



Port of Vancouver USA

AGENDA
PORT OF VANCOUVER USA
BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA
3103 Lower River Road, Vancouver, WA 98660
Tuesday, March 28, 2023

In accordance with the Open Public Meetings Act (OPMA), the Port of Vancouver Board of Commissioners meeting will be open to in-person attendance. Options for viewing and/or participating in the meeting to provide virtual oral comment will also be accommodated (see details below). The Board members will be attending this meeting in person.

*Public testimony will be accepted under Open Forum. **Advance registration will be required for individuals who want to provide virtual oral testimony (see details below).***

The business meeting and workshop (Items A – L) are recorded and broadcast live on CVTV cable channels 21, 23 / HD 323, and at www.cvtv.org.

- A) **CALL TO ORDER (9:30 a.m.)**
- B) **EXECUTIVE SESSION**
None
- C) **OPENING REMARKS (9:30 a.m.)**
 - 1) Opening Remarks, Pledge of Allegiance
 - 2) Approve Minutes of the March 14, 2023, Regular Meeting
- D) **OPEN FORUM**
 - 1) Public comment -To provide virtual oral comment during the board meeting, you must register no later than 12:00 p.m. Monday, March 27, 2023, by emailing povcommissioners@portvanusa.com**
- E) **ACTION ITEMS**
 - 1) Approve First Amendment to Lease between the Port of Vancouver USA and Kelly Pipe Co., LLC
 - 2) Approve Moorage Permit between the Port of Vancouver USA and Shaver Transportation Company

- F) **UNFINISHED BUSINESS**
None
- G) **NEW BUSINESS**
- H) **CEO REPORT**
- I) **COMMISSIONERS REPORTS**
- J) **UPCOMING EVENTS**
- K) **WORKSHOP**
Strategic Plan 2022 Annual Report
- L) **SIGN DOCUMENTS**
- M) **ADMINISTRATIVE UPDATE/WORK SESSION**
None
- N) **ADJOURNMENT**

****Public comments are welcome during Open Forum. Individuals requesting to provide virtual oral comment must register in advance via email to povcommissioners@portvanusa.com no later than 12:00 p.m. on Monday, March 27, 2023. All individuals will have three minutes to read their comments into the record and will be asked to provide their name and city of residence for the record. No public comments will be read into the record by the port. Written comments not intended to be read by the community member and received by 9:30 a.m. Tuesday, March 28, 2023, will become part of the official meeting record and will be provided to the Commission.**

Further instructions for accessing the virtual meeting (for virtual oral comment) will be provided upon registration. Please call the Port of Vancouver at (360) 693-3611 with questions. Visit the port's website at www.portvanusa.com for more information.

**PORT OF VANCOUVER USA
BOARD OF COMMISSIONERS
REGULAR MEETING
Tuesday, March 14, 2023**

CALL TO ORDER

Commission Vice President LaBrant called a regular meeting of the Port of Vancouver Board of Commissioners to order and open to the public at 9:30 a.m., Tuesday, March 14, 2023, at the Port of Vancouver USA Administrative Office, 3103 NW Lower River Road, Vancouver, Washington 98660.

OPENING REMARKS

Commissioner LaBrant welcomed everyone to the commission meeting. He announced that no executive session was held, that the meeting is being recorded and Commissioner Orange is excused from today's meeting. He stated this meeting is a hybrid meeting so that along with everyone present in the meeting, anyone who wants to make virtual oral comment can use Zoom. He then invited guests to participate in the Pledge of Allegiance.

APPROVAL OF MINUTES

Regular Meeting of February 28, 2023

On motion by Commissioner Burkman, seconded by Commissioner LaBrant and carried 2-0 (Commissioner Orange was excused from today's meeting), the Board of Commissioners approve the minutes of the February 28, 2023, regular meeting.

OPEN FORUM

Commissioner LaBrant stated that the agenda invited public comment and asked if anyone had signed up to speak. Executive Services Manager Michelle Allan indicated no community members registered in advance to provide virtual oral comments but confirmed that Robert Wallis was present and signed up to provide comment.

Robert Wallis

Mr. Wallis discussed his thoughts on the Interstate Bridge Replacement Program and requested to speak to port staff member regarding his conclusion that a credible tunnel evaluation was rejected.

ACTION ITEMS

E-1 Approve Change Order 7 for Public Works Contract Bid 22 – 34: Berth 17 Rehabilitation Project

Mark Newell, Project Delivery Manager presented the action item and discussed it with the Commission. He answered questions from the Board.

On motion by Commissioner Burkman, seconded by Commissioner LaBrant, and carried 2-0 (Commissioner Orange was excused from today's meeting), the Board of Commissioners authorize the CEO to execute change order 7 in the amount of \$106,869.42 with Advanced American Construction, Inc. for Public Works Contract Bid 22-34: Berth 17 Rehabilitation Project, revising the total contract amount to \$10,720,037.56 including Washington State Sales Tax.

UNFINISHED BUSINESS

Port Contracts Logs

The commissioners reviewed the port contracts logs. Executive Services Manager reminded everyone that the contracts logs are provided to the Commission on a monthly basis and are available on the port's website. No questions were asked from the Board.

No additional unfinished business was considered.

NEW BUSINESS

No new business was discussed.

ACCOUNTS PAYABLE

Director of Finance and Accounting Scott Goodrich presented the action item as contained in the Commission's packet and discussed the recommendation with the Commission. He answered questions from the Board.

On motion by Commissioner Burkman, seconded by Commissioner LaBrant and carried 2-0 (Commissioner Orange was excused from today's meeting), the Port of Vancouver USA Board of Commissioners, by motion, ratifies and approves the payment of February 2023 Vouchers 113033 – 113369 in the amount of \$4,022,258.54 including Electronic Payments generated between 02/01/2023 – 02/28/2023 in the amount of \$915,133.08 and February 2023 Payroll Direct Deposits 60001 – 60133 and 80001 – 80125 in the amount of \$766,884.80.

CEO REPORT

Project Updates

Mark Newell, Project Delivery Manager provided an update on several port projects, including:

- Berth 17 Rehabilitation Project

- Terminal 1 LPC Zoom Info Bldg. (Not Port Project)
- Lot 2 NuTech Development (Not Port Project)

COMMISSIONERS REPORTS

Commissioner Burkman stated he has continued tracking the City of Vancouver's warehouse moratorium exception and provided a brief summary of the Regional Transportation Council meeting he attended.

Commissioner Burkman stated he is also looking forward to attending the following upcoming events:

- Interstate Bridge Replacement Program Executive Steering Group
- Port Public Lecture on Washington State – International Trade Juggernaut

Commissioner LaBrant stated he attended the following events and provided a brief summary:

- Port of Ridgefield's Ribbon Cutting
- Southwest Washington Contractors Association
- Labor Roundtable
- Meeting with Clark County Councilor Glen Yung

UPCOMING EVENTS

A list of upcoming events was displayed on the screen for viewers to see staff activities and community meetings. Executive Services Manager Allan stated the next commission meeting scheduled for Tuesday, March 28, 2023, will begin at 9:30 a.m. She highlighted several other upcoming community events.

She also reminded everyone of the ways they can communicate with the Commission. She stated there is a great deal of information available on the port's website and encouraged everyone to check it out.

WORKSHOP

No workshop was held during this meeting.

SIGN DOCUMENTS

The Board signed documents at 10:01 a.m.

ADMINISTRATIVE UPDATE / WORK SESSION

No administrative work session was held during this meeting.

ADJOURNMENT

There being no further business to come before the Port of Vancouver USA Board of Commissioners, the Tuesday, March 14, 2023, regular meeting was adjourned at 10:03 a.m. by Commissioner LaBrant.

PORT OF VANCOUVER USA
BOARD OF COMMISSIONERS

Betsy Rogers, Administrative
Supervisor, March 14, 2023, Regular
Port of Vancouver USA Board of
Commission Meeting

Don Orange, President

Eric LaBrant, Vice President

Jack Burkman, Secretary

Agenda Item No. E-1

**REQUEST FOR COMMISSION ACTION
REVIEWED BY:**

PORT OF VANCOUVER USA

Director of
Business Development

Mike Schiller

Title

APPROVED BY:

Chief Commercial Officer 03/28/2023

Alex Strogon

Title

Date

SUBJECT: Approve First Amendment to Lease between the Port of Vancouver USA and Kelly Pipe Co., LLC

BACKGROUND:

This lease agreement supports the port's Strategic Plan goal to pursue opportunities that utilize the port's property and infrastructure investments to create jobs and support the economy.


Kelly Pipe Co., LLC and the port entered into a Lease Agreement executed on October 11, 2022, for the development of 5 acres of laydown area on Parcel 1A. The port would design, permit, and develop the site and Kelly Pipe would purchase the gravel.

Due to the delay in design, permits and the weather-related saturation of the soils, the weather window is not favorable for construction. The purpose of this First Amendment is to delay the Possession Date until the site is ready but no later than June 11, 2023. If approved, the First Amendment will be effective January 1, 2023. Rent and additional charges will be adjusted to reflect the new Possession Date and the initial Lease Term will extend through June 11, 2023. Kelly Pipe will continue to be obligated to contract and pay for any additional gravel for the tenant improvements.

This First Amendment was not anticipated in the 2023 approved budget.

Additional Information Attached? No

RECOMMENDATION: That the Board of Commissioners approve and authorize the CEO to sign the First Amendment to Lease at Parcel 1A between the Port of Vancouver USA and Kelly Pipe Co., LLC.

Submitted by:  , CEO

Date Action Taken _____

Motion By: _____

Approved: _____

Seconded By: _____

Deferred To: _____

Unanimous: Yes ___ No ___

