

**Port of Pasco Commission**  
**Minutes of Regular Meeting of Port Commission**  
*Held remotely and in person with Public Access*  
*Port of Pasco, 1110 Osprey Pointe Blvd., Ste. 201, Pasco, WA 99301*  
*April 14, 2022 | 10:30 a.m.*

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**CALL TO ORDER**

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Commissioner Gordon called the meeting to order at 10:30 a.m., the meeting was attended in person and remotely via Zoom with Public Access through call in to 1-301-715-8592, meeting ID 6676918983, and in person, with standards and guidelines set forth by the Governor's Office.

**Present:** Commissioner Vicki Gordon, Commissioner Jean Ryckman, Commissioner Jim Klindworth, Executive Director Randy Hayden, Port Attorney Heidi Ellerd, Airport Director Buck Taft, Deputy Airport Director Don Faley, Finance Director Donna Watts, Director of Properties Mayra Reyna, Director of Economic Development and Marketing Stephen McFadden, and Executive Staff Assistant & Human Resources Lori French.

**Guests:** Ben Hoppe of JUB, Nicole Donegan of the Field Group, James Sexton of JMS.

**APPROVAL OF AGENDA**

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Commissioner Ryckman moved and Commissioner Klindworth seconded to approve the agenda determining that all agenda items were "1) matters necessary and routine, 2) necessary to respond to the outbreak and current public health emergency" per Governor's Proclamation 20-28. Motion passed unanimously.

**CONSENT AGENDA**

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- a) Regular Meeting Minutes of March 24, 2022
- b) Vouchers and Warrants #97637-97701 and Direct Deposits #22142-22182 for the total amount of \$575,584.85
- c) Accept as Complete-Big Pasco Industrial Center 2021 Concrete Docks

Commissioner Ryckman moved and Commissioner Klindworth seconded to approve the consent agenda as presented. Motion passed unanimously.

**PUBLIC HEARINGS AND RESOLUTIONS**

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**Public Hearing to Consider Redistricting-** At 10:38 a.m., Commissioner Gordon recessed the regular meeting and opened the public hearing to receive public comment on the proposed redistricting plan.

Ms. French provided a review of the redistricting process, and what the expected next steps for redistricting will be based on the Commission receiving or not receiving public comment on the published plan.

Commissioner Gordon requested public comment from the meeting attendees, and no comment was provided. Commissioner Gordon closed the public hearing at 10:45 a.m.

The Commission will take action on redistricting to Option 1 at the April 28<sup>th</sup> Regular Commission Meeting.

**Resolution 1576-2022 Published Lease Rates-** Ms. Reyna presented, staff has taken the Broker Opinion of Value (BOV) and compared the current published rates with the high and low value recommendations provided by the BOV. Based on this comparison, staff has provided a list of recommended rates, that has been attached to Resolution 1576, as the new new published lease rates for all properties at the Port of Pasco.

Commissioner Klindworth moved and Commissioner Ryckman seconded to approve Resolution 1576, a Resolution setting forth Port policy regarding the rental lease rates and related policies of the Port of Pasco. Motion passed unanimously.

#### **ITEMS FOR ACTION/CONSIDERATION**

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**HDR Amendment #6-** Mr. McFadden presented the HDR Amendment #6 Scope of Services for the Port of Pasco 411-416 Track Rehabilitation and Other Miscellaneous Work as Requested. Amendment #6 rebalances the project budget associated with the continued Reimann Industrial Center Development Rail Engineering Assistance, and changes the work described in Task Orders #1, #8 and #13, for a total increase of \$12,700. The overall new cost of the project is \$391,960.26.

Commissioner Ryckman moved and Commissioner Gordon seconded to authorize the Executive Director to execute Amendment #6 Scope of Services for the Port of Pasco 411-416 Track Rehabilitation and other Miscellaneous Work for \$12,700 as presented. Motion passed unanimously.

**HDR Reimann Phase #1 Rail Professional Services Agreement-** Mr. McFadden presented, the Port is prepared to commence engineering and design services for the Reimann Industrial Center Phase #1 Rail Project. Phase 1A will construct the rail access project, including rail switch installation, signalized rail crossing, and the entry way rail into the Reimann. It will also include construction of the Port's new rail spur to serve the Southern half of the Reimann and Darigold. The Scope of Work provides for significant coordination with BNSF and Darigold on the concept planning and design. Task Orders include: Task #1 Contract/Task Management, Task #2 Phase 1A Concept Planning and Design Coordination, Task #3 Washington Utilities and Transportation Commission (WUTC) Coordination, Task #4 Phase 1A 30%, 60%, 90% and 100% Design and Engineering. The Scope of Work will also allow for additional task orders to be added as needed, including Construction Bidding and Award Phase services; Construction administration; and Project Closeout.

Commissioner Klindworth moved and Commissioner Ryckman seconded to authorize the Executive Director to execute the Professional Services Agreement for the Reimann Industrial Center Phase #1 Rail project for the not-to-exceed amount of \$102,300. The Executive Director shall also be authorized to make minor changes to the agreement, with approval by the Port attorney, as may be needed to finalize the agreement.

**Marketing Partner Award-** Mr. McFadden introduced Nicole Donegan of the Field Group. The Field Group was selected through the RFP process, during which, a selection committee interviewed five marketing firms, of which, Field Group Marketing & Advertising was unanimously selected as the preferred candidate. Staff proposed the PSA and Scope of Work to cover a 20-month period beginning May 1<sup>st</sup> of 2022 and ending on December 31<sup>st</sup> of 2023.

Ms. Donegan introduced the Field Group team and provided an overview of their capabilities and services, outlining the overarching objectives of the Field Group for the Port of Pasco. Commission and staff discussed the Scope of Work and budget with Ms. Donegan. It was noted that work will be assigned on a task order basis and that the fee could be reduced if certain tasks are not undertaken.

Commissioner Klindworth moved and Commissioner Ryckman seconded to authorize the Executive Director to execute the Personal Services Agreement for Field Group Marketing & Advertising as Creative Partner for the not-to-exceed amount of \$410,691. The Executive Director shall also be authorized to make minor changes to the agreement, with approval by the Port attorney, as may be needed to finalize the agreement. Motion passed unanimously.

Commissioner Klindworth offered his thanks to the Creative Partner selection committee.

**Evans Enterprises Landlord Agreement-** Ms. Reyna presented, Port staff received a request from Evans Enterprises, Inc., requesting that the Port sign a Landlord Agreement. The Agreement request is to facilitate a recapitalization of their business, and it grants the lender the right to repossess and sell any personal property not affixed to the building. The Port attorney has reviewed the agreement and provided modifications.

Commissioner Ryckman moved and Commissioner Klindworth seconded to authorize the Executive Director to sign the Landlord Agreement for Evans Enterprises, Inc. Motion passed unanimously.

**Taxiway G Reconstruction Project-** Mr. Taft presented the bid results for the Taxiway G project. During the review of the bids, it was noted that the apparent low bidder, Shamrock Paving, did not meet the project's Disadvantaged Business Enterprise goal of 9.18%, nor did they submit evidence of good faith efforts to meet this goal. Staff also performed an administrative review on the bid submission which also determined Shamrock did not meet the DBE bid requirements. Mr. Taft noted that staff would like to speak with the Commission in Executive Session regarding potential litigation to which the Airport and/or Port may become a party. After Executive Session, the following action was taken:

Commissioner Ryckman moved and Commissioner Klindworth seconded, to reject the low bid of Shamrock Paving due to a non-responsive bid, and to award the the Taxiway G project to the second lowest bidder, Nelson Construction in the amount of \$7,279,647.86 for the Base Bid and Alternate 1, including sales tax, and to further authorize the Executive Director to sign contract documents once approved by legal counsel and the FAA. Motion passed unanimously.

**Tri-Cities Airport Building 92 Re-roof Contract Award-** Ms. Reyna presented, Tri-Cities Airport Building 92 has been in need of re-roofing and staff determined that there were funds available to complete the project. Staff received and opened bids on April 6<sup>th</sup>, and the fully responsible, responsive and apparent low bidder was Columbia Basin Sheet Metal LLC, of Pasco.

Commissioner Klindworth moved and Commissioner Ryckman seconded to award the re-roof contract for Tri-Cities Airport Building 92 to Columbia Basin Sheet Metal LLC, as the lowest, responsible,

responsive bidder, for the total contract price in the amount of \$108,468.47, including sales tax. Motion passed unanimously.

## **ITEMS FOR DISCUSSION**

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**February Financials-** Ms. Watts presented the February Financials for discussion.

**Tenant Delinquent List-** Ms. Watts presented the Tenant Delinquent List for discussion.

**Osprey Pointe Update** – Mr. Sexton of JMS Construction was in attendance to discuss the progress of the Osprey Point Development Project. He provided an overview of the outstanding tasks, permitting, and plans for infrastructure. Mr. Sexton also provided an update on the change in funding for the project, and Mr. Hayden requested updated financial information from Mr. Sexton showing his ability to obtain financing for the project. Mr. Sexton said that he could provide the information once the SEPA process is completed, and the parcels have been split.

Commissioners, staff, and Mr. Sexton discussed the project.

### **Director Reports:**

1. Executive Director
  - a. Mr. Hayden provided an update on the Snake River Dams; including a review of the Council on Environmental Quality's (CEQ) likely position on the removal of the dams, the ongoing federal lawsuit to remove the dams, and a preliminary request for federal funding by the Army Corps of Engineers for additional study of dam removal.
  - b. Mr. Hayden noted that the Colville Tribe's Chairman, Francis Somday, has passed away, and will be replaced by Cody Desautel in the interim.
  - c. Mr. Hayden, Ms. Watts, and Ms. Ellerd have been in discussion with the Department of Revenue auditor on leasehold rail tax at the Big Pasco barge slip and are awaiting an outcome on the review.
2. Airport Director
  - a. Mr. Taft noted the DHS has extended the mask mandate for an additional 15 days.
  - b. Mr. Taft and the Commissioners received an email from an airport customer who expressed his dissatisfaction with the Airport's free WIFI service. Staff and Commissioners discussed the limit and a solution. Mr. Taft will inform the customer of the 8-hour limit.
  - c. Through the delegation of authority, the Executive Director signed Amendment 1 to the Mead & Hunt, Taxiway G design for \$23,200. This is for the relocation of the Primary Airport Control Station.
  - d. Mr. Taft reviewed the changes in Alaska's service to the Tri-Cities and surrounding Airports and noted that the Airport would be hiring two maintenance employees in coming months.
3. Airport Deputy Director

- a. Mr. Faley commented on the FAA's recently completed annual airport certification, with only minor marking issues found, and an overall successful inspection.
  - b. A General Aviation member had a runway incident that was caused by a hard landing, though the airplane received some damage, the pilot was not injured and the ARFF response was excellent.
- 4. Human Resources
  - a. Ms. French noted that she and Ms. Burney met with several A/V installation companies and are moving forward with a board room update of the audio/visual system by Ted Brown and will provide an expected timeline for completion once known.
  - b. Recruiting and hiring for several positions at the Port and Airport are in process.
- 5. Finance Director
  - a. Ms. Watts noted the Port's bond attorney will be working with the Department of Revenue on TIF property collections.
- 6. Director of Economic Development and Marketing
  - a. Mr. McFadden provided the EDM report for review.
  - b. Mr. McFadden noted, the Port has prepared and submitted funding requests for the Reimann Phase #1B industrial rail project. The request is for \$3.6 million to construct the 6,100-foot "long lead" BNSF requires to serve the Reimann Industrial Center. The Port received letters of support from 9 local agencies.
  - c. Staff has been in discussion with several national hotel brands and A-1 Hospitality regarding the potential construction of a second Airport Business Center hotel.

#### **Commissioner Reports:**

Commissioner Ryckman noted the WPPA Executive Team have been meeting more frequently and have been receiving member input to increase membership value.

#### **RECESS**

At 12:00 p.m. Commissioner Gordon recessed the meeting for lunch for 20 minutes. The meeting was resumed at 12:20 p.m.

At 1:28 Commissioner Gordon recessed the meeting for a 5-minute break. The meeting was resumed at 1:33 p.m.

#### **CALENDAR OF EVENTS**

Commissioners and staff discussed the calendar of events.

#### **EXECUTIVE SESSION**

At 1:33 p.m., Commissioner Gordon announced that Commission would go into executive session for 15 minutes, until 1:48 p.m., to consider the minimum price for lease, and to discuss two items involving potential litigation for the Port and Airport. At 1:48 p.m., the Executive Session was extended for 5 minutes, until 1:53. At 1:53 p.m. the regular meeting was resumed.

#### **ADJOURNMENT**

The meeting was adjourned at 2:03 p.m.

Port of Pasco Commission:



Vicki Gordon, President



Jean Ryckman, Vice-President



Jim Klindworth, Secretary