

The Port of Benton Commission Meetings are open to the public.

The regular Commission Meeting will be available via Zoom, telephone conference call-in line and in-person. 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:

[portofbenton.com/commission](http://portofbenton.com/commission)

For those unable to access the internet, please call 509-375-3060 by 8 a.m. on January 11, 2023 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.

**PORT OF BENTON  
REGULAR COMMISSION MEETING**

**Agenda**

**8:30 a.m., January 11, 2023**

**3250 Port of Benton Blvd., Richland, WA 99354**

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. CONSENT AGENDA**

1. Approval of Agenda
2. Approval of Minutes from the December 14, 2022 Commission Meeting
3. Approval of Vouchers and Certifications, Including Payroll for Month of December Totaling \$641,353.20
4. Approval of Project Fund Vouchers and Certifications for the Month of December Totaling \$310,994.75

**D. PUBLIC COMMENT**

**E. ITEMS OF BUSINESS**

1. Selection of Port of Benton Commission Officers

2. Economic Development Corporation (EDC): Approval of Minutes from January 12, 2022 EDC Meeting, Selection of Officers
3. Resolution 23-01, A Resolution of the Port of Benton Approving Delegation of Authority for the Executive Director and Her Designees
4. Resolution 23-02, A Resolution of the Board of Commissioners of the Port of Benton Authorizing the Port Executive Director to Sell and Convey Surplus Property with Less Than \$10,000 Value
5. Resolution 23-03, A Resolution of the Port Commission of the Port of Benton Appointing Sara Marshall as the Interim Port Auditor
6. Approval of 2023 Annual Contract for RGW Enterprises
7. Approval of 2023 Annual Contract for Ashley Garza

#### F. INFORMATION REPORTS

1. Grants Update

#### G. COMMISSIONER REPORTS/COMMENTS

#### H. DIRECTOR REPORTS/COMMENTS

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

#### I. EXECUTIVE SESSION: Real Estate and Personnel

#### J. ADJOURNMENT

The next regular Port of Benton Commission meeting will be held on Wednesday, February 8, 2023 at the Port of Benton Commission meeting room located at 3250 Port of Benton Blvd., Richland, WA. Visit [portofbenton.com](https://portofbenton.com) for notices and information.

**PORT OF BENTON  
COMMISSION MEETING MINUTES  
DECEMBER 14, 2022**

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

**PRESENT:** Commissioner Christy L. Rasmussen; Commissioner Roy D. Keck; Commissioner Lori Stevens; Executive Director, Diahann Howard, PPM®; Port Attorney, David Billetdeaux, Public Information Officer, Summers Miya; Director of Finance, Danielle Connor; Director of Marketing, Wally Williams; Director of Facilities & Operations, Ron Branine; Accounting Clerk, Liz Renz; Airport Manager, Quentin Wright; Director of Real Estate, Teresa Hancock; Scott Keller, Community Member

**The following attendees attended via remote communications:** Contract Specialist, Sheri Collins; Senior Accountant, Veronica Serna; Bryan Condon, Century West Engineering; Joshua Lott, Anderson Perry; Ashley Garza, Consultant; Theresa Richardson, City of Richland

The Commission meeting was noticed as required by RCW 42.30.070.

**B. PLEDGE OF ALLEGIANCE:** Commission Secretary, Lori Stevens led those present in reciting the Pledge of Allegiance.

**C. CONSENT AGENDA:**

A motion was made by Commissioner Lori Stevens, seconded by Commissioner Roy Keck, and unanimously passed by the Commission approving the agenda for the December 14, 2022 Commission meeting, approval of minutes from the November 8, 2022 Commission meeting, approval of vouchers and certifications, including payroll, for the month of November totaling \$1,448,592.46, approval of project vouchers and certifications for the month of November totaling \$526,043.81 and approval of Resolution 22-45, to cancel warrant number 080754, in the amount of \$736.90, which was issued with errors.

**D. PUBLIC COMMENT:**

There were no comments from the public.

**E. ITEMS OF BUSINESS**

1. Resolution 22-46, Sale of Real Property – Pacific Green Engineering, LLC – Richland Industrial Center

Director of Real Estate, Teresa Hancock explained that this particular property was previously surplus, but steps were taken to advertise the property.

Hancock explained that the buyer is a current Port tenant, Molecule Works and looking to purchase two acres to construct a 12,000 square foot industrial R&D facility, \$1,000,000+ capital

investment and 10-20 jobs. Hancock added that the subject property is south of the Columbia Energy Services Inc. (Brian Brendel) lot and west of the Port shop on Salk. Hancock stated that the sale price for the land is \$174,240 and construction is expected in 2023.

Hancock added that negotiations to purchase were started prior to the COVID-19 pandemic and temporarily stalled with pre-planning meetings with city departments during transition. Hancock added that the sale entity will be Pacific Green Engineering, LLC, Wei Liu, an existing R&D tenant within the Technology & Business Campus since May 2018.

Hancock stated that conditions related to city-imposed improvements and development review by the Port with the sale closing no later than January 13, 2023.

**A motion was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens, and unanimously passed by the Commission approving Resolution 22-46, the sale of real property \$174,240, to Pacific Green Engineering, LLC in the Richland Industrial Center.**

2. Resolution 22-47, Amendment of the Six-Year Transportation Improvement Program (TIP) – Addition of White Bluff Rail – SR 240 Railroad Signal Replacement Project

Executive Director, Diahann Howard explained that as stated in Resolution 22-47, the Port would like to amend the previously approved Resolution 22-25 to include specifically identifying the White Bluff Rail – SR 240 Railroad Signal Replacement Project as its own separate project due to grant requirements to do so, rather than simply including the overall signal crossing replacement project as currently drafted.

Howard added that an updated map has been provided to the Commission. Howard reminded the Commission that this is the same crossing that was recently hit and parts of the improvement cannot wait six months to complete for safety reasons.

**A motion was made by Commissioner Lori Stevens, seconded by Commissioner Roy Keck, and unanimously passed by the Commission approving Resolution 22-47, approving the amendment of the Six-Year Transportation Improvement Program (TIP) with the addition of the White Bluff Rail – SR 240 Railroad Signal Replacement Project as its own project.**

3. Resolution 22-48, Acceptance of Work Completed by Industrial Constructors, Inc. for the HMiS Buildout Project

Director of Facilities & Operations, Ron Branine stated that the buildout at the 2345 building for tenant, HMiS has been completed by Industrial Constructors, Inc. Branine added that the project cost \$125,800 before tax and \$136,744.60 with Washington state sales tax. Branine added that phase I (warehouse improvements) has been completed and this was a pass-through project.

**A motion was made by Commissioner Lori Stevens, seconded by Commissioner Roy Keck, and unanimously passed by the Commission approving Resolution 22-48, accepting \$136, 744.60 including tax for work completed by Industrial Constructors, Inc. for the HMiS buildout project, phase 1 (warehouse improvements).**

4. Resolution 22-49, Acceptance of Work Completed by Railworks Track Systems, LLC for the Derailment Damage Repair Project

Director of Facilities & Operations, Ron Branine announced that Railworks Track Systems, LLC has completed the work on the 2022 Derailment Damage Repair Project for \$441,123 before tax and \$482,004.95 with Washington state sales tax.

Port Attorney, David Billetdeaux added that he is working to compile all costs and figure out all aspects of the project and will submit for recovery of costs to BNSF, which he expects will be argued. Billetdeaux added that insurance recovery, mediation or arbitration are possible in the future regarding this incident.

**A motion was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens, and unanimously passed by the Commission approving Resolution 22-49, accepting work completed by Railworks Track Systems, LLC for the Derailment Replacement Project.**

5. Revision of Resolution 22-50, Acceptance of Work Completed by Railworks Track Systems, LLC for the Van Giesen/SR 224 and Swift/Cemetery Railroad Crossing Replacement Project

Director of Facilities & Operations, Ron Branine announced that Railworks Track Systems, LLC has completed work on the Van Giesen/Cemetery Swift Railroad Crossing project with the total cost at \$709,947 and \$771,712.39 with Washington state sales tax included.

Branine added that the Port budgeted \$650,000 for this project, but with supply chain issues and skyrocketing material costs, the project was over budget by over \$100k, but the projects look great and are an incredible asset to the Port.

**A motion was made by Commissioner Lori Stevens, seconded by Commissioner Roy Keck, and unanimously passed by the Commission approving Resolution 22-50, accepting work completed by Railworks Track Systems, LLC for the Van Giesen/SR 224 and Swift/Cemetery Railroad Crossing Replacement Project in the amount of \$771,712.39.**

6. Resolution 22-51, Declaring Excess Personal Property Surplus to the Future Needs of the Port and Authorize Selling that Personal Property

Port Attorney, David Billetdeaux explained that Resolution 22-51 covers various rail equipment and parts that are surplus to the Port's needs, including vehicles, locomotive parts, rail car parts, scrap equipment, numerous rail-related equipment or components that are included in Exhibit A of Resolution 22-51 with photos.

Billetdeaux stated that estimated value for the rail-related surplus property is approximately \$100k and added that the Port is not able to use any of the equipment and funds received will be used to put back into the rail system.

**A motion was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens, and unanimously passed by the Commission approving Resolution 22-51, declaring excess personal property surplus to the future needs of the Port and authorize selling that personal property.**

7. Approval of Contract with Desert Green Lawn & Tree Care for January 2023 – December 2024

Director of Facilities & Operations, Ron Branine explained that approval is needed for this two-year contract that is for \$90k per calendar year, for a total of \$180k.

Branine added that Desert Green is responsible for sitewide herbicide, pesticide and insect and

rodent control for two years. Branine added that Desert Green is the current provider and the only change from the previous contract is a \$5k addition.

**A motion was made by Commissioner Lori Stevens, seconded by Commissioner Roy Keck, and unanimously passed by the Commission approving the contract with Desert Green Lawn & Tree Care for January 2023 – December 2024 in the amount of \$180,000.**

#### 8. Performance Review of Executive Director

Port Attorney, David Billetdeaux explained that previously, this review was performed during Executive Session, but the State Auditor's Office would like the reviews completed during open session and asked Executive Director, Diahann Howard to summarize 2022.

Howard emphasized the current strategic plan, which has certain action items that Howard has been focusing on, including having Stop – Start – Continue meetings with each staff member, as well as annual performance reviews. Howard stated that a common comment received throughout these meetings was continued maintenance on facilities, as they represent the Port as a whole and this will remain a high priority item in 2023.

Howard added that other goals included the creation of the finance program, which has already allowed much more clarity and transparency and is in line with the mission statement of the Port.

Howard stated that lease revenue has increased by \$500k and there are 13 new leases in 2022 with more coming in the new year. Howard added that the priority is for revenues to cover G&A costs, and this will continue to be a priority.

Howard added that another common theme in the one-on-one meetings was the request to continue to say no to things that do not reflect the Port mission.

Howard noted that "start" request was to continue to expand hangar sites, which will be much easier with Airport Manager, Quentin Wright now on board.

Howard added that another key priority has been the rail, with hopes to expand and utilize the rail more and establish a short term and long-term operator.

Howard stated that the Port has continued to support small business development, including supported funding for the Small Business Development program via the Hispanic Chamber of Commerce, WSU educational programming for small business and entrepreneurship along with the Clore partnership as well as developing business contracts with small startups, when possible, like recent agreements with Sprout Media and Arc Lens Media. Howard added that the goal is to continue to expand the role of entrepreneurship, including ongoing conversations with WSU related to the Clore Center and recruitment in target sectors.

Howard added that the team remains focused on assets, with the number one asset being the Port team.

Howard reminded the Commission that 2022 has been the biggest number of capital projects in Port of Benton history.

Howard added that 2345 Stevens and 2579 Stevens continue to evolve, but the team is committed to the success of each.

Howard complimented the finance team on their continued success and numerous projects.

Howard stated that Washington VERTical provided a shining light on what the Port can accomplish, and much focus will continue to go to the VERTical mission.

Howard complimented the Port's partners and strong congressional and state support.

Commissioner Keck complimented Howard on the incredible accomplishments made in the last year and stated that he was proud of everything the Port has achieved.

Commissioner Stevens added that this year was the largest amount of capital projects, and it has been incredible to see how smoothly these projects have been completed. Commissioner Stevens added that from the time she was sworn in, she has been so impressed with the caliber of the Port team.

Commissioner Rasmussen stated that she agreed with the previous comments and the caliber of the Port team is unmatched to any other organization she has been a part of and displays great pride when interacting throughout the community and receives praise for Port work, as this Port is recognized throughout the state and nationally as well.

Commissioner Rasmussen added that it is the laser vision through hard work, detail, leadership, projects and budget that make it all happen and all the efforts is much appreciated.

## **F. INFORMATION REPORTS**

### **1. Grants Update**

Executive Director, Diahann Howard stated that just this week she received a request to resubmit a congressional grant request for phase II of the White Bluffs Center, as there is strong support coming of the project.

Howard added that she submitted for a rail grant a few years ago and has learned that the request is now in the top 20 of selected projects, with a possibility of \$5M from the state, bringing total rail grant requests in at approximately \$20M! Howard added that this is a direct result from the September rail caucus hosted by the Port of Benton and Pasco.

## **G. COMMISSIONER REPORTS/COMMENTS**

Commissioner Lori Stevens stated that she recently attended the Joint Energy & Transportation meeting and the AWB Energy Solutions Summit. Commissioner Stevens added that she also attended the Tri-Cities Hispanic Chamber “Hanford Update” luncheon and sat in a public comment session on the proposed wind farm, which received very little support.

Commissioner Stevens added that she attended the Prosser Chamber of Commerce luncheon, who are winding down for the year and preparing for the Community Awards Banquet in January.

Commissioner Stevens stated that she attended the recent Coffee with Karl episode, and the river values update meeting, where it was discussed, that social media will be a major focus going forward and they will build on what they’ve done so far.

Commissioner Roy Keck said he attended the WPPA Annual Meeting, where he chaired the nominating committee meeting. Commissioner Keck added that he is encouraged by the new leadership changes at WPPA and felt that the meeting displayed a good representation of ports from eastern and western Washington. Commissioner Keck added that he looks forward to the upcoming trips to Olympia and WPPA Ports Day.

Commissioner Christy Rasmussen announced that she also attended many of the same meetings noted during the previous Commissioner reports, including the WPPA Annual Meeting, but added that she had the opportunity to attend the recent Intergovernmental meeting with the US Department of Energy on Nuclear Weapons Waste Cleanup in New Orleans. Commissioner Rasmussen added that the

same themes discussed locally, workforce, collaboration, were discussed at this meeting too.

Commissioner Rasmussen stated that there were some beneficial and engaging tabletop group exercises which were very impactful. Commissioner Rasmussen added that she learned that congressional funding means that those funds have been locked in.

## **H. DIRECTOR REPORTS/COMMENTS:**

### **1. AIRPORTS**

Airport Manager, Quentin Wright displayed a PowerPoint presentation about the recently completed electrical replacement project at Richland Airport.

Wright reminded the Commission that the project was a 100% FAA funded \$3.1M project.

Wright pointed out the new MALs, REILs, and runway and taxiway edge lights, in addition to a photo displaying the new wind cone lighting.

Wright stated that the airport now has a remote-controlled lighting receiver and Sierra will put it on top of the control tower. Wright added that the box listens to the same frequency pilots are speaking around the airport, adding that clicking five times will turn on the lights. Wright provided images taken at night when he went up with a local pilot, stating that they tested the receiver from ten miles out and all worked great.

### **2. FACILITIES & OPERATIONS:**

Director of Facilities & Operations, Ron Branine announced that work on the HMiS upstairs office improvements and warehouse work is almost complete.

Branine added that the facilities team has been busy the last several weeks with several snow and ice events. Branine noted that they have moved their salt operations to the 2579 building and are utilizing one of the overhead hoists for safer filling of trucks. Branine added that another 20 tons of ice melt have been ordered and has plans to order another 20 tons after the first of the year.

Branine announced that 70 work orders have been turned in since the November 8 Commission meeting, with an average of approximately 100 work orders a month. Branine stated that the number will fluctuate up and down but will be consistent until the team is able to get ahead of things with the preventative maintenance program.

Branine added that 891 work orders have been entered since September 2021 with 49 open work orders. Branine reminded the Commission that only 50% of the work the team is completing is being tracked through the work order system.

Branine stated that the two new smart parking meters have been installed at Crow Butte Park and are live. Branine shared a view of what the daily parking report will look like. Branine added that new signage is in the works and will be posted at the park, which will better assist guests on where to locate the meters and how to use them.

Branine added that throughout the winter, further cleanup will be performed, including deep cleaning of the buildings and equipment as well as training for new staff.

Branine noted that the team is averaging one critical callout per week that is rail-related, including situations with arms down for no reason, vehicle accidents possibly affecting the track and other miscellaneous items. Branine informed that the Duportail and Steptoe crossings were out of service over the Thanksgiving holiday due to weather, but all crossings are currently up and running normally.



Branine said that the team is still doing general cleanup at the 2579 Stevens rail building but have met with McKinstry to get a timeline and cost for moving forward with the facility assessment. Branine said four 250,000 BTU hanging heaters were installed in the large locomotive bay as the ten in the overall space previously did not work. Branine explained that this particular high bay area must maintain a certain temperature because the sprinkler lines are exposed.

Executive Director Diahann Howard added an update on the rail ties previously approved for purchase from the Commission.

Howard stated that five quotes were received from vendors and the appropriate quote came in at \$98.44 per tie for a total of \$106,905 for 1,000 ties.

Howard asked for a motion to purchase 1,000 ties.

**A motion was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens, and unanimously passed by the Commission approving the purchase of 1,000 ties at \$98.44/tie for a total of \$106,905.**

Howard provided an update on the search for a short line operator, stating that 11 responses were received a four were identified for an interview, with two finalists.

Howard noted that the top two are Omaha and Columbia Rail and additional information has been requested from each.

Howard stated that Columbia Rail currently operates several area rails, including Royal City, Walla Walla, Dayton, Yakima, Morrow County, adding that they have the necessary equipment, materials and 15 existing staff. Howard added that Columbia Rail has offered to invest \$30k of their own funds towards the Port rail with a goal to get the locomotives running. Howard added that they are following up on any concerns and references. Howard stated that Columbia Rail appears to have an experienced staff and good reputation with their customers and throughout the state.

Howard noted that the Port team feels Columbia Rail is the best option for a temporary short line operator and would like a nod from the Commission to move forward with negotiations on a 9-12 month contract. Howard added that the team has met with the City and community partners to share information and provide an update on the process. Howard added that a long term contract process will begin in 9-12 months, but for the short terms feels that Columbia Rail is a good option who have depth in the industry as well as their own resources.

Commissioner Stevens commented that this has felt like a great and efficient process in identifying a short line rail operator.

### **3. REAL ESTATE:**

Director of Real Estate, Teresa Hancock stated that she attended the Association of Washington Business Energy Solutions Summit as well as the Washington State Commercial Real Estate conference in Spokane, which reviewed policy changes and a looming recession, which is making lenders nervous.

Hancock added that lenders are also concerned that infrastructure has not followed new policy related to fossil fuels, greenhouse gases, nuclear and hydrogen, which Hancock added was in line with the AWB event message.

Hancock added that there is a new lease at the 3100 George Washington Way building in the office previously occupied by Savannah River Nuclear Services. Hancock explained that the new lease is for Tri-Cities Testing and will be occupying 906 sf in offices 135-136 across the hall from Molecule

Works. Hancock explained that this is a three-year lease, commencing January 1, 2023, with one three-year option renewal. Hancock added that the base rent will be \$1,311.25 including leasehold excise tax. Hancock added that the financial impact to the Port is \$18,012/year, including pass-through utility fees. Hancock stated that the security deposit is \$1,500- and one-month rent. Hancock added that Tri-Cities Testing offers professional, educational online training.

Executive Director, Diahann Howard added that she recently attended a meeting at the City of Richland regarding the “Targeted Urban Area” (TUA) District, which the Port is in full support of the City’s quest for this label, as it will help with existing expansion in north Richland.

Howard added that she has participated in recent meetings with Atlas and the tribes have expressed an extreme amount of support, as Atlas is in alignment with the target sector of clean energy.

Howard added that the hope is to bring a land lease for 233 acres forward in January or February.

Howard asked the Commission for a motion to move forward with the permitting process on the Atlas Argo project.

**A motion was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens, and unanimously passed by the Commission granting approval to the Executive Director to continue negotiations and complete the documents with Atlas Argo to land lease 233 acres north of Horn Rapids Road in Richland.**

Howard provided an update on the conversations with American Rock, adding that more updates should be expected. Howard added that crews currently are working on the interior, electrical and plumbing of the White Bluffs Center and due to weather, are waiting on paving.

#### **4. MARKETING:**

Public Information Officer, Summers Miya provided a visual presentation highlighting recent projects in the Marketing & Communications department.

Miya stated that two press releases have been sent out in the last month, one to announce the completion of the Richland Airport electrical replacement project and another announcing the hiring of Quentin Wright as Airport Manager.

Miya provided a brief update on the 2022 Entrepreneurial event that took place on November 15 in conjunction with the Richland Rotary weekly meeting. Miya added that the Port nominee was Tirridis and the Research District co-nominated STARS along with Fuse.

Miya featured recent eNews and social media read-through and click-through stats and highlighted recent projects that the Marketing team has been working on, including the Christmas card, building signs, holiday breakfast, 3100 conference room A/V, Walter Clore contracts and A/V, social media, Washington VERTical, upcoming convening event and attending the WPPA Annual Meeting where the Port presented on the importance of stakeholder communications during the Communications Committee meeting.

Miya highlighted draft versions of flyers that Director of Marketing, Wally Williams has created for the upcoming Clean Energy Day in Olympia and a “Fast Facts on Nuclear” infographic flyer.

#### **5. ECONOMIC DEVELOPMENT & GOVERNMENTAL AFFAIRS:**

Executive Director, Diahann Howard stated that the Port will continue to support and work with

Commission Meeting  
December 14, 2022

WPPA on their legislative priorities, adding that Port priorities are the rail. Howard added that the port provided a draft letter regarding thoughts from participation of the Low Carbon Advisory Board to WPPA for consideration.

Howard stated that she has had numerous prospect meetings, including meetings and dinner with Atlas Argo, X-energy, Curio and Framatome.

#### **6. FINANCE DIRECTOR:**

Director of Finance/CPA, Danielle Connor

#### **7. PORT ATTORNEY:**

Port Attorney, David Billetdeaux noted that the architects, engineers and consultant information and document was included in the meeting packet but fell off the agenda and asked for a motion to approve the 2023 roster.

**A motion was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens, and unanimously passed by the Commission approving the selection of architects, engineers and consultants for 2023.**

Billetdeaux added that per the recent WPPA Annual Meeting, he is reviewing the end of the year checklist for Commissioners, adding that this list includes the following: Elected officials elected properly, (yes); interlocal agreements posted to the website, (yes); comp scheme up to date, (yes, annually); open public meeting act trainings current, (yes); delegation of powers, (yes, every January); surplus of items (yes, every January); appointment of SEPA and appointment of auditor, (yes, every January); setting of time and place for meetings, (yes, second Wednesday of the month, unless otherwise posted on website and noticed in paper); officers of Commission rotate, (yes); non-disclosures, which the Port currently does not sign, but stated that many ports are seeing them. Billetdeaux also added that many Commissions are setting Commission goals.

Billetdeaux added that he has a few small items reserved for the Executive Session.

#### **8. EXECUTIVE DIRECTOR:**

Executive Director, Diahann Howard announced that she recently emceed the AWB Energy Solutions Summit, Entrepreneurial Awards event and Festival of Trees.

Howard added that her family is host through the Rotary Exchange program to a student from France.

Howard stated that she recently attended an EMAB meeting and attended the WPPA Annual Meeting, adding that she likes the tone and new direction of the Association. Howard noted that new WPPA Executive Director, Eric Fitch is planning a visit in the first quarter of the new year, so stay tuned for more information regarding that visit.

Howard added that she presented on Washington VERTical to the Department of Commerce, reminding the group that Port of Benton leads Washington VERTical with the goal to accelerate the transition to clean, renewable and non-emitting energy production sources by 2025 through advanced nuclear power technology and VERTical is an international cluster model and is the first of five in the nation.

Howard stated that there are currently eight VERTical project teams with 95 members of the VERTical cluster and 50 Clean Energy Supplier Alliance members.

Howard reviewed the current project teams:

- Facilitating next-generation reactor demonstration and deploying projects

- Growing the advanced clean energy market
- Ready the advanced nuclear skilled trades workforce
- Attract capital for advanced nuclear
- Establish a nuclear quality management national center of excellence
- Coordinate grant partners to leverage state and federal funds
- Educate and advocate for nuclear energy

Howard reviewed VERTical goals for 2023:

- Announce \$2.5B advanced reactor demonstration program location, secure fuels project \$200-\$300M, secure fabrication project \$275M with 300 jobs
- Workforce support
- \$8M - \$10M+ key infrastructure – electric utility/rail/sewer
- Washington State University Tri-Cities announcement of Inst. for NW Energy Futures
- Support future land transfer and assets requests to the Department of Energy

Howard added that VERTical will be hosting a Clean Energy Day presentation in Olympia in January with James Schaefer and Greg Cullen as the speakers. Howard noted that the goal for this event is to talk to leadership and the legislature about goals as well as establish a nuclear caucus at the state level.

Howard added that the team is also planning to host another Clean Energy Convening event in February/March.

**I. EXECUTIVE SESSION:** The regular Commission Meeting was recessed at 10:42 a.m. and an Executive Session was convened at 10:50 a.m. to discuss real estate and personnel matters. It was announced that the Executive Session would take 20 minutes and if any action were required, the Regular Commission Meeting will reconvene and bring forward the item at that time.

**J. ADJOURNMENT:** The Commission meeting reconvened at 11:10 a.m. and a motion was introduced regarding the executive director's salary.

**A motion was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens, and unanimously passed by the Commission approving an amendment of the executive director's compensation and approving an annual salary of \$194,688, with an and additional discretionary of \$22,500 for a total compensation of \$217,188.**

The meeting was adjourned at 11:17 a.m. with an announcement that the next regularly scheduled Commission meeting would be held on Wednesday, January 11, 2023, at 8:30 a.m. and would be held at the Port of Benton Commission meeting room, 3250 Port of Benton Blvd., Richland, Washington.

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Lori Stevens  
Commission Secretary

**Port of Benton, Benton County, Washington  
Voucher Certification and Approval  
for the Month of December 2022**

**General Expenses**

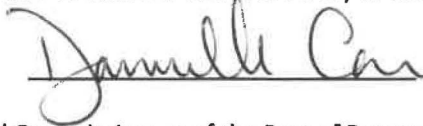
Accounts Payable Warrants #:	80804	-	80942	\$	449,434.69
Electronic Payments:				\$	-
Total General Expenses				\$	<u>449,434.69</u>

**Payroll**

Direct Deposit:				\$	
ACH				\$	111,836.03
Electronic Payments:					
IRS Payroll Tax Deposit				\$	39,373.53
Other Payroll Related Payments				\$	40,708.95
Total Payroll				\$	<u>191,918.51</u>
Total General Expenses and Payroll				\$	<u><u>641,353.20</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 \_\_\_\_\_, 2023.

\_\_\_\_\_

President

\_\_\_\_\_

Vice President

\_\_\_\_\_

Secretary

**Company Name:** Port of Benton  
**Report Name:** Check Register  
**Created On:** 1/4/2023

Bank	Date	Payee	Document No	Amount
<b>BCT MAIN - KeyBank Account No: 6631-6601101</b>				
	12/5/2022	10015--Billetdeaux, David	80804	1,311.08
	12/5/2022	VEN00583--ADVANCE SIGNAL & CONTRACTING	80805	3,913.20
	12/5/2022	VEN00044--BENTON PUD	80806	52.95
	12/5/2022	VEN00075--CASCADE NATURAL GAS CORP	80807	10,631.89
	12/5/2022	VEN00551--CASCADE SIGN & FABRICATION	80808	18,882.28
	12/5/2022	VEN00083--CENTURYLINK	80809	104.50
	12/5/2022	VEN00290--CI-PW, LLC (Paradise Bottled Water)	80810	20.63
	12/5/2022	VEN00105--CONNELL OIL, INC	80811	2,144.10
	12/5/2022	VEN00617--COURTESY CLEANING SERVICES DB	80812	877.43
	12/5/2022	VEN00119--DAY WIRELESS SYSTEMS	80813	369.40
	12/5/2022	VEN00136--DIGITAL IMAGE TRI-CITIES, INC.	80814	712.54
	12/5/2022	VEN00618--DON BARNES	80815	963.55
	12/5/2022	VEN00162--FARMERS EXCHANGE	80816	630.45
	12/5/2022	VEN00009--GEO WAY ACE HARDWARE	80817	26.70
	12/5/2022	VEN00211--INTERMOUNTAIN MATERIALS TESTII	80818	728.75
	12/5/2022	VEN00240--LIFE FLIGHT NETWORK FOUNDATIOI	80819	16.25
	12/5/2022	VEN00258--MOON SECURITY SERVICES, INC	80820	3,880.70
	12/5/2022	VEN00261--MP CONSTRUCTION, INC.	80821	2,932.73
	12/5/2022	VEN00305--POCKETINET COMMUNICATIONS, IN	80822	240.00
	12/5/2022	VEN00352--SMARSH, INC.	80823	1.02
	12/5/2022	VEN00596--THE BLIND GUY OF TRI-CITIES	80824	28,000.03
	12/5/2022	VEN00385--THE HOME DEPOT CRC/GECE	80825	736.90
	12/5/2022	VEN00560--TRI-CITIES HISPANIC CHAMBER OF	80826	25.00
	12/5/2022	VEN00377--TRI-CITY AREA JOURNAL OF BUSINE	80827	1,850.00
	12/5/2022	VEN00444--WASHINGTON STATE DEPT OF LABO	80828	294.40
	12/5/2022	VEN00444--WASHINGTON STATE DEPT OF LABO	80829	372.00
	12/8/2022	10027--Renz, Elizabeth	80830	233.98
	12/8/2022	10007--Keck, Roy	80831	308.74
	12/8/2022	10012--Hancock, Teresa	80832	727.58
	12/8/2022	10010--Serna, Veronica	80833	1,648.95
	12/8/2022	VEN00024--AMERIGAS PROPANE LP	80834	1,422.93
	12/8/2022	VEN00044--BENTON PUD	80835	2,129.67
	12/8/2022	VEN00069--BRUTZMAN'S INC	80836	65.63
	12/8/2022	VEN00107--COOK'S ACE HARDWARE	80837	53.20
	12/8/2022	VEN00113--CROWN PAPER & JANITORIAL INC.	80838	824.25
	12/8/2022	VEN00582--DAVINA ARNOLD	80839	572.25
	12/8/2022	VEN00175--FRONTIER FENCE, INC.	80840	2,766.42
	12/8/2022	VEN00009--GEO WAY ACE HARDWARE	80841	247.37
	12/8/2022	VEN00419--GRAINGER	80842	23.75
	12/8/2022	VEN00196--HARBOR FREIGHT TOOLS, INC.	80843	105.27
	12/8/2022	VEN00380--MCCLATCHY COMPANY	80844	856.95
	12/8/2022	VEN00258--MOON SECURITY SERVICES, INC	80845	14,825.84

12/8/2022	VEN00619--NORMA WATERS TRUSTEE	80846	1,632.23
12/8/2022	VEN00326--RGW ENTERPRISES P.C. INC	80847	20,580.00
12/8/2022	VEN00330--ROSS JAMES PHOTOGRAPHY	80848	315.88
12/8/2022	VEN00536--SPECK CHEVROLET BUICK OF PROSSER	80849	89.05
12/8/2022	VEN00581--TERRY ARNOLD	80850	1,750.00
12/8/2022	VEN00532--VIC'S AUTO PARTS & SUPPLY	80851	51.57
12/8/2022	VEN00440--WASHINGTON PUBLIC PORTS ASSOCIATION	80852	150.00
12/8/2022	VEN00439--WOOD'S NURSERY & GARDEN STORE	80853	95.99
12/8/2022	VEN00449--ZIPLY FIBER	80854	538.10
12/15/2022	VEN00012--AFLAC	80855	603.11
12/15/2022	VEN00044--BENTON PUD	80856	984.55
12/15/2022	VEN00053--BENTON RURAL ELEC ASSOCIATION	80857	611.77
12/15/2022	VEN00069--BRUTZMAN'S INC	80858	26.60
12/15/2022	VEN00597--BUSINESS RADIO INC	80859	1,265.19
12/15/2022	VEN00075--CASCADE NATURAL GAS CORP	80860	1,634.87
12/15/2022	VEN00469--CENTURY WEST ENGINEERING CORP	80861	37,974.81
12/15/2022	VEN00290--CI-PW, LLC (Paradise Bottled Water)	80862	21.72
12/15/2022	VEN00052--CITY OF BENTON CITY	80863	100.60
12/15/2022	VEN00071--CITY OF PROSSER	80864	5,569.94
12/15/2022	VEN00077--COLUMBIA BASIN IT	80865	2,758.26
12/15/2022	VEN00105--CONNELL OIL, INC	80866	2,120.03
12/15/2022	VEN00131--DESERTGREEN LAWN & TREE CARE	80867	842.44
12/15/2022	VEN00143--DSD BUSINESS SYSTEMS	80868	1,200.00
12/15/2022	VEN00602--FRED C. STRICLAND & ASSOCIATES	80869	3,000.00
12/15/2022	VEN00540--GLACIER SUPPLY GROUP, LLC	80870	223.30
12/15/2022	VEN00229--KELLEY'S TELE-COMMUNICATION, INC	80871	144.11
12/15/2022	VEN00510--LIFESECURE INSURANCE COMPANY	80872	2,295.33
12/15/2022	VEN00542--MCCORMACK CONSULTING, LLC	80873	4,550.00
12/15/2022	VEN00620--MIKE DONOVAN	80874	671.15
12/15/2022	VEN00334--SANITARY DISPOSAL, INC.	80875	1,454.40
12/15/2022	VEN00298--TRI-CITY COMPUTER CONSULTING LLC	80876	2,065.28
12/15/2022	VEN00399--TRIDEC, INC.	80877	2,083.37
12/15/2022	VEN00402--UNDERGROUND CREATIVE, LLC	80878	200.00
12/15/2022	VEN00404--UNITED WAY OF BENTON/FRANKLIN	80879	121.67
12/15/2022	VEN00414--VERIZON	80880	1,551.71
12/15/2022	VEN00449--ZIPLY FIBER	80881	777.04
12/15/2022	10006--Howard, Diahann	80882	1,377.17
12/15/2022	10010--Serna, Veronica	80883	248.28
12/15/2022	10013--Williams, Wallace	80884	993.65
12/29/2022	10026--Stevens, Lori	80885	227.06
12/29/2022	10020--Miya, Summers	80886	566.71
12/29/2022	VEN00006--ABADAN, INC	80887	30.98
12/29/2022	VEN00583--ADVANCE SIGNAL & CONTRACTING INC	80888	4,076.25
12/29/2022	VEN00024--AMERIGAS PROPANE LP	80889	3,495.42
12/29/2022	VEN00029--ARCHIBALD & COMPANY ARCHITECT	80890	3,405.63
12/29/2022	VEN00624--ATKINS NUCLEAR SECURE HOLDING	80891	1,691.20
12/29/2022	VEN00044--BENTON PUD	80892	554.76

12/29/2022	VEN00059--BENTON-FRANKLIN HEALTH DEPT	80893	150.00
12/29/2022	VEN00007--BLUEROOM	80894	254.00
12/29/2022	VEN00075--CASCADE NATURAL GAS CORP	80895	17,756.23
12/29/2022	VEN00534--CASTLE EVENT CATERING	80896	975.04
12/29/2022	VEN00083--CENTURYLINK	80897	212.44
12/29/2022	VEN00321--CI INFORMATION MANAGEMENT	80898	46.43
12/29/2022	VEN00290--CI-PW, LLC (Paradise Bottled Water)	80899	30.40
12/29/2022	VEN00071--CITY OF PROSSER	80900	538.38
12/29/2022	VEN00089--CITY OF RICHLAND	80901	27,314.19
12/29/2022	VEN00105--CONNELL OIL, INC	80902	2,771.12
12/29/2022	VEN00107--COOK'S ACE HARDWARE	80903	32.57
12/29/2022	VEN00131--DESERTGREEN LAWN & TREE CARE	80904	10,420.50
12/29/2022	VEN00136--DIGITAL IMAGE TRI-CITIES, INC.	80905	176.64
12/29/2022	VEN00149--EFC EQUIPMENT FEED PET SUPPLY	80906	58.50
12/29/2022	VEN00151--ELECTRICAL UNLIMITED, INC	80907	837.56
12/29/2022	VEN00161--EXPRESS SERVICES, INC.	80908	3,558.84
12/29/2022	VEN00166--FERGUSON ENTERPRISES, INC.	80909	6.85
12/29/2022	VEN00009--GEO WAY ACE HARDWARE	80910	184.70
12/29/2022	VEN00200--HDR ENGINEERING, INC	80911	1,837.72
12/29/2022	VEN00588--IC CONSULTING CORPORATION	80912	8,370.00
12/29/2022	VEN00492--INLAND ASPHALT COMPANY	80913	29,884.89
12/29/2022	VEN00291--KENNEWICK RANCH AND HOME	80914	94.55
12/29/2022	VEN00233--KONE INC.	80915	2,955.78
12/29/2022	VEN00584--MARTIN BUSINESS SYSTEMS	80916	676.20
12/29/2022	VEN00380--MCCLATCHY COMPANY	80917	2,108.95
12/29/2022	VEN00261--MP CONSTRUCTION, INC.	80918	60,703.78
12/29/2022	VEN00265--NORTHWEST AQUATIC ECO-SYSTEM	80919	725.00
12/29/2022	VEN00272--NORTHWEST RENTALS	80920	24.02
12/29/2022	VEN00297--PERSONAL TOUCH CLEANING, INC.	80921	16,656.87
12/29/2022	VEN00301--PITNEY BOWES, INC	80922	195.66
12/29/2022	VEN00306--PROMINENCE PUBLIC RELATIONS	80923	4,590.00
12/29/2022	VEN00295--PROSSER ECON DEV ASSOCIATION	80924	12,500.00
12/29/2022	VEN00315--PURCHASE POWER	80925	500.00
12/29/2022	VEN00317--RAILWORKS TRACK SYSTEMS	80926	8,152.50
12/29/2022	VEN00337--SCALES NW LLC	80927	776.12
12/29/2022	VEN00352--SMARSH, INC.	80928	3.06
12/29/2022	VEN00363--STONEWAY ELECTRIC SUPPLY INC	80929	148.01
12/29/2022	VEN00365--STRATTON SURVEYING & MAPPING	80930	140.00
12/29/2022	VEN00369--SUNWEST SPORTSWEAR	80931	323.16
12/29/2022	VEN00385--THE HOME DEPOT CRC/GECF	80932	3,683.15
12/29/2022	VEN00346--THE SHERWIN-WILLIAMS CO.	80933	49.85
12/29/2022	VEN00394--TREASURE VALLEY COFFEE	80934	77.20
12/29/2022	VEN00376--TRI-CITY REGIONAL CHAMBER	80935	210.00
12/29/2022	VEN00410--USDA APHIS	80936	1,640.54
12/29/2022	VEN00532--VIC'S AUTO PARTS & SUPPLY	80937	143.47
12/29/2022	VEN00418--VIVA PUBLISHING, LLC	80938	1,000.00
12/29/2022	VEN00358--WASHINGTON STATE AUDITOR'S OF	80939	696.60



12/29/2022	VEN00615--WASHINGTON WINEGROWERS ASSC	80940	1,000.00
12/29/2022	VEN00447--YAKIMA HERALD-REPUBLIC	80941	570.40
12/29/2022	VEN00449--ZIPLY FIBER	80942	420.38
12/2/2022	VEN00215--INTERNAL REVENUE SERVICE	12022022	3,137.06
12/9/2022	VEN00215--INTERNAL REVENUE SERVICE	12092022	18,753.40
12/22/2022	VEN00215--INTERNAL REVENUE SERVICE	12222022	17,483.07
12/28/2022	VEN00239--WASHINTGON STATE DEPT OF REVE	B&O11-2022	1,552.21
12/6/2022	VEN00215--INTERNAL REVENUE SERVICE	CP160	239.16
12/12/2022	VEN00122--DEPT OF RETIREMENT SYSTEMS	DCP1123222	4,488.83
12/22/2022	VEN00122--DEPT OF RETIREMENT SYSTEMS	DCP120922	3,766.64
12/30/2022	VEN00122--DEPT OF RETIREMENT SYSTEMS	DCP122222	2,509.46
12/9/2022	VEN00268--NATIONWIDE RETIREMENT SOLUTIC	NW120922	2,287.82
12/29/2022	VEN00268--NATIONWIDE RETIREMENT SOLUTIC	NW122222	2,296.88
12/13/2022	VEN00122--DEPT OF RETIREMENT SYSTEMS	PERS09-22	83.51
12/21/2022	VEN00122--DEPT OF RETIREMENT SYSTEMS	PERS112022	23,484.44
<b>Total for BCT MAIN</b>			<b>529,517.17</b>

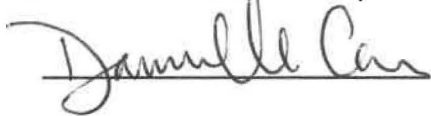
**Port of Benton, Benton County, Washington  
Voucher Certification and Approval  
for the Month of December 2022**

**Project Fund**

Accounts Payable Warrants #	900047	-	900049	\$	310,994.75
Electronic Payments				\$	-
Total Project Fund Expenses				\$	<u>310,994.75</u>
Total Project Fund Expenses				\$	<u><u>310,994.75</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 \_\_\_\_\_, 2023.

\_\_\_\_\_

President

\_\_\_\_\_

Vice President

\_\_\_\_\_

Secretary

# Port of Benton Check Register

Date	Payee	Document No	Amount Cleared
	<b>Bank: BCT PROJECT - KeyBank National Association</b>	<b>Account No: 6634-6601401</b>	
12/05/2022	VEN00211-INTERMOUNTAIN MATERIALS TESTING	900047	888.75 In Transit
12/08/2022	VEN00326-RGW ENTERPRISES P.C. INC	900048	1,080.00 In Transit
12/29/2022	VEN00578-BOOTH AND SONS CONSTRUCTION INC	900049	309,026.00 In Transit
	<b>Total for BCT PROJECT</b>		<b><u>310,994.75</u></b>

**AGENDA**  
**PORT OF BENTON**  
**ECONOMIC DEVELOPMENT CORPORATION BOARD MEETING**  
**January 11, 2023**  
**8:35 a.m.**  
**3250 Port of Benton Boulevard**  
**Richland, Washington**

- A. Call to Order
- B. Approval of January 12, 2022, Port of Benton Economic Development Corporation Board Meeting Minutes
- C. Selection of Officers for 2023
- D. Adjournment

**PORT OF BENTON  
ECONOMIC DEVELOPMENT CORPORATION  
MEETING MINUTES  
January 12, 2022**

- A. CALL TO ORDER:** The meeting was called to order at 8:48 a.m. at the Port of Benton Commission Meeting Room, 3250 Port of Benton Blvd., Richland, WA

**PRESENT:** Commissioner Christy Rasmussen; Commissioner Roy Keck; Commissioner Lori Stevens; Executive Director, Diahann Howard, PPM®; Port Attorney, David Billetdeaux; Executive Administrator, Summers Miya; Aaron Stevens, Jessup Stevens, Wyatt Stevens, Weston Stevens, Kristeen Miller

The following attendees attended via remote communications: Director of Finance/CPA, Danielle Connor; Director of Real Estate, Teresa Hancock; Director of Marketing, Wally Williams; Contract Specialist, Sheri Collins; Director of Facilities & Operations, Ron Branine; Roger Wright, RGW Enterprises; Senior Accountant, Veronica Serna; Director of Economic Development & Governmental Affairs, Miles Thomas; Community Member, Gareth Nisbett; Community Member, Richard Whitney; Community Member, Dennis Nichols; Tri-Cities Area Journal of Business, Wendy Culverwell; Century West Engineering, Bryan Condon; James Stevens

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

- B. APPROVAL OF MINUTES:**

**A motion was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens and unanimously passed by the Commission approving the January 12, 2022, Economic Development Corporation (EDC) minutes.**

- C. SELECTION OF OFFICERS:**

As required by the Port of Benton EDC bylaws, an annual board meeting would be held on this date. **A motion was made by Commissioner Lori Stevens, seconded by Commissioner Roy Keck and unanimously passed by the Commission approving the EDC officers for 2022: President, Christy L. Rasmussen; Vice President, Roy D. Keck and Secretary, Lori Stevens**

**D. ADJOURNMENT:** The EDC meeting was adjourned at 8:50 a.m.

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Lori Stevens, Secretary  
Port of Benton  
Economic Development Corporation

## **RESOLUTION NO. 23-01 DELEGATION OF AUTHORITY**

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

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

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

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

**WHEREAS**, the Port Commission now wishes to provide an updated master policy directive on the administrative authority of the Executive Director and her designees, and to repeal any prior resolutions dealing with the same subject.

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

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

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

**ADOPTED** by the Commission of the Port of Benton this January 11, 2023, at Richland, Washington and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof.

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Roy D. Keck, President

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Lori Stevens, Vice President

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Christy L. Rasmussen, Secretary

## **EXHIBIT "A" TO RESOLUTION NO. 23-01**

### **Port of Benton**

#### **COMMISSION POLICY DIRECTIVE**

#### **AUTHORITY OF EXECUTIVE DIRECTOR AND DESIGNEES**

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

The Commission is responsible for setting policy and direction for all Port business. It does so by annually adopting a budget and, from time to time, adopting other policy-setting documents. Within the general scope of and in conformance with the direction established by such documents and with the exception of the limitations identified in the specific policies which follow, the Executive Director shall be responsible for the operation, maintenance, administration and use of the Port's properties and facilities; the development of industrial districts; the implementation of construction work and alterations and improvements to the Port's real estate and physical facilities and necessary planning incidental thereto; the administration of the day-to-day operations which include personnel administration (salary and benefit matters including the fixing of wages and benefits within overall budgetary guidelines, task and project assignments, hiring, firing, training, grievance procedures, employee enrichment and improvement, etc.); execution of contracts; the delivery of services essential to the Port's mission; financial and accounting related matters; legal matters and all other administrative matters. Further, Executive Director is hereby authorized to publish notice of any and all public hearings which are required by law or are necessary for Port Commission action. Except as may be prohibited by state law, all delegations described herein with monetary limitation shall be automatically adjusted at the beginning of each year to conform with the preceding years, etc.

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



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

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

**I. REAL PROPERTY AGREEMENTS**

**A Types of Agreements**

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

**B. General Real Property Agreement Policy**

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

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

**C. Real Property Agreement Procedures**

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

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

## **II. REAL PROPERTY AGREEMENT SECURITY AND INSURANCE**

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

- A. Where the Agreement is not in default, to release any Agreement Security where an adequate substitute security has been provided.
- B. To approve any Agreement Security or insurance submitted in fulfillment of the requirements of any Agreement, including substitute or replacement coverage for any terminated bond or other Agreement Security.

- C. To approve any substitute or modification of insurance, and to release any insurance company when substitute or replacement insurance coverage has been provided.

### **III. REAL PROPERTY TRANSACTIONS**

- A. When the Port Commission authorizes the acquisition of real property by negotiated purchase or condemnation, the Executive Director shall take all necessary steps, including appraisals, to secure title of such property for the Port. The acquisition price of individual properties (or ownerships) shall in no case exceed the Port's appraisal without further specific Commission approval. When several parcels are authorized for purchase by the Port Commission, the total price paid for all such properties shall not exceed the Port's appraisal without further specific Commission approval.
- B. When the Port Commission authorizes the sale of Port real property, the Executive Director shall be empowered to take all necessary administrative steps including the acquisition of appraisals in order that execution of the conveyance instrument by the Commission may occur. After execution of the instrument by the Commission, the Executive Director is authorized to take any and all other necessary steps, including delivery, to finalize the sale.
- C. The Executive Director is authorized to enter into Non-Disclosure Agreements ("NDAs") to the extent permitted by law in order to provide for the furtherance of the public good in regards to price, technical information, business information, and other competitive real property features in negotiations with entities seeking to do business with the Port.

### **IV. CONTRACTS FOR PERFORMANCE OF WORK**

- A. Contract Awards for Construction and Maintenance
  - 1. The Executive Director may, without prior Commission approval, execute on its behalf small works roster contracts where the total estimated contract price does not exceed One Hundred Fifty Thousand Dollars (\$150,000), the work is within Capital Budget authorized limits, and so long as all statutory procedures are followed.
  - 2. The Executive Director may, without Port Commission approval, prepare plans and specifications, issue notices calling for bids, award and accept contracts for work where the total estimated contract price does not exceed Fifty Thousand Dollars (\$50,000), provided that all requirements of R.C.W. 53.08.120-135 are met, and the work is within authorized Capital Budget limits. Change order amounts are at the discretion of the Executive Director,

provided they do not increase the adjusted contract to an amount in excess of \$50,000. If the project scope varies from the Commission approved Capital Budget, it will be brought before the Commission before obligation of any funds.

3. On contracts for work exceeding One Hundred Fifty Thousand Dollars (\$150,000), Commission approval shall be required prior to the preparation of plans and specifications for such work. Request for authorization to prepare plans and specifications shall include an estimate as to the total cost of the work. Upon completion of plans and specifications, the Executive Director is authorized to publish notice calling, for bids. Award of contract will be made with Commission approval unless there is a time constraint. In the event of a time constraint, Commission approval for award by the Executive Director will be requested in connection with the request for authorization to prepare plans and specifications. If an award is to be made to other than the lowest responsible bidder; if there is a material deviation from the Port's General Conditions; or if the bid is in dispute, Port Commission approval shall be sought prior to the award. Port Commission approval shall be required for the rejection of all bids.
4. When any emergency shall require the immediate execution of a contract for work, the Executive Director, pursuant to the procedures of R.C.W. 39.04.020 (as it may be amended or succeeded), is authorized to make a finding of the existence of such emergency and execute any contracts necessary to respond to the existing emergency, provided that the Executive Director shall, at the first Port Commission meeting following the Executive Director's finding of the existence of an emergency, request Port Commission ratification of the finding of emergency and any contracts awarded and/or executed pursuant to that finding.

#### B. Change Orders

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

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

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

#### C. Reports

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

### V. UTILIZATION OF PORT CREWS

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

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

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

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

## **VII. REIMBURSABLE SERVICES**

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

## **VIII. ARCHITECTURAL, ENGINEERING, AND TECHNICAL SERVICES**

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

## **IX. PROFESSIONAL AND CONSULTANT SERVICES**

Except as provided in Section VIII of this Exhibit A, the Executive Director shall be responsible for obtaining professional and consultant services where deemed necessary in carrying out normal Port operations and provided all applicable legal requirements are met. The Executive Director may arrange for such services where the estimated cost of the proposed service does not exceed the amount of Fifty Thousand Dollars (\$50,000), provided all such arrangements shall be reported to the Port Commission monthly.

## **X. LEGAL SERVICES AND OTHER REPRESENTATION**

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

### **A. Legal Services**

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

### **B. Engagement of Other Representatives**

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

### **C. Engagement of Experts**

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

### **D. Settlement**

Unless otherwise specified herein any matter which is the subject of litigation may be compromised and settled by the Executive Director provided that the settlement amount does not exceed .1% of the Port's estimated current year gross operating

revenues and that the Port Counsel shall certify to the Executive Director that such compromise and settlement is justified on the basis of the following:

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

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

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

- A. For purposes of this section, "Claim" shall mean the assertion of any position, right or responsibility by or against the Port, but not including (1) accounts receivable to the extent covered in Section XII, or (2) claims asserted by or against the Port which have become the subject of litigation as defined in Section X above.
- B. No claims against the Port shall be considered unless and until proper notice has been served by the claimant upon the Port.
- C. Any individual claim which exceeds .1% of the Port's estimated current year gross operating revenues may be processed in all respects (except for final approval and payment) by the Executive Director and Port Counsel. No



such claims shall be submitted for approval to the Port Commission until a tentative agreement has been reached with the parties concerned for settlement. Claims which in the opinion of the Executive Director may exceed .1% of the Port's estimated current year gross operating, revenues shall be reported to the Port Commission promptly.

- D. Any single claim not exceeding .1% of the Port's estimated current year across operating revenues may be adjusted and settled and paid by the Executive Director provided that all of the following conditions are met:

1. The Port Counsel shall certify to the Executive Director that payment of the claim is justified on the basis of the following:

a. Claims filed against the Port:

- i) a substantial likelihood that the Port is or could be found liable; or
- ii) the likelihood that a judgment rendered in the case would be in the amount claimed, or higher than the amount claimed or that there is reasonable cause to believe that there is considerable exposure of liability for the Port;
- iii) the likelihood that the expenses involved in litigation would be unnecessarily high in relation to the amount claimed, or the likely result.

b. Claims filed on behalf of the Port:

- i) that the determination to settle the claim outweighs the risk of resorting to litigation;
- ii) that the settlement of the claim would provide prompt payment to the Port and eliminate extensive delays;
- iii) the proposed offer of settlement is reasonable in light of the claim asserted.

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

## **XII. ADJUSTMENT AND WRITE-OFF OF ACCOUNTS RECEIVABLE**

The Executive Director is authorized to establish procedures to (1) make adjustments to accounts receivable for valid business reasons which do not constitute a gift of public

funds, or (2) to write off any uncollectible account which does not exceed .05% of the Port's estimated current year gross operating revenues.

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

### **XIII. INVESTMENT OF TEMPORARILY IDLE PORT FUNDS**

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

### **XIV. INSURANCE PROGRAMS**

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

### **XV. TRADE DEVELOPMENT PROGRAMS**

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

development and promotion shall be reviewed by the Port Commission from time to time so it may be informed as to chances which occur.

## **XVI. ISSUANCE OF TARIFFS**

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

## **XVII. RULES AND REGULATIONS**

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

## **XVIII. AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT**

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

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

The Executive Director is authorized to approve travel by employees and/or other authorized representatives of the Port in accordance with the established travel policy in order to effectuate necessary normal Port operations, provided that reimbursable personal travel expenses for an individual trip shall not exceed Five Thousand Dollars (\$5,000) within the continental United States or Ten Thousand Dollars (\$10,000) internationally, and provided that the Commission shall be advised monthly of major travel made by Port staff.

International trade missions will receive Port Commission review and approval.

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

## **XX. SALE OF PERSONAL PROPERTY**

The Executive Director is authorized pursuant to R.C.W. 53.08.090 to sell and convey surplus personal property of the Port pursuant to the requirements of R.C.W.

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

## **XXI. BANKING SERVICES**

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

## **XXII. AUTHORIZATION OF EXPENDITURES**

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

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

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

## **RESOLUTION 23-02**

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

**WHEREAS**, the Board of Commissioners of Port of Benton met this 11<sup>th</sup> day of January, 2023, a quorum of the Commissioners being present; and

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

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

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

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

**BE IT FURTHER RESOLVED** that this resolution shall be in force for one calendar year and shall expire on January 10<sup>th</sup>, 2024.

**DATED AND SIGNED** at Richland, Washington this 11<sup>th</sup> day of January, 2023.

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Roy D. Keck, President

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Lori Stevens, Vice President

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Christy L. Rasmussen, Secretary

**RESOLUTION 23-03**

**A RESOLUTION APPOINTING A PORT AUDITOR**

**WHEREAS**, it is a statutory requirement that a Port Auditor be appointed by the Port Commission, and

**WHEREAS**, it is a statutory requirement that all claims be audited and all disbursements be approved by the Port Auditor, and

**WHEREAS**, it is the desire of the Port Commission to re-organize the accounting and auditing functions,

**NOW, THEREFORE BE IT RESOLVED THAT:** Sara Marshall, interim Director of Finance, is hereby designated as Interim Port Auditor effective January 11, 2023 and is directed to perform the functions and duties required by statute of the Port Auditor, and Veronica Serna, Senior Accountant, is hereby appointed as Deputy Auditor effective January 11, 2023.

**FURTHER**, that the Commission wishes to express their sincere appreciation to Danielle Connor for her years of service as Director of Finance and Port Auditor and wishes her the best in her new position.

**DATED AND SIGNED** at Richland, Washington this 11<sup>th</sup> day of January, 2023.

\_\_\_\_\_  
Roy D. Keck, President

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Lori Stevens, Vice President

\_\_\_\_\_  
Christy L. Rasmussen, Secretary

## Summary of Work in December 2022

Work performed in December exceeded contracted hours. Additional services were requested to facilitate future development of North Horn Rapids Industrial Park and provide site consultation for prospective buyer Atlas Astro.

Services include site and conveyance research, meetings and pre planning development discussions for the recently conveyed site for North Horn Rapids Industrial Park. As part of this research, DOE data was acquired and interpolated into the Port of Benton's Spatial Data Base. The data consisted of locations of monitoring wells and their unique identifiers on the subject property. Research was done to locate and depict easements, asbuilts and mapping of the existing 36" irrigation pipeline along Horn Rapids Road. Site research also requires title review and depiction of encumbrances on the land. Continued mapping and research of this site is important its development. I provided service that required that analyze and depict those encumbrances.

A large number of maps and documents were found in the vault at the 2759 Stevens building, I provided assistance retrieving, scanning and indexing those maps. I continue to provide service archiving and indexing Port of Benton maps and data, as this continues to be a priority for the Port of Benton.

Additionally, as part of the Port of Benton's sale to DAMI I reviewed title and prepared an exhibit to assist in that land transfer. This service included review and depiction of exception B items that were reflected on title.

Ashley Garza, PLS, CWRE  
**IC Consulting Corporation**  
President  
5440 Hershey Lane  
West Richland, WA 99353  
509-901-8753

**PORT OF BENTON  
PROJECTS AND GRANTS STATUS**

January 2023

	Project	Description	Grants Pursued/Received	Comments
1	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	Working on re-scoping the project to bring it into budget. Likely to install street lights late summer 2023.
2	Richland Airport - Airfield Signage and Lights (PH1)	Replace Airfield Signs, Replace runway lights on RW 8/26 & 1/19 MIRL - <b>CONSTRUCTION</b>	FAA - \$3,200,000 No Match Required	<b>Construction is nearly complete. Lights on both runways should be on by Nov 10th. PAPI's and emergency generator aren't not planned to be delivered for several months.</b>
3	Innovation Cluster Accelerator Program Application	Washington Dept of Commerce, next evolution of POB, IPZ. Goal to support creation of clean energy industry lead alliance.	State - \$400,000	Annual Report Submitted, grant ends Oct 2023
4	Infrastructure Investment and Jobs Act - Grant Funds	Direct grants for the improvement of public use airports.	Richland Airport \$1,480,000 Prosser Airport \$ 790,000	Still waiting on formal approval and information on use of funds.
5	Community Aviation Revitalization Board (CARB)	WSDOT funding to allow the Port of Benton to acquire existing hangars that are near the end of their long term leases and are located within the area in the Master Plan shown for removal.	WSDOT \$750,000 CARB Low interest 20 year loan with initial payment is due in 2026. Interest rate is 2% and hangar revenues cover debt service. Project at Richland Airport	<b>Appraisal completed. Still waiting on proposals from Hangar owners.</b>



**PORT OF BENTON**  
**PROJECTS AND GRANTS STATUS**

January 2023

	Project	Description	Grants Pursued/Received	Comments
6	National Highway Freight Program (WSDOT portion)	SR 240 rail signal and crossing reconstruction. City of Richland and Port of Benton are jointly submitting on this project. City will be installing a bike/ped path on north side of crossing. WSDOT is planning on widening SR 240 from bypass highway to Hagen Rd.	WSDOT \$865,000 POB \$135,000	<b>Project delayed slightly due to program funding requirements and amended 6 Year TIP. Construction likely to take until spring of 2024.</b>
7	Washington State Department of Transportation Aviation Division - Airport Grants	Environmental Sustainability Grants. Grant provides for purchasing electric ground support equipment.	WSDOT \$50,000 Local Match - \$2,500	Working on an application to purchase electric aircraft handling equipment.
8	Railroad Improvements - FRAP grant	Provide grant funding of railroad crossings, ties and rail	FRAP - \$1,000,000 POB \$250,000	<b>Application submitted moving forward, however, funding unknown until end of legislative session along with other State rail funding.</b>
9	Consolidated Rail Infrastructure & Safety Improvement (CRISI)	"White Bluffs Rail" remaining crossings, ties, panels and rail	\$5-\$8M project 80%Fed/20%POB Match	<b>Application Submitted</b>
10	White Bluffs Center, Phase II	White Bluffs Center Phase II	Congressional request submitted \$7.5M	<b>Application Submitted</b>

**PORT OF BENTON**  
**PROJECTS AND GRANTS STATUS**

January 2023

11	Washington State Department of Commerce Industrial Site Readiness	Per permitting, gravel, lighting and fencing submitted	\$500,000 state POB match \$1,000,000	Application submitted, <b>not selected item will be removed from the list next month</b>
12	<b>Washington State Department of Commerce- Evergreen Manufacturing Growth Grant</b>	Industrial Innovation Cluster Organizations-strategic assistance	\$200-\$400K match preferred but not required	Working on review with partners and other clusters groups



## 2023 Legislative Priorities

**High Priority Issues** The following are top legislative priorities and objectives for the Port of Benton in 2023.

### FEDERAL

1. **Rail request \$8M total \$10.4M project** – The Port of Benton has submitted to CRISI for rail, ties and crossing replacement.
2. **White Bluffs Center phase 2 request \$7.5M** – The Port has submitted a Congressional request. Phase 1 of the project to be completed April 2023.
3. **Manhattan National Park** - The Port supports key improvements necessary to secure the future of the park from building renovations, SR240 improvements to wayfinding efforts.

### STATE

1. **Port FRIB/FRAP grant/loan** request within current WSDOT request.
2. **Support FMSIB budget request** that includes Port of Benton rail project
3. **Support Railroad Infrastructure Modernization Tax Credit** incentivize maintenance, preservation, and new investment in rail infrastructure. For ports, tax preferences to exempt sales and use tax for Class II and Class III owners and operators.
4. **Support TIF Real Property Definition** to correct language to allow port districts to retain ownership of property within a TIF zone.
5. **Support ICAP Trade Supply Chain Alignment** expansion of program to identify barriers with Washington's maritime industries and trade

**Washington VERTICAL** is a state Innovation Cluster Acceleration Program (ICAP) administered by the Port of Benton- accelerating the transition to clean, renewable and non-emitting energy production sources by 2025 through **advanced nuclear power technologies**.

**VERTical Advocacy and Education** project team supports the following bills:

1. **Nuclear Workforce Development** -
2. **Manufacturing and B&O Tax Incentive** -include text to recognize CETA.
3. **Space Nuclear**

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Contact Information:

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