

# PORT OF GRANDVIEW

Regular Meeting #12  
Tuesday, December 13<sup>th</sup>, 2022 6:00 p.m.

1313 W. Wine Country Rd., Suite #101  
Grandview, Washington 98930

## MINUTES

### 1. CALL TO ORDER

The meeting was called to order by Secretary Richard Shenyer at 6:00 p.m. on Tuesday, December 13<sup>th</sup>, 2022 at 1313 W. Wine Country Rd., Suite #101, Grandview, Washington and via Zoom teleconference. Present were Commissioners Jim Sewell (via telephone), Richard Shenyer and Frank Lyall, Executive Director Randy Tucker, and Office Manager Mary Barnett.

### 2. PUBLIC PARTICIPATION – none

### 3. CONSENT AGENDA

#### a) Warrant Approval – 610-0210 – General Fund

- Warrant #6292 to #6306 in the amount of \$11,063.07
- Warrant #6307 in the amount of \$1,315.22

#### b) Warrant Approval – 610-0220 – Construction Fund

- Warrant #1041 in the amount of \$284,728.32\*
- Warrant #1042 in the amount of \$17,521.32\*

\*Warrant #1039 in the amount of \$284,728.32 and Warrant #1040 in the amount of \$17,521.32 were both voided on December 15<sup>th</sup>, 2022 due to a text file error charging both warrants to the 610-0210 General Fund instead of the 610-0220 Construction Fund. These two warrants were reissued as Warrant #1041 and Warrant #1042 as listed above in 3b.

#### c) Minutes of the November 8<sup>th</sup>, 2022 Regular Meeting

Commissioner Lyall moved and Commissioner Sewell seconded a motion to approve the Consent Agenda. Motion carried.

### 4. COMMUNICATIONS – Written & Oral

#### a) Yakima Co. Treasurer Reports Fund Bal. 11/30/2022

610-0210 - \$	194,673.44
610-0220 - \$	464,514.68
610-0240 - \$	49,489.25
TIP - \$	1,810,121.00

#### b) Port Auditor's Monthly Budget Report

#### c) Outstanding Debt Reports - Commissioners and Executive Director discussed the Port's SIED loan debt.

Commissioner Lyall moved and Commissioner Shenyer seconded a motion to accept the Communications Reports. Motion carried.

5. **EXECUTIVE SESSION** – Secretary Richard Shenyer called an Executive Session to order at 6:12 p.m. The purpose of the Executive Session was to discuss property matters as permitted pursuant to RCW 42.30.110(1). The Executive Session was expected to last twenty minutes with no action expected. The Executive Session adjourned at 6:32 p.m. with no action taken.

6. **OLD BUSINESS**

a) **Personnel Manual Update** – in progress

b) **2022 American Rescue Plan Act Funds Update** – Executive Director Randy Tucker reported there is no new information on the Port’s application.

c) **YCDA Comprehensive Economic Development Strategy Grant** – Executive Director Randy Tucker reported that there has been no response to the Port’s grant application.

d) **Yakima Valley College Economic Development Program** – Office Manager Mary Barnett reported that YVC Foundation Director Stacey Kautz had e-mailed the Port stating that no qualified applicants were found for the Port YVC Economic Development Scholarship for Winter or Spring Quarters.

*Commissioner Sewell moved and Commissioner Lyall seconded a motion to cancel funding of the Yakima Valley College Economic Development Program Scholarship for the year 2023. Motion carried.*

e) **Port Retreat – Update Comprehensive Plan** – Executive Director Randy Tucker reported that the Horse Heaven Saloon banquet room in Prosser was under consideration as a Port retreat location.

f) **Land Price Adjustment** – Commissioner Richard Shenyer recused himself from the land price adjustment discussion.

*Commissioner Sewell moved and Commissioner Shenyer seconded a motion to increase the land price at Wallace Way Business Park West. Motion carried.*

g) **Executive Director’s Report**

i. **Broadband Update – CERB Planning Grant, Petrichor** – Executive Director Randy Tucker reported that the planning study is complete and has been printed and sent to the City. The Port is awaiting the invoice from Petrichor Broadband.

ii. **Wallace Way Business Park West Update**

- **Construction Update** – Randy Tucker shared that Port Engineer Travis Marden received a WSDOT order to suspend construction work at WWBPW because of weather, and that the ditch cannot be finished because of freezing temperatures. Parties will mutually agree on a restart date when conditions allow.

- **Disposition of Pump** – valuation – Executive Director Randy Tucker reported that the Port did not receive the requested pump valuation from OVS. Randy shared the pump valuation submitted by Ivan Garza at Ivan’s Pump Service, Sunnyside.

Commissioners and staff discussed advertising the surplus pump sale in the Grandview and Sunnyside newspapers. Commissioner Lyall recommended also advertising the sale in the Capitol Press.

*Commissioner Lyall moved and Commissioner Sewell seconded a motion to declare the Wallace Way Business Park West pump as surplus property, to advertise the pump as surplus property for sale, and to accept purchase bids for the pump. Motion carried.*

**iii. Trade Show Review**

- **Grape Society** – Executive Director Randy Tucker reported that the WA State Grape Society Trade Show was well attended and that the new Port advertising banner for the trade show was installed across the road from Marchant Furniture.
- **Dairy Federation Trade Show** – Randy Tucker reported that the WA Dairy Federation Trade Show was a worthwhile event and that he made good contacts during the show.

**iv. Civil Air Patrol Advertising Request**

*Commissioner Sewell moved and Commissioner Lyall seconded a motion to decline the advertising request from the Civil Air Patrol. Motion carried.*

- v. **YCDA 2024-2028 Funding** – Executive Director Randy Tucker reported on his YCDA performance evaluation discussion with YCDA Investor Relations Director Terry Edmands.

**h) Office Manager’s Report**

**7. NEW BUSINESS**

- a) **2023 Preliminary Levy Certification Letter** – Commissioners and staff discussed the preliminary levy certification letter received from the Yakima County Commissioners.
- b) **2023 Certification of Voter Participation** – Commissioners reviewed voter participation certification letter received from the Yakima County Auditor.
- c) **Motion to approve Culbert Construction Change Order #1 for Wallace Way BP West Infrastructure Improvements**

*Commissioner Lyall moved and Commissioner Sewell seconded a motion to approve Culbert Construction Change Order #1 for Wallace Way Business Park West Infrastructure Improvements. Motion carried.*

**d) Motion to approve Culbert Construction Progress Payment #1 for Wallace Way BP West Infrastructure Improvements**

Commissioner Lyall moved and Commissioner Sewell seconded a motion to approve Warrant #1039\* in the amount of \$284,728.32 for the Culbert Construction Progress Payment for Wallace Way Business Park West Infrastructure Improvements. Motion carried.

\*Warrant #1039 was voided on Dec. 15, 2022 due to text file error and reissued as Warrant #1041.

**e) Motion to authorize Executive Director to sign Confidentiality Nondisclosure Agreements on behalf of the Port of Grandview**

Commissioner Sewell moved and Commissioner Shenyer seconded a motion to authorize the Executive Director to sign Confidentiality Nondisclosure Agreements on behalf of the Port of Grandview. Motion carried.

**f) Resolution No. 22-08 – Establishing Regular Meeting Dates & Times for the Port of Grandview**

Commissioner Sewell moved and Commissioner Lyall seconded a motion to approve Resolution No. 22-08 Establishing Regular Meeting Dates & Times for the Port of Grandview. Motion carried.

**RESOLUTION NO. 22-08  
A RESOLUTION ESTABLISHING  
REGULAR MEETING DATES AND TIMES FOR  
THE PORT OF GRANDVIEW**

**WHEREAS**, pursuant to RCW 42.30.075, the Port of Grandview Board of Commissioners must establish regular meeting dates and times;

**NOW THEREFORE BE IT RESOLVED**, by the legislative body of the Port of Grandview within Yakima County, State of Washington as follows:

1. That all prior resolutions regarding meeting times and dates are hereby revoked.
2. That the regular meeting times of the Port of Grandview Board of Commissioners shall be the second Tuesday of each month at the hour of 6:00 p.m.
3. That the location of the regular meetings of the Port of Grandview Board of Commissioners shall be 1313 W. Wine Country Road, Suite 101, Grandview, Washington.

**PASSED AND ADOPTED** by the Commissioners of the Port of Grandview of the County of Yakima on this 13th day of December, 2022.

**PORT OF GRANDVIEW COMMISSION**

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C. James Sewell  
President

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Richard Shenyer  
Secretary

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Frank A. Lyall  
Investment Officer

**g) Resolution No. 22-09 – Authorizing Investment of the Port of Grandview Monies in a Local Government Investment Pool**

Commissioner Sewell moved and Commissioner Lyall seconded a motion to approve Resolution No. 22-09 Authorizing Investment of the Port of Grandview Monies in a Local Government Investment Pool. Motion carried.

**RESOLUTION NO. 22-09**  
**A RESOLUTION AUTHORIZING INVESTMENT OF**  
**THE PORT OF GRANDVIEW MONIES**  
**IN A LOCAL GOVERNMENT INVESTMENT POOL**

*WHEREAS*, pursuant to RCW 36.29.022, a Local Government may authorize the County Treasurer to combine their monies for the purpose of investments: and

*WHEREAS*, the Port of Grandview does hereby find that the deposit and withdrawal of money in a local government investment pool in accordance with the provisions of the chapter for the purposes of investment as stated therein are in the best interests of the Port of Grandview; and

*WHEREAS*, we attest by our signature that we have been duly authorized and empowered to enter into this agreement;

**NOW THEREFORE, BE IT RESOLVED** that the Port of Grandview does hereby authorize the deposit and withdrawal of monies in a local government investment pool with the Yakima County Treasurer in accordance with this chapter for the purposes of investment as stated therein; and

**BE IT FURTHER RESOLVED** that pursuant to the attached form the investment officers shall be authorized to order the deposit or withdrawal of monies in a local government investment pool.

**PASSED AND ADOPTED** by the Commissioners of the Port of Grandview of the County of Yakima on this 13th day of December, 2022.

**PORT OF GRANDVIEW COMMISSION**

<hr/> <i>C. James Sewell</i> President	<hr/> <i>Richard Shenyer</i> Secretary	<hr/> <i>Frank A. Lyall</i> Investment Officer
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**h) Resolution No. 22-10 – Authorizing Signatures for Financial Transactions on Behalf of the Port of Grandview**

Commissioner moved and Commissioner Sewell seconded a motion to approve Resolution No. 22-10 Authorizing Signatures for Financial Transactions on Behalf of the Port of Grandview. Motion carried.

**RESOLUTION NO. 22-10**  
**A RESOLUTION AUTHORIZING SIGNATURES**  
**FOR FINANCIAL TRANSACTIONS ON BEHALF OF**  
**THE PORT OF GRANDVIEW**

*WHEREAS*, the Port of Grandview Board of Commissioners find it necessary to issue warrants on a regular basis for expenses incurred by the Port; and

*WHEREAS*, warrants are reviewed and signed by the Port Auditing Officer or Deputy Auditing Officer and any one of the Port Commissioners;

**NOW THEREFORE, BE IT RESOLVED** by the Commissioners of the Port of Grandview that effective the 1st day of January 2023 and extending through the calendar year 2023 these signatories as indicated above be authorized to sign the Warrant Registers and warrants for issue on behalf of the Port of Grandview.

**PASSED AND ADOPTED** by the Commissioners of the Port of Grandview of the County of Yakima on this 13th day of December, 2022.

**PORT OF GRANDVIEW COMMISSION**

<hr/> <i>C. James Sewell</i> President	<hr/> <i>Richard Shenyer</i> Secretary	<hr/> <i>Frank A. Lyall</i> Investment Officer
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**i) Resolution No. 22-11 – Authorizing Appointment of Auditing Officers of the Port of Grandview**

Commissioner Lyall moved and Commissioner Sewell seconded a motion to approve Resolution No. 22-11 Authorizing Appointment of Auditing Officers of the Port of Grandview. Motion carried.

**RESOLUTION NO. 22-11  
A RESOLUTION AUTHORIZING  
THE APPOINTMENT OF AUDITING OFFICERS OF  
THE PORT OF GRANDVIEW**

*WHEREAS*, the Port of Grandview Board of Commissioners finds it necessary to appoint an Auditing Officer for the Port of Grandview for the calendar year 2023; and

*WHEREAS*, it is necessary to appoint an Auditing Officer as provided and required by RCW 53.36.010;

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Port of Grandview, Yakima County, Washington that the Auditing Officer for the calendar year 2023 shall be Angela Pratt CPA. The Deputy Officer, Ryan Smith CPA, shall be authorized to exercise the duties of the Auditing Officer for the Port of Grandview when the Auditing Officer is unavailable;

**PASSED AND ADOPTED** by the Commissioners of the Port of Grandview of the County of Yakima on this 13th day of December, 2022.

**PORT OF GRANDVIEW COMMISSION**

_____ C. James Sewell President	_____ Richard Shenyer Secretary	_____ Frank A. Lyall Investment Officer
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**j) Resolution No. 22-12 – Authorizing Election of Officers of the Port of Grandview**

Commissioner Sewell moved and Commissioner Lyall seconded a motion to approve Resolution No. 22-12 Authorizing Election of Officers of the Port of Grandview. Motion carried.

**RESOLUTION NO. 22-12  
A RESOLUTION AUTHORIZING  
THE ELECTION OF OFFICERS OF  
THE PORT OF GRANDVIEW**

*WHEREAS* the Port of Grandview Board of Commissioners finds it necessary to reorganize the Port of Grandview for the calendar year 2023;

**NOW THEREFORE BE IT RESOLVED THAT** the President for the calendar year 2023 for the Port of Grandview, Yakima County, Washington shall be Commissioner Richard Shenyer. The Secretary shall be Commissioner Frank A. Lyall.

**PASSED AND ADOPTED** by the Commissioners of the Port of Grandview of the County of Yakima on this 13th day of December, 2022.

**PORT OF GRANDVIEW COMMISSION**

_____ C. James Sewell President	_____ Richard Shenyer Secretary	_____ Frank A. Lyall Investment Officer
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**k) Resolution No. 22-13 – Authorizing Appointment of Investment Officers of the Port of Grandview**

Commissioner Lyall moved and Commissioner Sewell seconded a motion to approve Resolution No. 22-13 Authorizing Appointment of Investment Officers of the Port of Grandview. Motion carried.

**RESOLUTION NO. 22-13  
A RESOLUTION AUTHORIZING  
THE APPOINTMENT OF INVESTMENT OFFICERS OF  
THE PORT OF GRANDVIEW**

*WHEREAS*, the Port of Grandview Board of Commissioners finds it necessary to reorganize the Port of Grandview for the calendar year 2023; and

*WHEREAS*, it is to the advantage of the Port of Grandview for funds to be invested without delay; and

*WHEREAS*, the Yakima County Treasurer will accept an order for the investment of funds from those granted authorization by resolution approved by the Commissioners;

**NOW THEREFORE BE IT RESOLVED** by the Port Commissioners of the Port of Grandview, Yakima County, Washington that Commissioner Frank A. Lyall has the authority to invest and re-invest such funds as are available for a period of one year from January

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1, 2023 to December 31, 2023. The Deputy Investment Officer shall be Commissioner Richard Shenyer who shall be authorized to exercise the duties of the Investment Officer for the Port of Grandview when the Investment Officer is unavailable.

**PASSED AND ADOPTED** by the Commissioners of the Port of Grandview of the County of Yakima on this 13th day of December, 2022.

**PORT OF GRANDVIEW COMMISSION**

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C. James Sewell  
President

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Richard Shenyer  
Secretary

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Frank A. Lyall  
Investment Officer

**l) Resolution No. 22-14 – Authorizing Appointment of the Legislative Representative of the Port of Grandview**

Commissioner Sewell moved and Commissioner Lyall seconded a motion to approve the Resolution No. 22-14 Authorizing Appointment of the Legislative Representative of the Port of Grandview. Motion carried.

**RESOLUTION NO. 22-14  
A RESOLUTION AUTHORIZING  
THE APPOINTMENT OF  
THE LEGISLATIVE REPRESENTATIVE OF  
THE PORT OF GRANDVIEW**

**WHEREAS**, the Port of Grandview Board of Commissioners finds it necessary to appoint a legislative representative (Trustee) to the Washington Public Ports Association (WPPA) for the calendar year 2023;

**NOW THEREFORE BE IT RESOLVED THAT** the legislative representative to WPPA for the calendar year 2023 for the Port of Grandview, Yakima County, Washington shall be Commissioner Richard Shenyer. Alternate Trustee shall be Commissioner Frank A. Lyall, who shall be authorized to exercise the duties of legislative representative when the legislative representative is not available.

**PASSED AND ADOPTED** by the Commissioners of the Port of Grandview of the County of Yakima on this 13th day of December, 2023.

**PORT OF GRANDVIEW COMMISSION**

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C. James Sewell  
President

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Richard Shenyer  
Secretary

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Frank A. Lyall  
Investment Officer

**m) Resolution No. 22-15 – Delegating Administrative Powers and Duties of the Executive Director**

Commissioner Lyall moved and Commissioner Sewell seconded a motion to approve Resolution No. 22-15 Delegating Administrative Powers and Duties of the Executive Director. Motion carried.

**RESOLUTION NO. 22-15  
A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE PORT OF GRANDVIEW  
DELEGATING ADMINISTRATIVE POWERS AND DUTIES  
OF THE EXECUTIVE DIRECTOR**

**WHEREAS**, RCW 53.12.270 authorizes the Commission to delegate administrative powers and duties to the Executive Director;

**WHEREAS**, the Commission now wishes to provide a policy directive on the delegated administrative powers and duties of the Executive Director to execute nondisclosure agreements for the purposes of the Port engaging in due diligence review with potential buyers or lessees of Port property in accordance with this Resolution.

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

**Section 1.** The Commission of the Port of Grandview has adopted the below policy directive for the purpose of establishing the delegated administrative powers and duties of the Executive Director. This policy directive will be in effect as of December 13, 2022, and remains in effect until repealed, replaced, or superseded by subsequent resolution of the Commission.

**Section 2.** All portions of resolutions heretofore approved by the Commission conflicting with the subject matters contained in this resolution are hereby repealed.

**Section 3.** *The following policy directive on the delegated administrative powers and duties of the Executive Director is hereby adopted.*

**POLICY GOVERNING AUTHORITY TO ENTER INTO NON- DISCLOSURE AGREEMENTS**

**Authority of the Executive Director.** *The Executive Director is authorized to enter into non-disclosure agreements on behalf of the Port, provided that the non-disclosure agreement is first reviewed by the Port's Legal Counsel to ensure compliance with applicable law, including laws relating to public records and open public meetings.*

**ADOPTED** by the Board of Commissioners of the Port of Grandview this 13th day of December 2022, and duly authenticated in open session by signatures of the Commissioners voting in favor thereof and the seal of the Commission duly affixed.

**PORT OF GRANDVIEW COMMISSION**

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C. James Sewell  
President

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Richard Shenyer  
Secretary

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Frank A. Lyall  
Investment Officer

**n) Motion to Approve WPPA Proposed Budget & Dues Formula**

Commissioner Sewell moved and Commissioner Lyall seconded a motion to approve the WPPA 2023 Proposed Budget & Dues Formula and to authorize a \$1,190 payment for WPPA 2023 dues. Motion carried.

- o) **Port Attorney Hourly Rate Increase** – Commissioners and Executive Director discussed the Port Attorney's notification of an hourly rate increase and the Port 2023 budget for legal expenses.

**8. UPCOMING EVENTS**

- a) **Feb. 2, 2023** – Port & Maritime Day, 7:00 a.m., Olympia – *see WPPA website for further information*
- b) **Feb. 7-8, 2023** – WineVit 2023 Trade Show, Three Rivers Convention Center, Kennewick – *registration completed*
- c) **April 4-6, 2023** – 2023 Food Northwest Process & Packaging Expo, Oregon Convention Center, Portland – *registration & hotel completed*
- d) **May 17-19, 2023** – WPPA 2023 Spring Meeting, Davenport Hotel, Spokane
- e) **June 7-9, 2023** – WPPA 2023 Finance & Administration Seminar, Alderbrook Resort, Union
- f) **July 24-26, 2023** – WPPA 2023 Commissioner Seminar, Alderbrook Resort, Union
- g) **Oct. 26-27, 2023** – WPPA Small Ports Seminar, Campbell's Resort, Chelan
- h) **Dec. 6-8, 2023** – WPPA Annual Meeting, Hilton Vancouver

**9. ADJOURNMENT** – The meeting adjourned at 7:26 p.m.

The next Regular Meeting will be held at 6:00 p.m. on Tuesday, January 10th, 2023, at 1313 W. Wine Country Rd., Suite #101, Grandview, Washington and via Zoom teleconference.

Respectfully submitted,

Richard Shenyer, Secretary