

The Port of Benton is pleased to once again offer in-person meetings. The regular Commission Meeting will also be live broadcast via Zoom and made available using a telephone conference call-in line. The link to access this broadcast via Zoom, as well as the call-in number to participate via telephone, will be made available on the morning of the meeting on the Port of Benton's website at the link below, along with the meeting agenda, and minutes from past meetings. Live broadcast information: www.portofbenton.com/commission

For those unable to access the internet, please call 509-375-3060 by 8:00 a.m. on September 8, 2021 to be provided with call-in details.

All participants will be muted upon entry; when prompted click 'raise hand' in zoom or dial star + 9 (*9) to raise your hand. The host will unmute you to speak in the order hands are raised, when the host calls on you, press star + 6 (*6) to unmute yourself.

While the Port will offer an in-person meeting at this time, Governor Inslee's Proclamation 20-28 as it pertains to holding in-person public meetings is still in effect. As of August 24, 2021 the following apply to governing bodies of public agencies opting to host in-person public meetings under the Open Public Meetings Act, as permitted under Emergency Proclamation 20-28, et seq.:

- Must follow current applicable face covering requirements as outlined in Proclamation 20-25, et seq., Secretary of Health Order 20-03.2, and LNI Publication F414-179.
- The Port may, and likely will, require everyone in attendance (both staff and the public) to wear masks.

This means masks are required for indoor meetings for both those who are vaccinated and unvaccinated.

**PORT OF BENTON
REGULAR COMMISSION MEETING
Agenda**

**8:30 a.m., September 8, 2021
2140 Wine Country Rd., Prosser, WA 99350**

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. CONSENT AGENDA

1. Approval of Minutes from the August 17, 2021 Commission Meeting
2. Approval of Vouchers and Certifications, Including Payroll for Month of August Totaling \$1,069,669.48

D. PUBLIC COMMENT

E. PUBLIC HEARING

1. Receive Public Comment Concerning Declaring Property Excess to the Future Needs of the Port and the Advisability of Selling Real Property Owned by the Port

F. ITEMS OF BUSINESS

1. Resolution 21-36, Approving the Sale of Real Property Owned by the Port
2. Welcome and Update from Neal Ripplinger, Prosser Economic Development Association
3. Welcome and Update from John-Paul Estey, Prosser Chamber of Commerce
4. Welcome and Update from Tom Glover, City of Prosser
5. Resolution 21-37, Columbia Basin Real Estate, LLC
6. HDR Engineering, Contract for Design for Derailment Repair
7. Resolution 21-38, Approval of Pavement Maintenance Project
8. Resolution 21-39, Wildfire Smoke Policy
9. Resolution 21-40, Prosser Airport – Fiber Easement
10. Resolution 21-41, Approval to Submit a Grant Application to the Washington State Department of Transportation, Community Aviation Revitalization Board (CARB) Loan Program for up to \$750,000 with 2% Interest

G. INFORMATION REPORTS

1. Grants Update
2. 2022 Preliminary Budget Review

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, October 13, 2021.
Visit portofbenton.com for notices and information.

**PORT OF BENTON
COMMISSION MEETING MINUTES
AUGUST 17, 2021**

A. CALL TO ORDER: The regular monthly meeting was called to order at 8:30 a.m. at Port of Benton Commission Meeting Room, 3250 Port of Benton Boulevard, Richland, Washington.

PRESENT: Commissioner Jane F. Hagarty; Commissioner Robert D. Larson; Commissioner Roy D. Keck; Executive Director, Diahann Howard, PPM®, Director of Economic Development and Governmental Affairs, Miles Thomas; Port Attorney, David Billetdeaux; Executive Administrator, Summers Miya; Director of Real Estate, Teresa Hancock; Director of Marketing, Wally Williams; Contract Specialist, Sheri Collins (via remote communications); Senior Accountant, Veronica Serna (via remote communications); Director of Facilities & Operations, Ron Branine; Director of Special Projects, John Haakenson; Director of Finance/CPA, Danielle Connor; Bryan Condon, Century West (via remote communications); Roger Wright, RGW Enterprises (via remote communications); Clif Dyer, Sundance Aviation; Jason Herbert, Energy Northwest (via remote communications); Mike Luzzo; Lori Stevens, Airfield Estates; Ben Hoppe, JUB Engineers (via remote communications)

The Commission Meeting was conducted as a hybrid meeting with Commissioners meeting in-person; public attending both remotely and in-person, and Port staff members participating in-person and remotely, and said meeting was noticed as required by RCW 42.30.070.

B. PLEDGE OF ALLEGIANCE: Director of Economic Development & Governmental Affairs, Miles Thomas led those present in reciting the Pledge of Allegiance.

Miles Thomas noted that two new items of business were requested to be added to the agenda:

Business Item #5: Consent to Assignment of Lease from TK Machine Co. to RR Endeavors, LLC – Richland Airport

Business Item #6: Consent to Change in Ownership with respect to a 5.59 acres ground lease in the Prosser Wine and Food Park, from Kenyon Zero Storage, Inc. to Lineage Logistics Holdings, LLC.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the addition of business items #5 and #6 on the August 17, 2021 Port of Benton Commission Meeting agenda.

C. CONSENT AGENDA:

A motion was made by Commissioner Robert Larson, seconded by Commissioner Roy Keck and unanimously passed by the Commission approving the July 14, 2021 Commission Meeting Minutes, and approval of vouchers and certifications, including payroll, for the month of July totaling \$714,472.45.

D. PUBLIC COMMENT:

Port Attorney David Billetdeaux reminded that public comment was limited to 3 minutes per guest.

City of Richland resident Mike Luzzo requested an update on the North Richland bridge project, stating that the area needs a beltway and more transportation options. Luzzo stated that he was an advocate for this project, as the Richland streets are full. Luzzo commended the City of Richland for recent upgrades throughout the area.

Executive Director Diahann Howard added that the North Richland bridge project is not a funded project and the Port has been asking the Benton-Franklin Council of Governments to keep this project on the table.

Clif Dyer, of Sundance Aviation, thanked the Commission for re-opening the meetings to the public and announced that he is happy the Port is acknowledging Director of Special Projects, John Haakenson at today's meeting.

E. ITEMS OF BUSINESS:

1. HDR Engineering Miscellaneous Services Contract

Engineer Roger Wright reminded the Commission that the Port entered into an agreement with HDR, Inc. to provide general railroad engineering services to the Port of Benton and HDR works on a number of projects for the Port related to the Railroad track. Wright stated that the 2021 Miscellaneous Services engineering budget was established at \$25k.

Wright stated that HDR has used all of the available budget this year due to the number of projects the Port has them working on, specifically, the repair of the ties that were damaged by the crews removing the derailed BNSF cars in July 2020. Wright added that this repair will replace approximately 500 ties, re-gap the track in this area, as well as repair the erosion around the derailment site. Wright added that it is still the Port's intent to seek reimbursement for this work, at this time, the Port is covering the cost of this repair.

Wright added that it has recently been discovered that a concrete pad is breaking up on the Columbia Trail Bridge, which will need to be addressed with the other pressing repairs.

Wright recommended increasing the Miscellaneous Services contract for HDR Inc. by \$25k to cover the cost of the design of this work and bringing the total contract for HDR to \$50k.

Port Attorney, David Billetdeaux added that the Port has subpoenaed the black box video of the accident, which was recently provided. Billetdeaux stated that the video is in a very technical format and an expert will be needed to properly examine the video. Billetdeaux added that there is currently a lot of finger-pointing between TCRY and BNSF.

Commissioner Keck inquired on the current state of the railroad and if it was usable and safe. Engineer, Roger Wright stated that HDR has inspected the derailment site a few times and has recommended reduced speed in addition to the new ties and clarified that the derailment site is the only site that is currently under a reduced speed recommendation.

Commissioner Hagarty agreed that the most important thing was to get the rail fixed properly and get the speed limit changed when safe. Commissioner Keck agreed that proper engineering, design and contract were important to get into place to get the rail up to speed and seek reimbursements later.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the \$25,000 amendment of the Miscellaneous Services Contract with HDR Engineering.

2. Resolution 21-33, Approval to Apply for FAA Grant for Richland Airport Electrical Replacement Project, \$3,156,583

Engineer Roger Wright stated that Century West is already working on the design for this project. Wright added that this grant appears to be a 100% FAA grant with no match.

Commissioner Hagarty asked if this grant was COVID-19 related, which Wright affirmed.

A motion was made by Commissioner Robert Larson, seconded by Commissioner Roy Keck and unanimously passed by the Commission approving Resolution 21-33, granting approval for the Port of Benton to apply for the FAA Grant for the Richland Airport Electrical Replacement Project, \$3,156,583.

3. Resolution 21-34, Approval to Apply for State Commerce ICAP Grant up to \$750,000

Executive Director, Diahann Howard announced that the MCEI group has been working for years toward this type of opportunity and can apply for up to \$750k. Howard added that this grant serves the entire region, with many jobs and wages at all levels. Howard stated that the group is working on a more detailed economic impact report related to the Tri Energy Partnership project.

Howard added that the application will help by the creation of a supply chain to initially for small modular reactors, fleets, battery, battery storage and small business development.

Director of Economic Development & Governmental Affairs, Miles Thomas read a statement submitted via email from TRIDEC President & CEO, Karl Dye:

"I'm writing on behalf of TRIDEC in support of the Washington Department of Commerce Innovation Cluster Accelerator Program Application that is being created by the Port of Benton and the Tri-Cities Research District Team.

These grants will focus development on specific industry clusters that will benefit the Port of Benton and our Tri-Cities Community. The Washington VERTical will cement the Tri-Cities as the clean-energy hub of the Northwest, from research and development to production and supply chain development. The effort will begin with the Advanced Reactor Program and grow to include green hydrogen, electro-chemicals, transportation and energy storage.

Thank you for your continued leadership and support of this critical initiative and grant."

Jason Herbert of Energy Northwest added that the Tri-Energy Partnership is supportive and believes the supply chain to be useful for the project as well as for future projects, including energy storage opportunities. Herbert thanked the Commission for the opportunity.

Thomas added that the MCEI and Research District are working with the My-Tri 2030 collaborative team on the grant application.

Commissioner Hagarty congratulated the Port for working on this kind of project and stated that this could transform the energy sector for the entire area. Hagarty thanked Jason Herbert and Karl Dye for their comments and support of the grant application as well.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving Resolution 21-34, granting approval for the Port of Benton to apply for a state Commerce ICAP grant for up to \$750,000.

4. Proclamation 21-01, Honoring Director of Special Projects, John Haakenson

Commissioner Hagarty announced that the Port of Benton would be honoring Director of Special Projects, John Haakenson and read the following Proclamation in his honor:

WHEREAS, Mr. John Haakenson took on the role of Planning Specialist starting on March 1, 2001; and

WHEREAS, Mr. Haakenson served as Planning Specialist from 2001-2002; and Facilities Manager, 2002-2004; Director of Operations and Maintenance, 2004-2006; Director of Airports & Operations, 2006-2017; Director of Airports, 2017; Director of Special Projects, 2019-2021; and

WHEREAS, Mr. Haakenson has faithfully and diligently performed his duties as Planning Specialist, Facilities Manager, Director of Operations & Maintenance, Director of Airports & Operations, Director of Airports and Special Projects; and

WHEREAS, Mr. Haakenson has supported the Port of Benton's Vision and Mission Statement and worked with staff and elected officials for the good of the public. Mr. Haakenson will be remembered for his many accomplishments as well as his ability to provide project management and humor for the Port of Benton's Facilities team; and

NOW THEREFORE, BE IT PROCLAIMED that the Port of Benton Commission express their sincere and whole-hearted appreciation to Mr. John Haakenson for his commitment to the Port of Benton, and for his contributions while serving in the office of Planning, Facilities, Director of Operations, Maintenance, Airports and Special Projects over his twenty years of service to the Port of Benton.

A motion was made by Commissioner Robert Larson, seconded by Commissioner Roy Keck and unanimously passed by the Commission approving Proclamation 21-01, honoring Director of Special Projects, John Haakenson.

5. Consent to Assignment of Lease from TK Machine Co. to RR Endeavors, LLC – Richland Airport

Director of Real Estate, Teresa Hancock explained that the consent to assignment applies to Kerry and Shelly Prewett, who entered into a non-aeronautical ground lease with the Port on April 10, 2013. Hancock explained that the lessee has created a new joint revocable trust with the same officers/owners and there is no material change in lease or obligators.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the consent to assignment of lease from TK Machine Co. to RR Endeavors, LLC – Richland Airport.

6. Consent to Change in Ownership with Respect to a 5.59 acres Ground Lease in the Prosser Wine and Food Park, from Kenyon Zero Storage, Inc. to Lineage Logistics Holdings, LLC

Port Attorney, David Billetdeaux apologized for the late addition to the agenda and added that the request was just received yesterday.

Billetdeaux explained that Kenyon Zero Storage was recently bought out, therefore a ground lease change of ownership would be needed to Lineage Logistics, LLC. Billetdeaux added that this was for a 1999 ground lease of 5.59 acres for an evaporation pond and added some background on Lineage, stating the company has purchased Preferred Freezer, Henningsen Cold Storage and others in the past.

Billetdeaux stated that the Port has received word that there would not be a change in employees or staff at this time of merger and that this is mostly document housekeeping. Kenyon Zero Storage remains the Lessee, Lineage Logistics is simply the new owner of Kenyon Zero Storage, now a wholly owned subsidiary of Lineage Logistics.

A motion was made by Commissioner Robert Larson, seconded by Commissioner Roy Keck and unanimously passed by the Commission approving the change in ownership with respect to a 5.59 acres ground lease in the Prosser Wine and Food Park with Lessee Kenyon Zero Storage, Inc.

G. INFORMATION REPORTS:

1. Grants Update:

Engineer Roger Wright noted that the Infrastructure Investment and Jobs Act Grant Funds project has been added, which are direct grants for the improvement of public use airports. Wright stated that Richland Airport was awarded \$1,480,000 and Prosser Airport, \$790,000 and although formal approval has been received, information has not yet been received on the requirements of the grant funds.

Director of Economic Development & Governmental Affairs, Miles Thomas stated that the Port has not heard back from the Bureau of Land Management, noting that there could be up to a six month timeline.

Thomas added that the Innovation Cluster Accelerator Program Application project was added, which is a Washington Department of Commerce, which is the next evolution of the Port and IPZ, with a goal to support the creation of clean energy industry lead alliance. Thomas stated that the application is due on September 3, 2021.

Thomas added that the Port is the only eastern Washington applicant and feels has a strong chance to receive this grant. Thomas noted that he continues to coordinate with the grant writer, with an opportunity right behind this one for a chance to apply for EDA funds as a nuclear host community.

G. COMMISSIONER REPORTS/COMMENTS:

Commissioner Keck announced that he has started attending in-person meetings, in addition to some still being held via Zoom. Commissioner Keck stated that the TRIDEC board meeting was held in-person and it was announced at that meeting that there is the strong potential of prospect companies moving to the area and bringing upwards of 400 jobs with them. Commissioner Keck added that a large company is looking at Pasco because it requires a lot of gas to operate and a request has been sent to the Governor for the use of more natural gas in the area.

Commissioner Keck added that he attended the recent PNWA meeting via Zoom and their report was mostly negative, as there is a strong push to stack the deck for a collaborative initiative against the lower snake river dams.

Commissioner Keck stated that he enjoyed attending the recent Tri-City Regional Chamber of Commerce monthly luncheon in-person and Congressman Newhouse announced some potential funding for a new infrastructure package.

Commissioner Larson reported that he has sold \$1,200 worth of Richland Rotary duck tickets and that the Hanford Communities group has requested his attendance at a Zoom meeting regarding Nuclear Waste Depository.

Commissioner Larson stated that he also attended the recent Regional Chamber Luncheon in which Congressman Newhouse presented.

Commissioner Hagarty stated that the Prosser Economic Development Association (PEDA) grant writer was able to secure several grants to help with the improvements needed at the Depot Building, which will allow the facility to be more usable for community events.

Commissioner Hagarty added that improvements include a new deck, the removal of the slider door to the storage area, which will become the entrance and will hopefully abate confusion on what door serves as the entrance door. Commissioner Hagarty stated that front façade improvements are also included, including a pagoda in the front for community events. Commissioner Hagarty stated that BNSF donated \$100k towards these improvement grants and the Bureau of Land Management provided \$242k towards a recreational grant.

Commissioner Hagarty added that the grant writer is working to complete a bi-annual grant calendar, which will be helpful to all entities involved in her grant-writing services.

Commissioner Hagarty announced that the leadership class was able to hold their last class and graduation and the committee is now looking for recruits for the 2022 class.

Commissioner Hagarty announced that Jessica Munnell from Wautoma Springs has joined the PEDA board, and the addition of a winery representative is welcomed.

Commissioner Hagarty provided an update on a Prosser farmer from Sun Heaven Farms who joined PNWA and he will be a great asset to PNWA.

Commissioner Hagarty stated that the Business Recruitment group has been working on the updating of flags and banners from Wine Country Road to the bridge as well as the recruitment of a diner or restaurant.

Commissioner Hagarty updated that due to COVID-19 and lack of employees, the Prosser Chamber of Commerce had to make the difficult decision to cancel the Prosser Beer & Whiskey Festival for the second year in a row, which is a major loss to their budget.

Commissioner Hagarty provided some downtown news from the Historic Downtown Prosser Association, noting that there may be some slight water restrictions in the future.

Commissioner Hagarty stated that she attended the July Visit Tri-Cities Board Meeting and Visit Tri-Cities was excited to announce that they are launching a new website in the coming weeks and the TBEX October event continues as planned, as does the large BMX event. Commissioner Hagarty stated that she has learned that the Visit Tri-Cities and Regional Chamber meetings have moved back to virtual.

Commissioner Hagarty stated that she also attended the July Benton-Franklin Council of Governments meeting.

H. DIRECTOR REPORTS/COMMENTS:

1. AIRPORTS:

Director of Facilities & Operations, Ron Branine announced that the Prosser Airport Taxilane project is going well. Branine added that the trees have been removed, as well as the hangar and the contractor is currently re-grading the ground and compacting as per specifications, prepping for asphalt. Branine informed that the project will be extended two days, due to a small change order from the Port to add a 4" conduit from Nunn Road to the 109 building for fiber extension.

Branine continued, stating that he has met with Morgan in preparation for the Balloon Rally, which is scheduled for September. Branine added that they have made the collaborative decision to change the location for the balloons, as well as the entry and exit to the event that will make it easier for the Port team to manage, along with those who attend the rally.

Branine stated that he is obtaining pricing on fencing for the Prosser Airport to finish securing the area. Branine explained that the additional fencing will tie into the Chukar corner and back around the old Milne warehouse and back to Nunn Road. Branine added that his team is also looking into replacing many sections of deteriorated fencing at the Richland Airport, which will more than likely be a 2022 project, but will be covered with additional AIP money.

Branine added that the lighting project is underway, at 2345 Stevens.

Director of Economic Development & Governmental Affairs, Miles Thomas added that the City of Prosser needed fiber internet, so it was great timing to add the fiber extension previously mentioned. Thomas noted that the City of Prosser is splitting the cost and the fiber is extended from OIE to Nunn, which will also be available to the tenants. Port Engineer, Roger Wright added that Benton PUD has contributed \$7,500 to the project.

Director of Real Estate, Teresa Hancock provided airport real estate updates noting that Porters Real Barbeque, LLC has officially taken over the lease on Terminal Drive. Hancock reminded that the new lease was approved at the regular scheduled Commission meeting in May and the sale closed on July 28, 2021 between Croskrey Properties and Porters Real Barbecue.

Hancock stated that Rattlesnake Mountain Skydiving has moved into the former Hogue/Webster hangar at the Prosser Airport, located at 219 Nunn Road on August 1, 2021.

Hancock updated that the City of Prosser has moved into the former Milne building, located at 205A Hagarty Lane, as keys were transferred on July 15, 2021. Hancock stated that the tenant is obtaining construction estimates for minor TI work.

Hancock stated that she continues to receive interest in small box hangar sites at Prosser and Richland Airports and stated that a possible ground lease may be brought forward in a coming meeting.

Commissioner Hagarty thanked Ron Branine and the Facilities team for preparing the hangar and area for the recent funeral service of Cormac Thompson.

2. FACILITIES & OPERATIONS:

Director of Facilities & Operations, Ron Branine stated that the Pavement Maintenance Project is ongoing, with slurry seal being completed over the recent weekend and he is awaiting the striping.

Branine updated that the 2345 Lighting Project is also ongoing, with about 60% completed and the 2345 Phase I Carpet Replacement Project has been completed.

Branine added that there is no ETA on the 2579 Stevens Roofing Project due to the lead times on materials being 12 – 16 weeks.

Branine added that other items the Facilities team is working on include the re-striping of parking lots and painting curbs that are not part of this year's Pavement Maintenance Project, but similar to many other supply issues, paint remains difficult to obtain.

Branine noted that there are currently four HVAC units down Port-wide with lead times being 8 – 12 weeks.

3. SPECIAL PROJECTS:

Director of Facilities & Operations, Ron Branine stated that there have been a couple of minor sewer issues at Crow Butte within the last month. Branine added that the residence/Ranger Station remodel is going well, is on time and within budget. Branine noted that the Park maintains a 100% occupancy consistently on the weekends, and 50% - 60% during the week. Branine informed that the self-pay station was recently broken into and added that it is believed that less than \$50 was taken. Branine stated that due to the damage of being pried open, the item will need to be replaced.

4. REAL ESTATE:

Director of Real Estate, Teresa Hancock stated that staff has finalized terms for a sale transaction with Columbia Basin Real Estate/Weston Mountain Onion, however, not in time for this meeting's agenda. Hancock added that the transaction will be presented for formal approval at the next regular scheduled meeting.

Hancock noted that staff continue to schedule onsite meetings and discussions with new prospective tenants for both the Prosser Wine & Food Park and Vintners Village for space and land opportunities and she looks forward to sharing an update at the next regular scheduled meeting.

Hancock announced that COVID-19 continues to prove challenging for the country and the region, as the Port is witnessing both. We are seeing growth, the stabilizing and retooling of businesses (small and large), and want to ensure the Commission that staff will continue to work together in combined efforts to balance economic stability and strategic growth plans with each discussion, meeting, and transaction.

5. MARKETING:

Executive Administrator, Summers Miya stated that she would be providing a brief Marketing update because Director of Marketing, Wally Williams is preparing for the staff luncheon.

Miya updated that the Entrepreneurial Awards committee met for the first time on August 16, 2021 and it was determined that the date of the event would be November 2, 2021. Miya noted that Rotary member, Jan Jackson, who was very familiar with the Awards Program would be the Rotary lead, as President Roy Keck would be out of town. Miya explained that the Committee was planning for a hybrid event and would be preparing for a Zoom program, similar to last year because of the possibility

of in-person meetings getting shut down again. Miya added that the in-person component would take place at the recently renovated Holiday Inn on George Washington Way and the Port team would plan a walk-through prior to the event to test A/V capabilities of the venue. Miya stated that business and Sammy nominations were due by September 15, 2021, which will give adequate time to schedule and prepare the video interviews and program. Miya noted that Tri-City Regional Chamber President & CEO, Lori Mattson would be hosting the event, with Miles Thomas co-hosting. Miya stated that Wally Williams will be updating the flyer for the event, which will then be shared with the committee. Lastly, Miya noted that each sponsoring business will contribute \$600 towards the sponsorship of the event.

Miya moved on with updates that Williams had provided, noting that he has begun work on the Port of Benton fall newsletter. In addition, Williams has been working to finalize touches on the North Richland Columbia River wayfinding signs that will be placed along the walking path, starting at the USS Triton Sail and ending at the Snyder boat launch area. Once completed, Miya explained that similar signage will be added at Crow Butte Park.

Miya noted that Williams continues to work on the USS Triton brochure and booklet updates along with updating the Marketing budget for 2022.

6. ECONOMIC DEVELOPMENT & GOVERNMENTAL AFFAIRS:

Director of Economic Development & Governmental Affairs, Miles Thomas announced that much of his time has been devoted to the ICAP application previously discussed during the Grants Update portion of the meeting.

Thomas added that he has been working on an updated ad for the Trade & Industry magazine and is working on putting together relevant talking points, as the full page ad will be featured nationally and to 144k site selectors and in areas that the Port selects. Thomas noted that the ad will be the same platform as the Discover Richland ad.

Thomas informed that the RFP for the White Bluffs Center will be going out today and will be geared towards Phase I of the construction, which includes the Hanford History Project's archives and the Manhattan Project National Tour offices. Thomas stated that he felt the design request should be doable to allow for WSU-TC to move in by August 2022. Thomas noted that Phase II includes the actual gallery space.

Thomas announced that the agreement with WSU-TC has been fully executed and their first lecture is scheduled for September 3, 2021, at the Walter Clore facility. Thomas added that WSU-TC is working on a series of classes/lectures for students in the Wine Business Management Program and the lead is Byron Marlowe. Thomas noted that he will be touring the facility and will be working on finalizing all paperwork and is planning for a September Press Release announcing the agreement.

Thomas stated that he has been working on the wayfinding strategy with PEDa and noted that there are two future signs in the planning stages with the Port being a co-sponsor of a multi-tenant sign. Thomas added that multi-directional signs are also in-process.

7. FINANCE DIRECTOR:

Director of Finance/CPA, Danielle Connor provided an update on the Yardi IAP project, stating that the team continues to make good progress on the Yardi implementation. Connor stated that there is still a fair amount of foundation and master file setup, but property and leases data has begun to be entered for testing. Connor noted that Tiffany, from Teresa Hanford's office, had been onsite to assist with the data compilation and data entry, as the majority of the lease data will need to be entered manually. Connor added that once a bit more transactional data has been entered into the system, the

team will begin the integration design and development process, which Connor hopes would take place within the next few weeks. Connor pointed out that the timeline has been revised and she continues to monitor, and still aims towards fall for a go live with Core Voyager, and the Facilities Manager and GASB pieces will then follow.

Connor updated that Teresa Hanford is scheduled to be onsite next Monday, August 23rd to prepare the final draft of the 2020 financial statements, which the draft will then need to get filed with the SAO by the end of September and prior to the audit. Connor stated that she will be coordinating with SAO soon to set up the timing for the 2019 and 2020 audit, but current timing is expected to start in October.

Connor announced that the 2022 budget season is underway and the budget schedule has been set and a copy has been provided. Connor added that she will then be planning to bring an initial budget for review and discussion to the September 8th Commission Meeting in order to provide ample time to review and provide feedback. Connor stated that she is looking to schedule the Budget Workshop for mid-October, which will allow time to bring a revised budget for review and available for public comment at the October regular Commission Meeting. Connor stated that the Port will then look to formally adopt the budget at the November regular meeting, in order to meet the county deadline.

Connor provided an update on the Port financial status, stating that general expenditures for July were approximately \$715k, about \$300k less than what was forecasted, which is due to project timing. Connor added that July included debt payments to CERB, WSDOT and HAEFIC, which the HAEFIC loan was paid off in full. Connor added that Q2 LET was paid and a \$34k payment to Morrison Metalweld for rail frogs and switches welding.

Connor explained that project expenditures are expected to increase, with the Prosser Airport Taxilane construction and Fermi Project currently underway, as well as additional rail repair and pavement maintenance. Connor added that annual insurance is coming up at \$360k and reminded that project expenditures are still forecasted to get heavier into the fall for both Port and grant-funded projects. Connor stated that \$1.5M was forecasted in both August and September and noted that she will continue to monitor and utilize the Line of Credit, if needed.

Connor announced that Accounts Payable is currently sitting at about \$50k, which is all due to the City of Richland, as the Port continues to hold on payment, per the City's request, as they are working through the final stages of converting the Port accounts and reconciling the billings. Connor stated that payment is expected to be issued this week in full.

Connor noted that current cash balance, including reserved cash is \$3.8M and tenant A/R is currently sitting at \$312k outstanding, with about 24%, or \$75k aged greater than 90 days. Connor reminded the Commission that last month's report out was around \$92k greater than 90 days and the month prior was \$134k, so good progress is being made in collecting past due amounts and getting the accounts adjusted where needed.

Connor stated that the Port has received \$5.7k in July from FAA for AIP 19's final reimbursement request from the Taxilane Design Project. Connor added that she has queued up reimbursement requests to WSDOT for \$9k for FRIB/FRAB and the FAA for \$38k for AIP 31.

8. PORT ATTORNEY:

Port Attorney, David Billetdeaux announced that he is closely monitoring the COVID-19 situation, as numbers in the area are going back up. Billetdeaux added that his monitoring includes following updates by the CDC and the WA State Health Department and that the Port has moved back to required mask-wearing for employees and visitors regardless of vaccination status. Billetdeaux stated

that he hopes to be able to continue in-person public meetings.

Billetdeaux continued, with an update that he had sent an email to All-Staff was sent regarding the Wildfire Smoke Policy, which includes checking AQI regularly, employers providing masks when AQI was above 150 in addition to a number of other policy points.

Billetdeaux updated that the next court proceedings regarding TCRY would take place on September 8, 2021, which would be a Court of Appeals Division III hearing, regarding whether “Class 3” as used within the Port Lease meant an FRA Class 3 maintenance standard or an STB Class III Revenue standard. The Port successfully argued in Benton County Superior Court that it is a maintenance standard. TCRY filed an unsuccessful Motion for Reconsideration, and subsequently filed an appeal to Division III.

Billetdeaux updated that the Port has filed a motion for a summary judgment in Benton County Superior Court to decide whether the TCRY tariffs should be removed as an issue in the current litigation, since the STB has ruled that the so-called tariffs are not actually tariffs. That hearing is set to take place on August 25, 2021.

9. EXECUTIVE DIRECTOR:

Executive Director, Diahann Howard congratulated Port Attorney, David Billetdeaux for being featured in the current Tri-Cities Area Journal of Business as a Young Professional.

Howard provided an update on the 1220 Node Building that is located in the Richland Innovation Center (RIC). Howard stated that Engineer Roger Wright recently met with Todd Eckman of HMIS, who manages the DOE-RL telecommunications infrastructure. Howard reminded that when the Port took over the RIC, DOE-RL maintained an easement for all their underground infrastructure, as well as the masonry structure at 667 University Drive, which is known as the 1220 Node and houses critical telecommunications equipment. Howard added that it is also the hub for several different routes of wiring for their telecommunications infrastructure. Howard continued, stating that since the easement is for the physical extent of the building only, and since the Port owns the ground under the building, the Port should own this building as well and it has been expressed that it is likely that HMIS and DOE-RL would support this action.

Howard added that if the Port owned the building, it would all the Port to lease additional space to Hanford and non-Hanford related businesses that cannot, or do not want, to be on the Hanford system. Howard noted that it is felt that although there would be some initial expense to expand or upgrade the building, it could be a strategic and financial benefit to the Port in the long run.

Howard added that she has recently participated in the ECA Nuclear Legislation, Energy Council discussions and the Rob Ellsworth radio show. Howard added that she has also participated in the recent Hanford meeting with Congressman Newhouse and has been providing updates to all congressional offices.

Howard reminded the Commission that Director of Airports, Joe Walker has left the Port of Benton to move back to the west side of the state and the Airport position will likely be filled in 2022 and will be brought forward during budget discussions. Howard added that first and foremost a Facilities position needs to be filled. Howard clarified that in Walker’s absence, Teresa Hancock will handle airport leases, with Miles Thomas assisting with Research District area leases.

Roger Wright of RGW Enterprises interjected that a time-sensitive matter had just come up, and asked the Executive Director to seek Commission approval to add a #7 Acceptance of grant for the Richland Airport to the Items of Business section of the agenda.

A motion was made by Commissioner Roy Keck, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the addition of business item #7 on the August 17, 2021 Port of Benton Commission Meeting agenda.

Port Engineer Roger Wright explained that he had just received an email from the FAA regarding agenda item #2, Resolution 21-33, **Approval to Apply for FAA Grant for Richland Airport Electrical Replacement Project, \$3,156,583** and the FAA has approved the \$3,156,583 grant with no match requirements.

Port Attorney David Billetdeaux officially added **Resolution 21-35, A Resolution of the Port of Benton, Washington to Authorize the Executive Director to Accept a Grant for the Richland Airport** to the agenda packet.

It was explained that this grant was intended to provide electrical, lighting, and guidance replacement in addition to electrical room modifications and replacement of the existing Medium Intensity Runway Lights (MIRLs), signs, Precision Approach Path Indicators (PAPIs), and wind cones.

A motion was made by Commissioner Robert Larson, seconded by Commissioner Roy Keck and unanimously passed by the Commission approving Resolution 21-35, granting the Executive Director to accept a grant for the Richland Airport of \$3,156,583.

I. EXECUTIVE SESSION: The regular Commission Meeting was recessed at 10:37 a.m. and an Executive Session was convened at 10:40 a.m. to discuss ongoing litigation and real estate matters. It was announced that Executive Session would take 30 minutes and if any action was required, the Regular Commission Meeting will reconvene and bring forward the item at that time. At 11:10 a.m., it was announced that 5 additional minutes would be added to Executive Session.

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 August 2021**

General Expenses

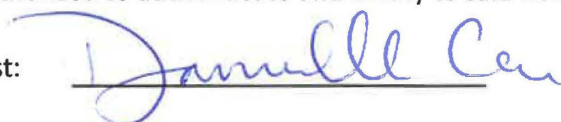
Accounts Payable Warrants #	78423	-	78545	\$	879,868.65
Electronic Payments				\$	42,409.37
Total General Expenses				\$	<u>922,278.02</u>

Payroll

Direct Deposit				\$	
ACH				\$	106,773.74
Wire Transfers:					
IRS Payroll Tax Deposit	August 15, 2021				20,154.03
IRS Payroll Tax Deposit	August 31, 2021				20,463.69
Total Payroll				\$	<u>147,391.46</u>
Total General Expenses and Payroll				\$	<u><u>1,069,669.48</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

RESOLUTION NO. 21-36

AMENDING COMPREHENSIVE PLAN OF IMPROVEMENTS AND DECLARING REAL PROPERTY SURPLUS

Richland Business Park / Manufacturing Mall

WHEREAS, the Port of Benton owns real property located in the Port's Richland Business Park (formerly known as the Manufacturing Mall), more particularly described on Attachment 1 to this resolution.

WHEREAS, the Port of Benton Commission held a public hearing on September 8, 2021 to take comment upon the advisability of amending the Comprehensive Plan of Improvements to delete the real property described on Attachment 1.

WHEREAS, after taking public comment the Port Commission has determined that the real property described on Attachment 1 is no longer needed for Port purposes, now therefore,

IT IS HEREBY RESOLVED, the real property described on Attachment 1 is excess to the future needs of the Port of Benton.

IT IS FURTHER RESOLVED that the Port of Benton's Comprehensive Plan of Improvements is hereby amended to remove the real property described on Attachment 1 from the Comprehensive Plan.

IT IS FURTHER RESOLVED that the Port of Benton Commission hereby authorizes the Executive Director to request and accept proposals for the purchase of the property to present to the Commission for approval.

ADOPTED BY THE PORT OF BENTON COMMISSION this 8th day of September, 2021.

Jane F. Hagarty, President

Robert D. Larson, Vice President

Roy D. Keck, Secretary

ATTACHMENT 1
To RESOLUTION 21-36

2926 Kingsgate Way
6.81 Acres
Improvements together with 1,350 LF of railroad spur track

THAT PORTION OF PARCELS 4 AND 5 OF BLOCK 11, AS SHOWN ON RECORD OF SURVEY AND BINDING SITE PLAN NUMBER 2056 AS RECORDED IN VOL. 1 OF SURVEYS, PAGE 2056, UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 95-18807, BEING A PORTION OF SECTION 21, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M., SITUATED IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT 4 OF RECORD SURVEY NUMBER 2515, AS RECORDED IN VOL. 1 OF SURVEYS, PAGE 2515, UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 1998-022820, SAID POINT IS ON THE EASTERLY RIGHT OF WAY LINE OF KINGSGATE WAY; THENCE NORTH 89°32'40" EAST ALONG THE NORTH LINE OF SAID TRACT 4, A DISTANCE OF 701.30 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 00°36'30" WEST ALONG THE PROJECTION OF THE EAST LINE OF SAID TRACT 4, A DISTANCE OF 311.29 FEET TO THE TRUE POINT OF BEGINNING.

THENCE CONTINUING ALONG SAID PROJECTED LINE, NORTH 00°36'30" WEST, A DISTANCE OF 396.69 FEET TO A POINT ON A LINE PARALLEL AND 110.00 FEET SOUTH OF THE CENTERLINE OF THE RAILROAD DEPICTED ON RECORD SURVEY NUMBER 2934, AS RECORDED IN VOL. 1 OF SURVEYS, PAGE 2934, RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2001-032717; THENCE SOUTH 89°32'55" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 791.55 FEET, TO A POINT ON THE EAST RIGHT OF WAY LINE OF SAID KINGSGATE WAY, SAID POINT BEING A POINT ON A NON TANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 80°23'45" EAST A DISTANCE OF 1460.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE, AND ALONG SAID EASTERLY RIGHT OF WAY LINE, AN ARC DISTANCE OF 149.43 TO A POINT OF TANGENCY; THENCE SOUTH 15°28'08" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 48.92 TO THE BEGINNING OF A CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH 74°31'54" WEST A DISTANCE OF 1540.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE, AND ALONG SAID RIGHT OF WAY LINE, AN ARC DISTANCE OF 207.51 FEET TO THE NORTHWEST CORNER OF PARCEL A AS DESCRIBED ON RECORD SURVEY 3082, AS RECORDED IN VOL. 1 OF SURVEYS, PAGE 3082, RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2002-032137, SAID POINT BEING A POINT ON A LINE PARALLEL WITH THE NORTH LINE OF SAID TRACT 4; THENCE NORTH 89°32'40" EAST ALONG THE NORTH LINE OF SAID PARCEL A, A DISTANCE OF 708.57 FEET TO THE PROJECTION OF THE EAST LINE OF SAID TRACT 4, SAID POINT BEING THE NORTHEAST CORNER OF SAID PARCEL A AND SAID TRUE POINT OF BEGINNING.

CONTAINING 6.81 ACRES, MORE OR LESS.

TOGETHER AND SUBJECT TO EASEMENTS, RESERVATION, COVENANTS AND RESTRICTIONS OF RECORD.

RESOLUTION NO. 21-37

A RESOLUTION OF THE PORT OF BENTON AUTHORIZING THE SALE OF REAL PROPERTY AND REAL ESTATE CONTRACT WITH COLUMBIA BASIN REAL ESTATE LLC

WHEREAS, the Port of Benton owns real property located in the Port's Richland Business Park, more particularly described on Attachment 1 to this resolution.

WHEREAS, Columbia Basin Real Estate LLC (Purchaser) has offered to purchase 6.81 acres of real property and improvements as depicted on Attachment 1 within the Horn Rapids Manufacturing Park, in Richland, Washington from the Port of Benton (Seller) for the sum of \$1,500,000.00; and

WHEREAS, Port staff and the Port attorney have reviewed the proposed Purchase and Sale Agreement and Real Estate Contract and find it is in proper form and is in the Port's best interest; and

WHEREAS, the Port of Benton Commission held a public hearing on September 8, 2021 to take comment upon the advisability of amending the Comprehensive Plan of Improvements to remove the real property described on Attachment 1.

WHEREAS, after taking public comment the Port Commission determined that the real property and improvements is surplus to the Port's needs and that the proposed sale is consistent with previous Port policies, including its Comprehensive Scheme of Harbor Development, now therefore,

IT IS HEREBY RESOLVED, the real property described on Attachment 1 is excess to the future needs of the Port of Benton.

IT IS FURTHER RESOLVED that the Board of Commissioners authorize the Port's Executive Director to execute a Purchase and Sale Agreement with Columbia Real Estate LLC under the terms contained in Purchase and Sale Agreement and Real Estate Contract for the sum of \$1,500,000.00 and hereby authorize to execute all documents and agreements on behalf of the Port of Benton to complete the transaction as specified above.

ADOPTED BY THE PORT OF BENTON COMMISSION this 8th day of September,
2021.

Jane F. Hagarty, President

Robert D. Larson, Vice President

Roy D. Keck, Secretary

ATTACHMENT 1
To RESOLUTION 21-37
AUTHORIZING A SALE OF REAL PROPERTY
AND REAL ESTATE CONTRACT
WITH COLUMBIA BASIN REAL ESTATE LLC

2926 Kingsgate Way
6.81 Acres
Improvements together with 1,350 LF of railroad spur track

THAT PORTION OF PARCELS 4 AND 5 OF BLOCK 11, AS SHOWN ON RECORD OF SURVEY AND BINDING SITE PLAN NUMBER 2056 AS RECORDED IN VOL. 1 OF SURVEYS, PAGE 2056, UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 95-18807, BEING A PORTION OF SECTION 21, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M., SITUATED IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT 4 OF RECORD SURVEY NUMBER 2515, AS RECORDED IN VOL. 1 OF SURVEYS, PAGE 2515, UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 1998-022820, SAID POINT IS ON THE EASTERLY RIGHT OF WAY LINE OF KINGSGATE WAY; THENCE NORTH 89°32'40" EAST ALONG THE NORTH LINE OF SAID TRACT 4, A DISTANCE OF 701.30 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 00°36'30" WEST ALONG THE PROJECTION OF THE EAST LINE OF SAID TRACT 4, A DISTANCE OF 311.29 FEET TO THE TRUE POINT OF BEGINNING.

THENCE CONTINUING ALONG SAID PROJECTED LINE, NORTH 00°36'30" WEST, A DISTANCE OF 396.69 FEET TO A POINT ON A LINE PARALLEL AND 110.00 FEET SOUTH OF THE CENTERLINE OF THE RAILROAD DEPICTED ON RECORD SURVEY NUMBER 2934, AS RECORDED IN VOL. 1 OF SURVEYS, PAGE 2934, RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2001-032717; THENCE SOUTH 89°32'55" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 791.55 FEET, TO A POINT ON THE EAST RIGHT OF WAY LINE OF SAID KINGSGATE WAY, SAID POINT BEING A POINT ON A NON TANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 80°23'45" EAST A DISTANCE OF 1460.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE, AND ALONG SAID EASTERLY RIGHT OF WAY LINE, AN ARC DISTANCE OF 149.43 TO A POINT OF TANGENCY; THENCE SOUTH 15°28'08" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 48.92 TO THE BEGINNING OF A CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH 74°31'54" WEST A DISTANCE OF 1540.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE, AND ALONG SAID RIGHT OF WAY LINE, AN ARC DISTANCE OF 207.51 FEET TO THE NORTHWEST CORNER OF PARCEL A AS DESCRIBED ON RECORD SURVEY 3082, AS RECORDED IN VOL. 1 OF SURVEYS, PAGE 3082, RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2002-032137, SAID POINT BEING A POINT ON A LINE PARALLEL WITH THE NORTH LINE OF SAID TRACT 4; THENCE NORTH 89°32'40" EAST ALONG THE NORTH LINE OF SAID PARCEL A, A DISTANCE OF 708.57 FEET TO THE PROJECTION OF THE EAST LINE OF SAID TRACT 4, SAID POINT BEING THE NORTHEAST CORNER OF SAID PARCEL A AND SAID TRUE POINT OF BEGINNING.

CONTAINING 6.81 ACRES, MORE OR LESS.

TOGETHER AND SUBJECT TO EASEMENTS, RESERVATION, COVENANTS AND RESTRICTIONS
OF RECORD.

RESOLUTION 21-38

A RESOLUTION OF THE PORT OF BENTON ACCEPTING WORK COMPLETED BY CENTRAL PAVING, LLC FOR THE 2021 PAVEMENT MAINTENANCE PROJECT

WHEREAS, work known as the 2021 Pavement Maintenance Project upon notification by Central Paving, LLC, that said project has been completed in accordance with the approved plans and specifications, has been duly inspected by the Port of Benton, and the project has been duly inspected by the Engineer, J-U-B Engineers, Inc., and

WHEREAS, the Contractor has certified that the work has been completed in accordance with the plans and specifications at a total cost of \$72,924.36.

NOW THEREFORE BE IT RESOLVED that the Port of Benton Commission does hereby accept the work Central Paving, LLC, has completed in accordance with the contract of said project; and

BE IT HEREBY FURTHER RESOLVED that upon presentation and approval of the final invoice for the project, the Executive Director is directed to proceed with the necessary procedures, including required advertisements and government notifications, to finalize the project.

DATED AND SIGNED at Richland, Washington on this 8th day of September 2021.

Jane F. Hagarty,
President

Robert D. Larson,
Vice President

Roy D. Keck,
Secretary

RESOLUTION 21-39
A RESOLUTION OF THE PORT OF BENTON TO APPROVE A
PORT OF BENTON WILDFIRE SMOKE POLICY

WHEREAS, On July 16, 2021, the Washington State Department of Labor & Industries (L&I) adopted an emergency rule, Washington Administrative Code 296-62-085 Wildfire Smoke, to protect workers exposed to wildfire smoke on the job and is effective through November 13, 2021; and,

WHEREAS, the Port wishes to adopt WAC 296-62-085 and provide information to its employees to satisfy the L&I requirements and to protect the health and safety of its employees.

NOW THEREFORE, the Port Commission hereby approves the attached Port of Benton Wildfire Smoke Policy.

DATED AND SIGNED at Prosser, Washington this September 8th, 2021.

Jane F. Hagarty
President

Robert D. Larson,
Vice President

Roy D. Keck,
Secretary

PORT OF BENTON WILDFIRE SMOKE POLICY

I. Background

On July 16, 2021, the Washington State Department of Labor & Industries (L&I) adopted an emergency rule, [Washington Administrative Code 296-62-085 Wildfire Smoke](#), to protect workers exposed to wildfire smoke on the job and is effective through November 13, 2021.

The Port hereby adopts WAC 296-62-085 and provides the following information to its employees both to satisfy the L&I Requirement and to protect the health and safety of its employees.

II. Information for Employees:

A. The health effects of wildfire smoke:

Although there are many hazardous chemicals in wildfire smoke, the main harmful pollutant for people who are not very close to the fire is "particulate matter," the tiny particles suspended in the air. Particulate matter can irritate the lungs and cause persistent coughing, phlegm, wheezing, or difficulty breathing. Particulate matter can also cause more serious problems, such as reduced lung function, bronchitis, worsening of asthma, heart failure, and early death. Greater concentrations of particulate matter in the air create more of a hazard for workers.

Once the amount of particulate matter in the air reaches a certain concentration, certain protections shall be implemented by the Port of Benton. Those protections begin to be implemented at an Air Quality Index ("AQI") of 151.

Some workers may experience health effects at an AQI of 69 or lower, especially if they belong to a sensitive group. As such, the Port will implement exposure controls and provide respirators at no cost to employees where and when the AQI reaches 69.

Employees may request to provide their own respirator for voluntary use at any AQI below 151.

B. Sensitive groups.

People with preexisting health conditions and those who are sensitive to air pollution are among those most likely to experience health problems from exposure to wildfire smoke. Examples of sensitive groups include:

- People with lung diseases such as asthma or chronic obstructive pulmonary disease (COPD), including bronchitis and emphysema, and those who smoke;
- People with respiratory infections, such as pneumonia, acute bronchitis, bronchiolitis, colds, flu, or those with, or recovering from COVID-19;
- People with existing heart or circulatory problems, such as irregular heart beat, congestive heart failure, coronary artery disease, angina, and those who have had a heart attack or stroke;

- Children under eighteen years old, and adults over age sixty-five;
- Pregnant women;
- People with diabetes;
- People with other medical or health conditions which can be exacerbated by exposure to wildfire smoke as determined by a physician.

III. The right to obtain medical treatment without fear of reprisal:

Employees who show signs of injury or illness due to wildfire smoke exposure are allowed and encouraged to seek medical treatment, and will not be punished for seeking such treatment.

The Port has instructed and trained all management in advance of this Policy of the need to effectively provide for prompt medical treatment of employees in the event of serious injury or illness caused by wildfire smoke exposure.

IV. How the Port may obtain the NowCast PM2.5 in the air.

Various government agencies monitor the air at locations throughout Washington and report the NowCast PM2.5 for those places. Both the Washington air quality advisory (WAQA) and the Air Quality Index (AQI) use the air quality data from these regulatory monitors. While both the WAQA and AQI use the same data to provide an indicator of how unhealthy the current air quality is, the WAQA uses lower thresholds for reporting the health hazard. Although the government monitoring stations may measure several pollutants, the approved L&I guidelines only use PM2.5. There are several ways to determine the PM2.5 levels. For simplicities sake, the Port will use AQI, and may use the following table to measure any equivalencies.

NowCast PM2.5 in Micrograms per Cubic Meter ($\mu\text{g}/\text{m}^3$)	NowCast Washington Air Quality Advisory (WAQA)	NowCast Air Quality Index (AQI)
20.5 $\mu\text{g}/\text{m}^3$	101	69
55.5 $\mu\text{g}/\text{m}^3$	173	151

Some sources to obtain this data include:

(a) NowCast PM2.5, available at:

- U.S. Forest Service AirFire website <https://tools.airfire.org/> monitoring.

(b) NowCast AQI, available at:

- U.S. EPA AirNow website <https://www.airnow.gov/>;
- "EPA AirNow" mobile app (free);
- U.S. Forest Service AirFire website <https://tools.airfire.org/> monitoring;
- EPA Enviroflash.info <http://www.enviroflash.info/> (provides notifications).

(c) NowCast WAQA, available at:

- Washington Air Monitoring Network website <https://enviwa.ecology.wa.gov/home/map>;
- "Air Quality WA" mobile app (free);
- Washington Smoke Information website <https://wasmoke.blogspot.com/>.

V. Additional Port Requirements:

The Port hereby adopts the requirements of WAC 296-62-085 through 296-62-08590. If employees may be exposed to wildfire smoke, then the Port shall do the following:

- (a) Check the NowCast PM2.5 before and periodically during each shift.
- (b) Provide training to employees if they are exposed to wildfire smoke at NowCast PM2.5 levels of 20.5µg/m3 (WAQA 101, AQI 69) or more.
- (c) Implement a two-way communication system.
- (d) Provide engineering and administrative controls when the NowCast PM2.5 is 55.5µg/m3 (WAQA 173, AQI 151) or more if feasible.
- (e) Provide respirators and encourage their use when the NowCast PM2.5 is 55.5µg/m3 (WAQA 173, AQI 151) or more. Employers shall alert employees when the NowCast PM2.5 is 55.5µg/m3 (WAQA 173, AQI 151) or more, and what protective measures are available to employees. Employers shall encourage employees to inform their employers if they notice the air quality is getting worse, or if they are suffering from any symptoms due to the air quality, without fear of reprisal.

VI. Communications and Protections

The Port shall strive to take measures to communicate effectively to all employees. Communications shall occur via email, text message, phone message, and/or verbal communication. Port employees and management are encouraged to take action to protect employees from wildfire smoke when the NowCast PM2.5 is 20.5µg/m3 (WAQA 101, AQI 69) and **must** take action to protect employees from wildfire smoke when the NowCast PM2.5 is 55.5µg/m3 (WAQA 173, AQI 151).

Examples of protective methods the Port shall consider on days where AQI is above average include:

- (a) Locating work in enclosed structures or vehicles where the air is filtered.
- (b) Changing procedures such as moving workers to a place with a lower PM2.5.
- (c) Reducing work time in areas with unfiltered air.
- (d) Increasing rest time and frequency, and providing a rest area with filtered air.
- (e) Reducing the physical intensity of the work to help lower the breathing and heart rates.

VII. Importance, Limitations, and Benefits of a Respirator

Respirators can be an effective way to protect employee health by reducing exposure to wildfire smoke when properly selected and worn. Respirator use can be beneficial even when the PM2.5 is 20.5µg/m3 or lower, to provide additional protection. When the NowCast PM2.5 is 20.5µg/m3 (WAQA 101, AQI 69) or more, the Port will make proper respirators available to workers who may choose to use them voluntarily. When the NowCast PM2.5 is 55.5µg/m3 (WAQA 173, AQI 151) or more, employers must make proper respirators available to workers who may choose to use them voluntarily. Employees may request to provide their own respirator for voluntary use.

VIII. Respirator Training

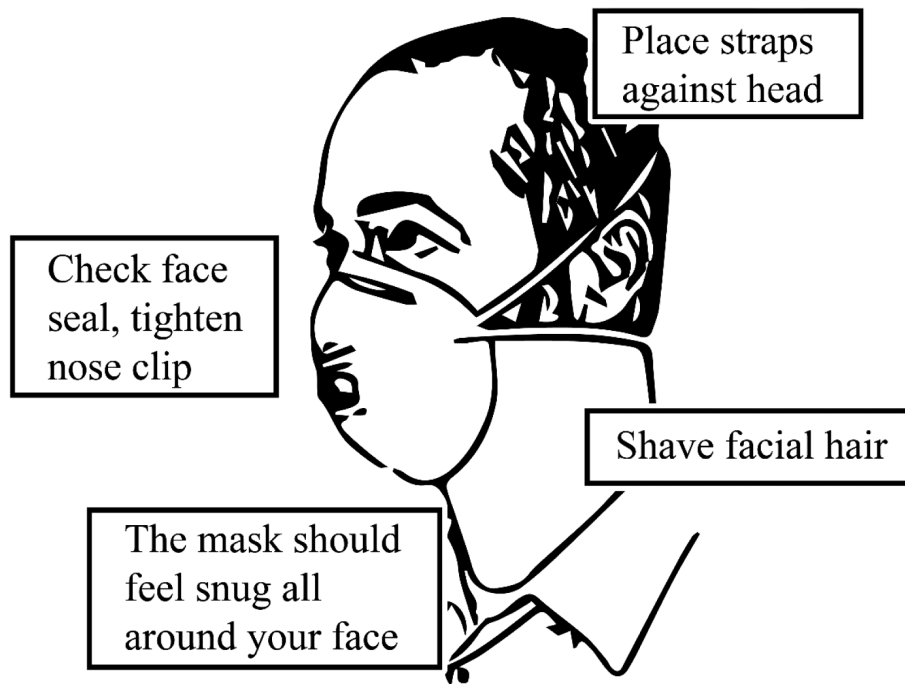
The training contained in this section, meets the requirements for voluntary use respirator training. A respirator should be used properly and kept clean. The following precautions must be taken:

- (a) The Port has selected respirators certified for protection against the specific air contaminants at the workplace. NIOSH, the National Institute for Occupational Safety and Health of the U.S. Centers for Disease Control and Prevention certifies respirators. A label or statement of certification should appear on the respirator or respirator packaging. It will list what the respirator is designed for (particulates, for example). KN95 respirators may also be used if adequate supply of NIOSH approved respirators is not available. Surgical masks or items worn over the nose and mouth such as scarves, T-shirts, and bandannas will not provide protection against wildfire smoke. An N95 filtering facepiece respirator, shown in the image below, is the minimum level of protection for wildfire smoke.
- (b) Read and follow the manufacturer's instructions on the respirator's use, maintenance, cleaning and care, along with any warnings regarding the respirator's limitations. The manufacturer's instructions for medical evaluations, fit testing, and shaving should also be followed to ensure the best protection against wildfire smoke, although doing so is not required for voluntary use of filtering facepiece respirators.
- (c) Do not wear respirators in areas where the air contains contaminants for which the respirator is not designed. A respirator designed to filter particles will not protect workers against gases or vapors, and it will not supply oxygen.
- (d) Employees should keep track of their respirator so that they do not mistakenly use someone else's respirator.
- (e) Employees who have a heart or lung problem should ask their doctor before using a respirator.

IX. How to Properly Put On, Use, and Maintain Respirators.

To get the most protection from a respirator, there must be a tight seal around the face. A respirator will provide much less protection if facial hair interferes with the seal. Loose-fitting powered air purifying respirators may be worn by people with facial hair since they do not have seals that are affected by facial hair. The proper way to put on a respirator depends on the type and model of the respirator. For those who use an N95 or other filtering facepiece respirator mask that is made of filter material:

- (a) Place the mask over the nose and under the chin, with one strap placed below the ears and one strap above.
- (b) Pinch the metal part (if there is one) of the respirator over the top of the nose so it fits securely.
- (c) Perform a seal check:
 - (i) Cover the respirator with both hands and exhale. If air leaks where the respirator seals against the face, readjust the respirator and nosepiece and try again. When a proper fit is achieved, the respirator should bulge from the face and not leak around the seal.
 - (ii) Cover the respirator with both hands and inhale. If air leaks where the respirator seals against the face, readjust the respirator and nosepiece and try again. When a proper fit is achieved, the respirator should collapse slightly and not leak around the seal.



For a respirator that relies on a tight seal to the face, check how well it seals to the face by following the manufacturer's instructions for user seal checks. Adjust the respirator if air leaks between the seal and the face. The more air leaks under the seal, the less protection the user receives.

Respirator filters should be replaced if they get damaged, deformed, dirty, or difficult to breathe through. Filtering facepiece respirators are disposable respirators that cannot be cleaned or disinfected. A best practice is to replace filtering facepiece respirators at the beginning of each shift.

If you have symptoms such as difficulty breathing, dizziness, or nausea, go to an area with cleaner air, take off the respirator, and get medical help.

RESOLUTION 21-40

A RESOLUTION OF THE PORT OF BENTON TO GRANT A PERPETUAL EASEMENT FOR FIBER AND CONDUIT AT THE PROSSER AIRPORT

WHEREAS, the Port of Benton has requested that Benton PUD/Noanet extend fiber and conduit into the Prosser Airport to provide increased broadband service to several buildings in the airport; and

WHEREAS, this extension of fiber will increase broadband service to several buildings in the airport. The initial benefit will be for the Port's building being leased to the City of Prosser (205 Hagarty Lane), the Chukar Cherry facility (320 Wine Country Rd), and the Port's main hangar at 111 Nunn Road; and

WHEREAS, to accommodate this work, the Port needs to create an easement along the east end and south side of the airport for the fiber conduit. The conduit will all be located underground. The Port's engineer has verified that this location does not appear to negatively impact any existing or future development of the airport. Attached is a map of the location for this 10 ft wide easement; and

WHEREAS, this Agreement shall be perpetual in nature.

NOW THEREFORE BE IT RESOLVED that the Port of Benton Commission does hereby approve this Agreement and all terms within said Agreement, and

BE IT HEREBY FURTHER RESOLVED that upon approval of said Agreement, the Executive Director is authorized to sign such Agreement.

DATED AND SIGNED at Prosser, Washington on this 8th day of September, 2021.

Jane F. Hagarty,
President

Robert D. Larson,
Vice President

Roy D. Keck,
Secretary



STRATTON SURVEYING & MAPPING, PC

313 NORTH MORAIN STREET
KENNEWICK, WA 99336
PHONE: (509) 735-7364
FAX: (509) 735-6560
E-MAIL: stratton@strattonsurvey.com

DATE: 2021-07-27
DRAWING: 1074SK8.DWG
SITE: PROSSER AIRPORT FIBER OPTIC EASEMENT

PARCEL NO. 102842000011000

DESCRIPTION

AN EASEMENT 10.00 FEET IN WIDTH AFFECTING THAT PORTION OF GOVERNMENT LOTS 3 AND 4 LYING IN SECTION 02, TOWNSHIP 08 NORTH, RANGE 24 EAST, W.M., BENTON COUNTY, WASHINGTON, THE CENTERLINE DESCRIBED AS FOLLOWS:

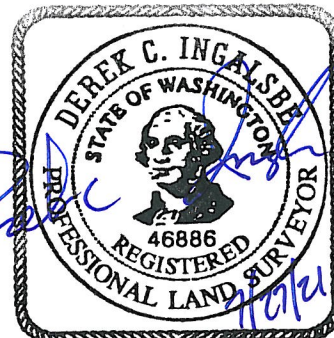
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 02 THENCE NORTH 89°41'51" EAST ALONG THE NORTHERLY LINE OF SAID SECTION 1228.94 FEET;
THENCE SOUTH 00°18'09" EAST 30.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF OLD INLAND EMPIRE HIGHWAY AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 55°29'49" EAST 377.78 FEET;
THENCE SOUTH 47°30'22" EAST 750.14 FEET;
THENCE SOUTH 42°23'18" WEST 290.97 FEET;
THENCE SOUTH 00°18'23" EAST 155.84 FEET;
THENCE ALONG A LINE 5.00 FEET NORTHERLY OF AND PARALLEL WITH THE NORTHERLY RIGHT-OF-WAY LINE OF NUNN ROAD THE FOLLOWING COURSES:
SOUTH 89°41'55" WEST 578.42 FEET;
SOUTH 89°39'27" WEST 1297.78 FEET TO THE WESTERLY LINE OF SAID SECTION AND THE POINT OF TERMINUS, SAID POINT BEARS SOUTH 01°07'14" EAST 1126.00 FEET.

EDGES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO TERMINATE ON THE SAID RIGHT-OF-WAY LINE AND SECTION LINE.

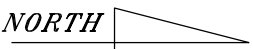
SEE ATTACHED EXHIBIT SKETCH TO ACCOMPANY THIS LEGAL DESCRIPTION.

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD AND IN VIEW.



N 1/2 OF THE NW 1/4 OF SEC. 02,
N T.08N., R.24E., W.M.

N T.08N., R.24E., W.M.



SCALE 1" = 400'

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	30.00	S00°18'09"E
L2	377.78	S55°29'49"E
L3	750.14	S47°30'22"E
L4	290.97	S42°23'18"W
L5	155.84	S00°18'23"E
L6	578.42	S89°41'56"W
L7	1297.78	S89°39'27"W



Port of Benton



STRATTON SURVEYING
& MAPPING P.C.

313 NORTH MORAIN STREET
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
www.strattonsurvey.com

1074SK8.DWG	© 2021
DATE: 07/27/21	SH. 1 OF 1
DRAWN BY: DCI	JOB # 1074

RESOLUTION 21-41
A RESOLUTION OF THE PORT OF BENTON, WASHINGTON
TO AUTHORIZE THE EXECUTIVE DIRECTOR TO SUBMIT APPLICATIONS TO
THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION FOR A
LOW INTEREST BUILDING ACQUISITION LOAN

WHEREAS, Port staff have been working with the Washington State Department of Transportation to respond to an opportunity for a revolving loan program;

WHEREAS, the Washington State Department of Transportation has created and opened a Request for Proposals for the revolving loan funding;

WHEREAS, the Community Aviation Revitalization Board (CARB) Loan Program creates a state supported purchase of infrastructure on small airports;

WHEREAS, the Port of Benton as the program/sponsoring lead for the Richland and Prosser Airports, desires to apply for the CARB Program thereby executing the Ports mission to support, grow, and lead economic development opportunities within its district,

NOW THEREFORE, the Port Commission hereby resolves to authorize the Port's Executive Director or her designee to submit responses to the Washington State Department of Transportation for up to \$750,000 at 2% interest in funding for the purchase of existing assets.

DATED AND SIGNED at Richland, Washington September 8, 2021.

Jane F. Hagarty
President

Robert D. Larson,
Vice President

Roy D. Keck,
Secretary

**PORT OF BENTON
PROJECTS AND GRANTS STATUS**

September 2021

	Project	Description	Grants Pursued/Received	Comments
1	Richland Airport Master Plan	Master plan update of Airport	FAA \$400,000 POB \$40,000	JUB is completing cost estimates for the proposed projects and schedule.
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	Inland Asphalt has begun removing asphalt and installaing utilities. Future project includes sidewalks, street lights, and fiber conduits.
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. None were accepted but we continue to submit for potential funding.
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	Century West has begun design work.
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	FAA has provided preliminary approval for this project. Formal grant application has been submitted and we anticipate formal approval shortly.
6	Prosser Airport - Taxilane	East Taxilane Construction	FAA - \$600,854 No Match Required	Construction has begun and the former hangar has been removed.

**PORT OF BENTON
PROJECTS AND GRANTS STATUS**

September 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
8	Infrastructure Investment and Jobs Act Grant Funds	Direct grants for the improvement of public use airports. Specific projects have not yet been identified.	Richland Airport \$1,480,000 Prosser Airport \$ 790,000	Formal approval received, however, we have not received information on the requirements of the grant funds.
9	Innovation Cluster Accelerator Program Application	Washington Dept of Commerce, next evolution of POB, IPZ. Goal to support creation of	State - Up to \$750,000	Application Submitted