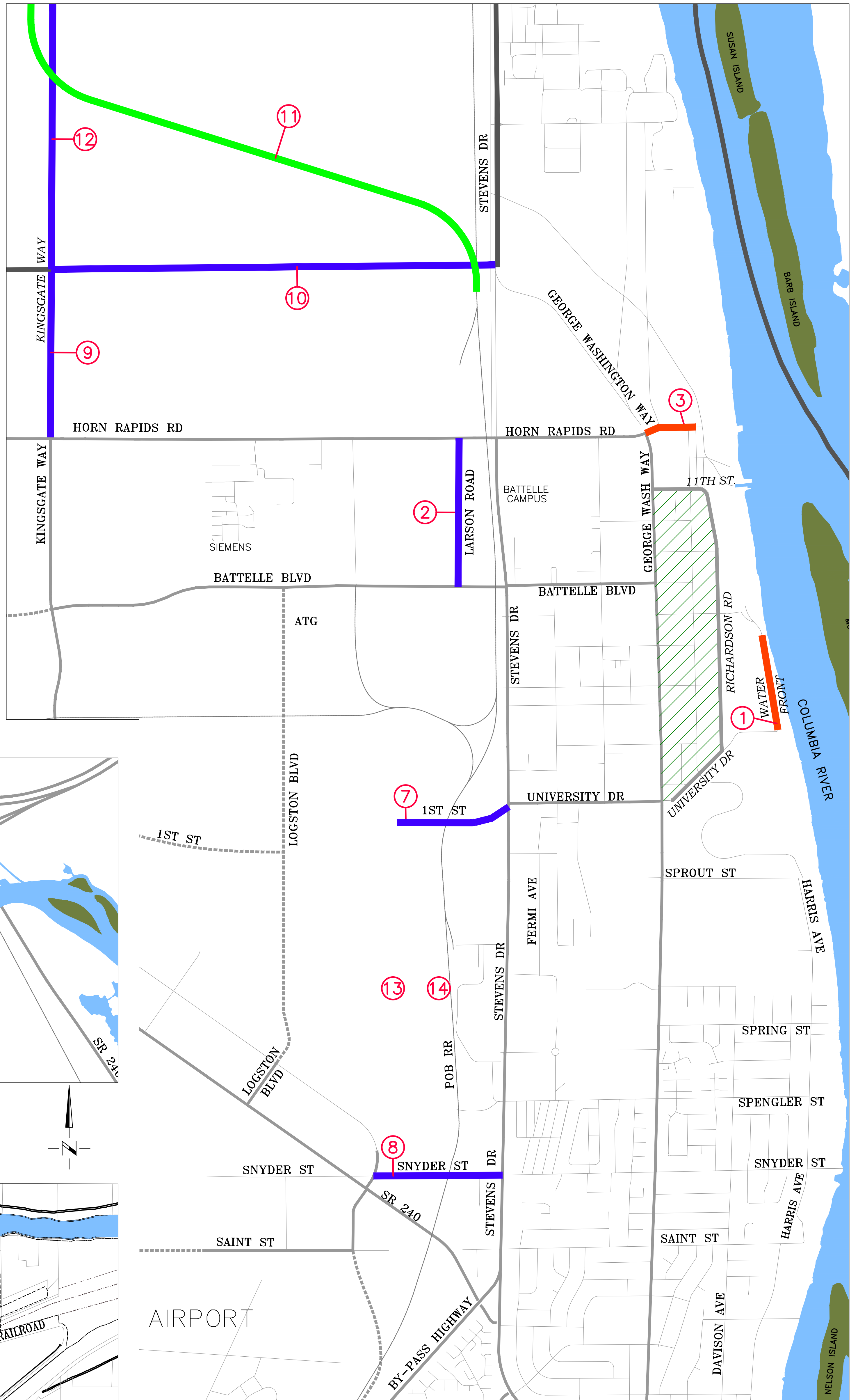
Roy D. Keck
Secretary

PORT OF BENTON

SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM 2022 - 2027

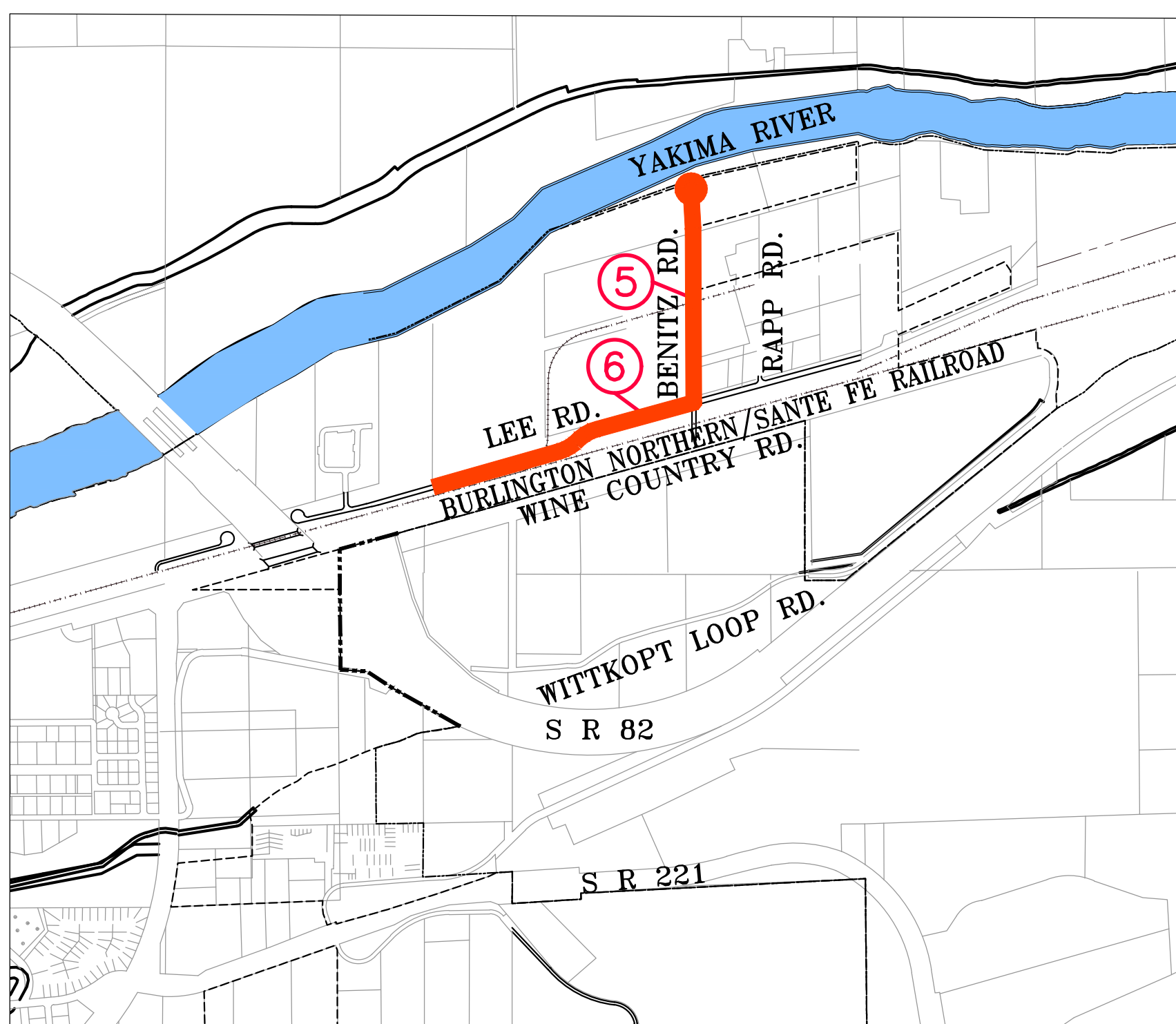
PROJECT LISTING

- ① IMPROVEMENTS TO WATERFRONT DRIVE, NORTH OF UNIVERSITY DRIVE.
- ② LARSON ROAD - BATTELLE BOULEVARD TO HORN RAPIDS ROAD.
- ③ HORN RAPIDS ROAD EXTENSION (FROM EAST END OF HORN RAPIDS TO BARGE FACILITY) AND IMPROVEMENTS TO BARGE FACILITY.
- ④ SOUTH RICHLAND RAIL TRANSLOAD FACILITY - (ADJACENT TO SR 240 - INLAND ASPHALT).
- ⑤ BENITZ ROAD - RECONSTRUCTION FROM WINE COUNTRY ROAD TO NORTH END.
- ⑥ LEE ROAD - RECONSTRUCTION FROM BENITZ ROAD WEST TO POB BOUNDARY.
- ⑦ 1ST STREET WEST - STEVENS DRIVE WEST 1,500 FEET TO RAILROAD TRACKS.
- ⑧ SNYDER STREET - STEVENS DRIVE TO ROBERTSON ROAD, INCLUDING RAIL CROSSING
- ⑨ EXTEND KINGSGATE WAY INTO THE 1,341 ACRE INDUSTRIAL PARK
- ⑩ EXTENDS AN EAST-WEST ROAD INTO THE 1,341 ACRE INDUSTRIAL PARK
- ⑪ EXTEND RAILROAD INTO THE 1,341 ACRE INDUSTRIAL PARK
- ⑫ PHASE II EXTENSION OF KINGSGATE WAY INTO THE 1,341 ACRE INDUSTRIAL PARK
- ⑬ RAIL CROSSING MAINTENANCE IMPROVEMENTS - REPLACE CROSSINGS AT CENTER PARKWAY, STEPTOE STREET, CEMETARY ROAD/SWIFT BOULEVARD, VAN GIESEN STREET, AIRPORT WAY, SAINT STREET, SR 240, BATTELLE BOULEVARD, AND HORN RAPIDS ROAD
- ⑭ TRACK IMPROVEMENTS ACROSS THE PORT SYSTEM



SOUTH RICHLAND

0 500' 1000' 2000'



PROSSER

0 500' 1000' 2000'

LEGEND

- NEW CONSTRUCTION
- RECONSTRUCTION PROJECT
- MISCELLANEOUS CONSTRUCTION
- TECHNOLOGY AND BUSINESS CAMPUS

ARCHIBALD & CO
ARCHITECTS, P.S.
660 Symons Street
Richland WA 99354
p: 509 . 946 . 4189
f: 509 . 943 . 1796
www.archibald.design

**Facilities Use Rental Agreement For
Long-term or Recurring Use**

A. PARTIES

This FACILITIES USE AGREEMENT (the "AGREEMENT") is made and entered into between **Washington State University**, an institution of higher education and agency of the state of Washington, (hereinafter referred to as "WSU") and **Port of Benton**, a municipal corporation of the State of Washington, whose address is 3250 Port of Benton Blvd., Richland, WA 99354 (hereinafter referred to as the "Port").

B. FACILITIES

The Port owns a 1.45-acre facility located at 2140A Wine Country Road in Prosser, Benton County, Washington (hereinafter referred to as the "Facility"). WSU shall have a non-exclusive right to host a minimum of 2-4 community educational programs in the Facility per month as scheduled with the Port on a common calendar. A planning meeting shall be held annually, prior to the original commencement date, and prior to any Renewal Terms.

C. CONSIDERATION

WSU shall pay to the Port a sum of \$25,000.00 annually for use of the Facility. The payment shall be paid in two equal installments, the first of which shall be paid on August 1, 2021 and the second on February 1, 2022. Annual payments for any Renewal Terms shall be paid in the same manner with equal installments at the beginning of August and the beginning of February. In addition to the payments herein described, this agreement shall be supported by the consideration provided by the parties' mutual promises and covenants contained herein, the receipt and sufficiency of which are hereby acknowledged by the parties.

D. DURATION OF AGREEMENT

This AGREEMENT shall be effective as of August 15, 2021 and shall continue until August 15, 2022 (the "INITIAL TERM"), unless terminated earlier as provided for herein. At the expiration of the INITIAL TERM, this AGREEMENT may be extended for additional one (1) year terms upon the mutual written consent of the parties ("RENEWAL TERM"). Either PARTY may terminate this AGREEMENT during the INITIAL TERM or any RENEWAL TERM with not less than thirty (30) days prior written notice to the other PARTY.

E. PURPOSE

WSU will use the PREMISES only as provided for the following purpose: WSU shall use the premises for non-exclusive hosting of community educational programs.

WSU shall not assign or sublet the Facility without the Port's prior written consent.

F. MAINTAINING THE FACILITY

WSU shall maintain the Facility in the same manner WSU found the Facility, reasonable wear and tear excepted. If WSU damages the Facility and the Port must expend funds to restore Facility to its previous condition, WSU agrees to pay the reasonable costs of such repair.

F. INSURANCE

WSU and WSU's officers, employees, and agents, while acting in good faith within the scope of their official duties, are covered by the State of Washington Self-Insurance Program and the Tort Claims Act (RCW 4.92.060 et seq.), and successful claims against WSU and its employees, officers, and agents in the performance of their official duties in good faith under this Agreement will be paid from the tort claims liability account as provided in RCW 4.92.130. WSU shall furnish a current certificate of insurance evidencing the foregoing policy of self-insurance and agrees to name as an additional insured on such policy, the Port, and the Port's officers, employees and agents.

G. DUTIES OF THE PORT

1. Provide use of the Facility to WSU for the duration of this AGREEMENT during the agreed upon dates and times.
2. Inspect the Facility on a periodic basis to ensure continued suitability for use and make any necessary repairs to maintain its suitability for such use.
3. Provide or install equipment necessary to receive point-to-point internet from the Irrigated Agriculture Research and Extension Center.

H. DUTIES OF WSU

1. Clean up and clear the Facility after each use, and maintain the Facility in its present condition during use, normal wear and tear excepted.
2. Comply with all applicable laws, statutes, regulations, and the Port's policies, with respect to WSU's use of the Facility.
3. WSU shall conduct 2-4 community educational programs per month at the Facility to assist the Port in meeting the educational elements of the grant assurances contained in the U.S. EDA Grant that it received and used for the construction of the Facility. These educational programs may include consumer and industry educational seminars and courses about the Washington Wine Industry as well as promotional shows and culinary demonstrations to showcase the Washington Wine Industry and Washington agricultural products. WSU agrees to collaborate with the Port in the design of such educational programs so that the Port can fulfill its aforementioned grant assurances. Should the Port be informed that the use by WSU does not fulfill the grant assurance requirements of the U.S. EDA Grant, WSU and the Port agree to meet and confer regarding use to determine if the use can be brought into compliance.
4. WSU shall assist in the production of periodic reports which will help demonstrate the educational programming and public benefits provided by the Facility.
5. WSU shall work to provide consumer and industry educational opportunities and to promote

the work of the Prosser Irrigated Agricultural Research and Extension Center and the Washington State University-Tri-Cities Viticulture and Enology Program.

6. WSU agrees to assist with the archiving, cataloging and display of Dr. Walter Clore's personal notes items and materials. However, these items are required to remain on site, except for as mutually agreed upon between the Port and WSU for the purpose of scanning, sharing, or demonstrating at other facilities for short intervals.
7. WSU shall be responsible for provision and set-up of any equipment required by WSU during WSU's use of the Facility. Further, to the extent feasible, WSU shall provide point-to-point internet from the Irrigated Agriculture Research and Extension Center for the Facility to run over existing hardware.

I. HOLD HARMLESS

To the fullest extent permitted by law, WSU shall indemnify and hold harmless, and waive any and all claims against the Port, and the Port's officers, employees, and agents from and against any and all liability of any type or nature whatsoever for injury or damage to persons or property resulting from or arising out of the negligent acts or omissions of WSU or WSU's officers, employees or agents in the performance of its obligations under this AGREEMENT.

To the fullest extent permitted by law, the Port shall indemnify and hold harmless, and waive any and all claims against WSU, and WSU's officers, employees, and agents from and against any and all liability of any type or nature whatsoever for injury or damage to persons or property resulting from or arising out of the negligent acts or omissions of the Port or the Port's officers, employees or agents in the performance of its obligations under this AGREEMENT.

J. APPLICABLE LAW

This AGREEMENT shall be governed by and construed in accordance with the laws of the state of Washington.

K. DISPUTE RESOLUTION

In the event that a dispute arises under this AGREEMENT that cannot be resolved by the parties, the parties agree to allow the dispute to be resolved by a Dispute Panel in the following manner: each party to this AGREEMENT shall appoint one member to the Dispute Panel, and the members so appointed shall jointly appoint a third member. The Dispute Panel shall review the facts, contract terms and applicable statutes and rules and make a determination of the dispute. The determination of the Dispute Panel shall be final and binding on the parties hereto. The parties shall share equally the cost, if any, to the parties for the services of the Dispute Panel.

L. NOTICES

All notices required to be given under this AGREEMENT shall be delivered to the individuals who are listed below as signatories to this AGREEMENT.

EACH INDIVIDUAL WHO SIGNS THIS DOCUMENT BELOW agrees that he/she has read this AGREEMENT, understands it and voluntarily agrees to its terms, and possesses the requisite authority to represent and legally bind the party on whose behalf he/she signs.

**PORT OF BENTON
"Port"**

Approved By:

Name: Diahann Howard, PPM®
Title: Executive Director

Date: _____

**WASHINGTON STATE UNIVERSITY
"WSU"**

Approved By:

Name: _____
Title: _____

Date: _____

Recommend By:

Name: Ray White
Title: Vice Chancellor of Finance &
Administration

Date: _____

RESOLUTION 21-19
A RESOLUTION OF THE PORT OF BENTON, WASHINGTON
TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ACCEPT A
GRANT FOR THE PROSSER AIRPORT

WHEREAS, Port staff, along with the Port's Airport Consultants, have investigated grant funding and opportunities for improvement of the Prosser Airport, and

WHEREAS, the Federal Aviation Administration has made available a grant under the FAA Airport Improvement Program (AIP) that is intended to provide airport development or noise program implementation, known as Grant Offer for Airport Improvement Program (AIP) Project No. 3-53-0050-020-2021, and

WHEREAS, Port and Port's Airport Consultants have detailed a program of improvements that would be aided by this grant to include 1) Construction of new hangar taxilanes; 2) Construction of associated storm water drainage/conveyance improvements; 3) Demolition of existing utilities and structures in the area to accommodate construction of the new taxilanes; and 4) Construct new pavement markings on new taxilane pavement, otherwise known to the Port as the Prosser Airport East End Hangar Taxilane Project.,

NOW THEREFORE, the Port Commission hereby resolves to authorize the Port's Executive Director or her designee to accept the grant for up to \$600,854.00, which does not require any match from the Port.

DATED AND SIGNED at Richland, Washington June 16, 2021.

Jane F. Hagarty
President

Robert D. Larson,
Vice President

Roy D. Keck,
Secretary

RESOLUTION 21-20
A RESOLUTION OF THE PORT OF BENTON, WASHINGTON
TO AUTHORIZE THE EXECUTIVE DIRECTOR TO AWARD THE
PROSSER AIRPORT EAST END HANGAR TAXILANE PROJECT

WHEREAS, Port staff, along with the Port's Airport Consultants, have investigated grant funding and opportunities for improvement of the Prosser Airport, and

WHEREAS, the Federal Aviation Administration has made available a grant under the FAA Airport Improvement Program (AIP) that is intended to provide airport development or noise program implementation, known as Grant Offer for Airport Improvement Program (AIP) Project No. 3-53-0050-020-2021, and

WHEREAS, the Port Commission has approved the acceptance of the aforementioned Grant from the FAA, and

WHEREAS, SWAGGART BROTHERS are the apparent low responsive bidder for the Prosser Airport East End Hangar Taxilane Project, and

WHEREAS, CENTURY WEST ENGINEERING is the Port's Airport Engineering firm as selected previously through an RFQ process approved by the Port Commission, and

NOW THEREFORE, the Port Commission hereby resolves to authorize the Port's Executive Director or her designee to award the Prosser Airport East End Hangar Taxilane Project to the Swaggart Brothers for their bid in the amount of \$437,281.81, and to award \$123,963.00 to Century West Engineering for project management fee, construction, and inspection services, for a total award amount of \$561,244.81.

DATED AND SIGNED at Richland, Washington June 16, 2021.

Jane F. Hagarty
President

Robert D. Larson,
Vice President

Roy D. Keck,
Secretary

RESOLUTION 21-21
A RESOLUTION OF THE PORT OF BENTON, WASHINGTON
TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ACCEPT A
GRANT FOR THE RICHLAND AIRPORT

WHEREAS, Port staff, along with the Port's Airport Consultants, have investigated grant funding and opportunities for improvement of the Richland Airport, and

WHEREAS, the Federal Aviation Administration has made available a grant under the FAA Airport Improvement Program (AIP) that is intended to provide airport development or noise program implementation, known as Grant Offer for Airport Improvement Program (AIP) Project No. 3-53-0056-033-2021, and

WHEREAS, Port and Port's Airport Consultants have detailed a program of improvements that would be aided by this grant to include replace the various edge lighting, signage, Port-owned precision approach path indicator (PAPI) systems, wind cones (supplemental), and other electrical components that are past their useful life; and as necessary replace other components to provide system compatibility, efficiency, and safety. Improvements are anticipated to include transitioning to LED components and compatible infrastructure; providing uniform brightness, improved safety, system compatibility, and performance. Overall, this project is known to the Port as the Richland Electrical Replacement Project.,

NOW THEREFORE, the Port Commission hereby resolves to authorize the Port's Executive Director or her designee to accept the grant for up to \$254,893.00, which does not require any match from the Port.

DATED AND SIGNED at Richland, Washington June 16, 2021.

Jane F. Hagarty
President

Robert D. Larson,
Vice President

Roy D. Keck,
Secretary

RESOLUTION 21-22
A RESOLUTION OF THE PORT OF BENTON, WASHINGTON
TO AUTHORIZE THE EXECUTIVE DIRECTOR TO AWARD THE
RICHLAND AIRPORT LIGHTING DESIGN PROJECT

WHEREAS, Port staff, along with the Port's Airport Consultants, have investigated grant funding and opportunities for improvement of the Richland Airport, and

WHEREAS, the Federal Aviation Administration has made available a grant under the FAA Airport Improvement Program (AIP) that is intended to provide airport development or noise program implementation, known as Grant Offer for Airport Improvement Program (AIP) Project No. 3-53-0056-033-2021, and

WHEREAS, the Port Commission has approved the acceptance of the aforementioned Grant from the FAA, and

WHEREAS, CENTURY WEST ENGINEERING is the Port's pre-selected Airport Engineering firm as selected previously through an RFQ process approved by the Port Commission,

NOW THEREFORE, the Port Commission hereby resolves to authorize the Port's Executive Director or her designee to award the RICHLAND AIRPORT LIGHTING DESIGN Project to Century West Engineering in the amount of \$249,893.48.

DATED AND SIGNED at Richland, Washington June 16, 2021.

Jane F. Hagarty
President

Robert D. Larson,
Vice President

Roy D. Keck,
Secretary

**PORT OF BENTON
PROJECTS AND GRANTS STATUS**

June 2021

	Project	Description	Grants Pursued/Received	Comments
1	Richland Airport Master Plan	Master plan update of Airport	FAA \$400,000 POB \$40,000	Incorporating additional stakeholder feedback.
2	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	Fermi widening has been awarded to Inland Asphalt. Construction likely won't begin until late July.
3	North Richland Development Building	Construct a 20-35,000 sf development building to support MNP, HHP, Triton and small business/commercialization	FED - \$6M POB - \$3.5M	Submitted Federal budget requests.
4	Richland Airport - Airfield Signage and Lights (PH1)	Replace Airfield Signs, Replace runway lights on RW 8/26 & 1/19 MIRL - DESIGN ONLY	FAA - \$250,000 No Match Required	Awarded
5	Richland Airport - Airfield Signage and Lights (PH1)	Replace Airfield Signs, Replace runway lights on RW 8/26 & 1/19 MIRL - Construction	FAA - \$3,200,000 No Match Required	Awaiting formal approval in August.
6	Prosser Airport - Taxilane	East Taxilane Construction	FAA - \$600,854 No Match Required	Awarded

**PORT OF BENTON
PROJECTS AND GRANTS STATUS**

June 2021

	Project	Description	Grants Pursued/Received	Comments
7	Bureau Land Management	Crow Butte: Renovation of one ADA campsite, conversion of two campsites for ADA, and 2,700 lineal feet of path replaced.	FED - \$250,000 POB - 10% match	Submitted