



# Port of Vancouver USA

**AGENDA**  
**PORT OF VANCOUVER USA**  
**BOARD OF COMMISSIONERS**  
**REGULAR MEETING AGENDA**  
3103 Lower River Road, Vancouver, WA 98660  
Tuesday, October 27, 2020

- A) **CALL TO ORDER VIRTUAL MEETING\* (8:30 a.m.)**
- B) **EXECUTIVE SESSION**  
None
- C) **OPENING REMARKS (8:30 a.m.)**  
1) Opening Remarks  
2) Approve Minutes of the October 13, 2020 Regular Meeting
- D) **OPEN FORUM**  
1) To provide public comment during the virtual board meeting, you must register no later than 8:30 a.m. Monday, October 26, 2020 by emailing [povcommissioners@portvanusa.com](mailto:povcommissioners@portvanusa.com)\*\*
- PUBLIC HEARING**  
1) Comprehensive Scheme of Harbor Improvements and Industrial Development  
To provide comment during the public hearing, you must register no later than 8:30 a.m. Monday, October 26, 2020 by emailing [povcommissioners@portvanusa.com](mailto:povcommissioners@portvanusa.com)\*\*\*
- E) **ACTION ITEMS**  
1) Adopt Resolution 5-2020: Amend the Comprehensive Scheme of Harbor Improvements and Industrial Development for the Port of Vancouver USA  
2) Approve Contract with Floyd Snider for Terminal 5 Sediment Contamination Consultant Services
- F) **UNFINISHED BUSINESS**
- G) **NEW BUSINESS**
- H) **CEO REPORT**  
1) Action taken under Resolution 2-2020: Declaration of Local Emergency and Delegation of Authority of Emergency Powers
- I) **COMMISSIONERS REPORTS**
- J) **WORKSHOP**  
2021 Budget Workshop

**K) ADJOURNMENT**

**\*All board members and the public will participate via a Zoom virtual meeting due to the ongoing coronavirus disease (COVID-19) event and pursuant to Washington State Governor's phased approach with government offices opening in Phase 3 of the Governor's Return to Work Plan, the Governor's Safe Start Washington: A Phased Approach to Recovery and Port of Vancouver Resolution 3-2020.**

To participate in this meeting, please call 1 (253) 215-8782 and enter the Meeting ID number: 930 7294 1273 and Passcode number: 950590 or Join the Zoom Meeting by clicking [here](#). Please call (360) 693-3611 for technical difficulties. Meeting materials are available on the port's website at [www.portvanusa.com](http://www.portvanusa.com).

**\*\*Public comments are welcome during Open Forum by registering in advance via email to [povcommissioners@portvanusa.com](mailto:povcommissioners@portvanusa.com) no later than 8:30 a.m. Monday, October 26, 2020. Individuals will have three minutes to read their comments into the record and will be called in the order in which the port receives the registration email request. 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 8:30 a.m. Tuesday, October 27, 2020 will become part of the official meeting record and will be provided to the Commission.**

**\*\*\*Public comments are welcome during the Public Hearing on the Comprehensive Scheme of Harbor Improvements and Industrial Development by registering in advance via email to [povcommissioners@portvanusa.com](mailto:povcommissioners@portvanusa.com) no later than 8:30 a.m. Monday, October 26, 2020. Individuals will have three minutes to read their comments into the record and will be called in the order in which the port receives the registration email request. 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 8:30 a.m. Tuesday, October 27, 2020 will become part of the official record and will be provided to the Commission.**

# Agenda Item No. C-2

---

REQUEST FOR COMMISSION ACTION      PORT OF VANCOUVER USA

---

REVIEWED BY:

Executive Services Manager      10/27/2020

Michelle Allan

Title

Date

APPROVED BY:

Title

SUBJECT:      Minutes of the October 13, 2020 Regular Meeting

---

## BACKGROUND:

Please see attached minutes.

## Additional Information Attached: Minutes of 10/13/2020 Regular Meeting

---

**RECOMMENDATION:** That the Port of Vancouver USA Board of Commissioners adopts and executes the minutes of the October 13, 2020, Port of Vancouver USA Board of Commissioners Regular Meeting as presented.

---

Submitted by: \_\_\_\_\_

, CEO

*Julianne Marler*

Date Action Taken \_\_\_\_\_

Motion By: \_\_\_\_\_

Approved: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Deferred To: \_\_\_\_\_

Unanimous:    Yes \_\_\_    No \_\_\_

**PORT OF VANCOUVER USA  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
Tuesday, October 13, 2020**

**CALL TO ORDER**

CEO Julianna Marler called a regular meeting of the Port of Vancouver Board of Commissioners to order at 8:30 a.m., Tuesday, October 13, 2020, via teleconference number 1 (253) 215-8782, conference code: 972 5581 6168 and Passcode number 125401 and by videoconference via Zoom pursuant to Washington State Governor's Proclamation 20-28 in response to the COVID-19 event.

CEO Marler confirmed that Commissioners Orange, LaBrant and Burkman were on the line. Commissioner LaBrant joined the call at 8:34 a.m.

**OPENING REMARKS**

CEO Marler welcomed and reminded everyone that all board members and the public are participating virtually pursuant to Washington State Governor's Proclamation 20-28 in response to the COVID-19 event and the port's Resolution 3-2020. She also stated that no executive session was held this morning and the meeting is being recorded.

Meeting attendees included:

Don Orange	Port Commission President
Eric LaBrant	Port Commission Vice President
Jack Burkman	Port Commission Secretary
Julianna Marler	Port CEO
Michelle Allan	Port Executive Services Manager
Alicia Lowe	Port Legal Counsel
Betsy Rogers	Port Administrative Supervisor
Tiffany Truckey	Port Administrative Assistant
Angela Blake	Port Facilities Program Coordinator
Casey O'Dell	Port Director of Facilities
Elizabeth Gotelli	Port Chief Financial and Administrative Officer
Jack Flug	Port Senior Financial Analyst
Jennifer Brower	Port Procurement & Grant Specialist
Jim Hagar	Port Economic Development Project Manager
Katie Odem	Port Marketing Communications Manager
Kent Cash	Port Chief Operations Officer
Lori Kaylor	Port Commercial Sales Associate
Mark Newell	Port Project Delivery Manager
Mason Kae	Port Records Officer
Matt Harding	Port Environmental Project Manager
Mike Schiller	Port Director of Business Development
Mindy Pennington	Port Accounts Payable Specialist

Nam Nguyen	Port Applications Analyst
Phala Le	Port Human Resources Specialist
Rachelle Askman	Port Communications Coordinator
Randy McCaleb	Port Contracts Manager
Richard Troudt	Port Security Manager
Rick Cline	Port Contracts Manager
Ryan Hart	Port Chief External Affairs Officer
Scott Goodrich	Port Director of Finance & Accounting
Scott Ouchi	Port Safety, Risk and Emergency Manager
Therese Lang	Port Director of Communications
Thomas Chidwick	Port General Office Assistant
Wayne Harner	Port Rail Manager

Additional members of the public participated in the virtual meeting, but were not identified by name.

**APPROVAL OF MINUTES**

**Regular Meeting of September 22, 2020**

On motion by Commissioner Burkman, seconded by Commissioner Orange and carried 2-0 (Commissioner LaBrant not virtually present), the Board of Commissioners approve the minutes of the September 22, 2020 regular meeting.

**OPEN FORUM**

CEO Marler shared with the Board that the agenda invited written public comments on all matters and one community member, Don Steinke, requested to provide comment.

She acknowledged Mr. Steinke and provided the opportunity for him to read his comments into the record. Mr. Steinke did not respond. She indicated if he is available later, she will invite him to share his comments.

**ACTION ITEMS**

**E-1 Approve Public Works Contract for Bid 20-33: 2020 Maintenance Dredging Project**

Mark Newell, Project Delivery Manager presented the action item as contained in the Commission’s packet and discussed the recommendation with the Board. He answered the Commission’s questions.

On motion by Commissioner LaBrant, seconded by Commissioner Burkman and carried unanimously, the Board of Commissioners approve the Public Works Contract for Bid 20-33: 2020 Maintenance Dredging Project.

CEO Marler stated that Mr. Steinke's testimony was just emailed to the board and will become part of the official record. She invited Mr. Steinke to read his comments into the record and he did not respond.

## **UNFINISHED BUSINESS**

### **Port Contracts Logs**

The commissioners reviewed the port contracts logs. CEO Marler reminded everyone that the contracts logs are provided to the Commission on a monthly basis and they are available on the port's website. No questions were asked by the Commission.

No additional unfinished business was considered.

## **NEW BUSINESS**

None at this time.

## **ACCOUNTS PAYABLE**

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

On motion by Commissioner Burkman, seconded by Commissioner LaBrant and carried unanimously, the Port of Vancouver USA Board of Commissioners, by motion, ratifies and approves the payment of September 2020 Vouchers 102235 – 102708 in the amount of \$3,391,917.34 including Electronic Payments generated between 09/01/2020 – 10/01/2020 in the amount of \$660,831.49 and September 2020 Payroll Direct Deposits 370001 – 370126 and 390001 – 390127 in the amount of \$583,594.69.

## **CEO REPORT**

### **Action taken under Resolution 2-2020: Declaration of Local Emergency and Delegation of Authority of Emergency Powers**

CEO Marler shared with the commissioners that she has not taken any action provided her under Resolution 2-2020.

## **COMMISSIONERS REPORTS**

Commissioner Burkman stated he attended several forums and meetings, including the Pacific NW Waterways Association (PNWA) meeting regarding infrastructure needs on the Lower Columbia River, the virtual Greater Vancouver Chamber (GVCC) virtual Annual Dinner and Awards event, a Municipal Research Services Center (MRSC) webinar on inclusive public engagement strategies, the Washington Public Ports Association (WPPA) Fall Environmental Seminar, and the PNWA Annual Convention. He congratulated the External Affairs Department

for its latest video and encouraged everyone to share it on social media. He also thanked Director of Environmental Services Boyden for her leadership and involvement in the WPPA Fall Environmental Seminar.

Commissioner LaBrant stated he attended the GVCC virtual Annual Dinner and Awards event and he participated on the WPPA panel regarding carbon policies.

Commissioner Orange stated he attended several of the same meetings mentioned by the other two board members and encouraged everyone to vote.

### **WORKSHOP**

No workshop was held during this meeting.

### **ADJOURNMENT**

There being no further business to come before the Port of Vancouver USA Board of Commissioners, the Tuesday, October 13, 2020 regular meeting was adjourned at 8:58 a.m. by CEO Julianna Marler.

PORT OF VANCOUVER USA  
BOARD OF COMMISSIONERS

Michelle Allan, Executive Services  
Manager, October 13, 2020, 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 Engineering  
and Project Delivery

Monty Edberg

Title

**APPROVED BY:**

Chief Operations Officer

10/27/2020

Kent Cash

Title

Date

**SUBJECT:** Adopt Resolution 5-2020: Amend the Comprehensive Scheme of Harbor Improvements and Industrial Development for the Port of Vancouver USA

**BACKGROUND:**

The Port of Vancouver is required by the Revised Code of Washington 53.20 to have an official "Comprehensive Scheme of Harbor Improvements and Industrial Development" which is intended to communicate the port's plans regarding investments or divestments of its assets. Periodic amendments to the port's Comprehensive Scheme are necessary to communicate future plans for construction, demolition, improvement, surplus, acquisition, remediation and mitigation of port property.

Any proposed amendment to the current Comprehensive Scheme requires State Environmental Policy Act (SEPA) review as a Non-project Action. A fourteen-day public comment period regarding the proposed amendment must occur as part of the SEPA process. In addition, the Board of Commissioners must publicly notify and conduct a public hearing regarding the proposed amendment.

Resolution 5-2020 proposes to amend the Comprehensive Scheme to allow: (1) the Lechtenberg Farm improvements at Parcel 3 to be surplus to port needs and no longer needed for port district purposes; and (2) the acquisition of real property at Terminal 1, known as Clark County Tax Parcel No. 48840000 (comprising approximately 36,327 square feet or 0.83 acre).

The Port of Vancouver proposes to amend its current Comprehensive Scheme in accordance with Resolution 5-2020 and RCW 53.20.020 and 53.08.090. The public comment period required under SEPA ended on October 20, 2020 at 5:00 p.m. The Public Hearing to receive citizen comments to adopt Resolution 5-2020 is being held October 27, 2020 at 8:30 a.m.

**Additional Information Attached? Yes**

**RECOMMENDATION:** That the Board of Commissioners adopt Resolution 5-2020 to amend the Port of Vancouver's Comprehensive Scheme of Harbor Improvements and Industrial Development.

**Submitted by:** \_\_\_\_\_

, CEO

*Julianne Marler*

**Date Action Taken** \_\_\_\_\_

**Motion By:** \_\_\_\_\_

**Approved:** \_\_\_\_\_

**Seconded By:** \_\_\_\_\_

**Deferred To:** \_\_\_\_\_

**Unanimous:** Yes \_\_\_ No \_\_\_



## RESOLUTION 5-2020

### **A Resolution Of The Port Of Vancouver Board Of Commissioners, Clark County, Washington, Amending The Port Of Vancouver Comprehensive Scheme Of Harbor Improvements And Industrial Development**

#### **Proposed Surplus of Port Property**

**WHEREAS**, RCW 53.08.090 requires that no property which is a part of the Comprehensive Scheme of Harbor Improvements and Industrial Development ("Comprehensive Scheme") thereof shall be disposed of until the Comprehensive Scheme has been modified to find the property surplus to Port District needs; and

**WHEREAS**, the Port of Vancouver (the "**Port**") owns real property that has been subject to a lease to the Lechtenberg family for farming purposes for many years. The real property is located at what is commonly known as 8211 NW Old Lower River Road, Vancouver, WA 98660. The lease has terminated and there are buildings and other improvements remaining on the previously leased site (the "**Lechtenberg Farm Improvements**"). The Lechtenberg Farm Improvements include a single-family residence, a barn, several outbuildings, a septic tank, an underground cistern, and silo foundation and are identified on **Exhibit A**. The Lechtenberg Farm Improvements are located on a portion of Clark County Tax Parcel No. 153310000; and

**WHEREAS**, the Port intends to remove the existing Lechtenberg Farm Improvements in the future because they are no longer in use and pose a safety risk if left standing and, therefore, the Port is contemplating declaring the Lechtenberg Farm Improvements surplus; and

#### **Acquisition of Property at Terminal 1**

**WHEREAS**, to facilitate Columbia Waterfront LLC ("**CWLLC**") and the Port's waterfront development projects, CWLLC has agreed to transfer ownership of a parcel of real property known as Clark County Tax Parcel No. 48840000 (comprising approximately 36,327 square feet or 0.83 acre), a depiction of which is attached hereto and incorporated herein by reference on **Exhibit B**, to the Port (the "**Property**"). The Property was included in the Port's Concept Development Plan for the Terminal 1 Waterfront Development (the "**CDP**") project, which was approved by the City of Vancouver on June 19, 2017 and adopted as part of the Port's Comprehensive Scheme on September 26, 2017 under Resolution 2-2017; and

**WHEREAS**, portions of the Property are improved and RCW 53.20.020 requires that the Comprehensive Scheme be amended prior to acquisition of improvements; and

**WHEREAS**, it is now deemed necessary and advisable that the Port amend its Comprehensive Scheme to include the Property; and

## **Summary of Proposed Amendments**

**WHEREAS**, the Port proposes to amend the Comprehensive Scheme to allow (i) the surplus of the Lechtenberg Farm Improvements; and (ii) the acquisition and inclusion of the Property; and

**WHEREAS**, the Comprehensive Scheme was most recently amended by Port Resolution 3-2019, adopted August 13, 2019; and

**WHEREAS**, it is now deemed necessary and advisable that the Port amend its Comprehensive Scheme; and

**WHEREAS**, the above proposed action has been reviewed, as required, under the provisions of the State Environmental Policy Act (SEPA) and the related comment period expired at 5:00 p.m. on October 21, 2020; and

**WHEREAS**, a public hearing was held on October 27, 2020 at 8:30 a.m., subject to the agenda of the Board of Commissioners, after notice of such hearing was duly given as provided by law, on the question of whether or not the Comprehensive Scheme should be amended as provided; and

**WHEREAS**, after discussion and consideration, this Board of Commissioners has determined that said Comprehensive Scheme should be amended and finds: (i) the Lechtenberg Farm Improvements are surplus to the Port's needs and no longer needed for Port District purposes; and (ii) that the Property is part of the Port's CDP and should be included in the Comprehensive Scheme.

**NOW THEREFORE, BE IT RESOLVED**, that the Port of Vancouver's Comprehensive Scheme, as previously amended, is hereby further amended as follows:

1. **The Lechtenberg Farm Improvements**, as identified and depicted in **Exhibit A**, have been determined to be surplus to the Port's needs and no longer needed for Port District purposes.
2. **The Property** as depicted herein on **Exhibit B** shall be added to the Comprehensive Scheme.

**ADOPTED**, by the Board of Commissioners at a regular meeting of the Board of Commissioners held this 27<sup>th</sup> day of October, 2020, and duly authenticated in open session by the signatures of the Port Commission voting in its favor.

*(Signatures located on the following page)*

**PORT OF VANCOUVER  
BOARD OF COMMISSIONERS**

---

**President**

---

**Vice President**

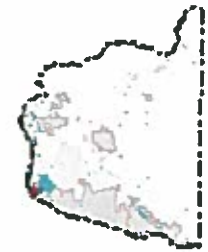
---

**Secretary**






**EXHIBIT A**  
**AERIAL PHOTO OF LOCATION OF**  
**LECHTENBERG FARM IMPROVEMENTS**



# Exhibit A - Surplus of Lechtenberg Farm Improvements/Structures



## Legend

-  Buildings and Structures
-  Building Footprints
-  Taxlots
-  Cities Boundaries
-  Urban Growth Boundaries

## Notes:

1: 2,257



376.2 0 188.08 376.2Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
Clark County, WA. GIS - <http://gis.clark.wa.gov>

This map was generated by Clark County's "MapsOnline" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information.

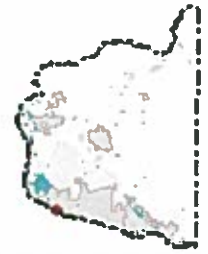
**EXHIBIT B**

**ILLUSTRATION IDENTIFYING PROPERTY TO BE ACQUIRED AT TERMINAL 1**





# Exhibit B - Acquisition of Parcel 48840000 at Terminal 1



### Legend

- Buildings and Structures
- Building Footprints
- Taxlots
- Cities Boundaries
- Urban Growth Boundaries

### Notes:

1: 2,257



376.2 0 188.08 376.2Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
Clark County, WA. GIS - <http://gis.clark.wa.gov>

This map was generated by Clark County's "MapsOnline" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information.

# Agenda Item No. E-2

---

**REQUEST FOR COMMISSION ACTION  
REVIEWED BY:**

**PORT OF VANCOUVER USA**

Director of Environmental  
Services

---

Patty Boyden

Title

---

**APPROVED BY:**

Chief Operations Officer

10/27/2020

---

Kent Cash

Title

Date

---

**SUBJECT:** Approve Contract with Floyd Snider for Terminal 5 Sediment  
Contamination Consultant Services

---

## **BACKGROUND:**

The Terminal 5 sediment contamination contract supports the port's Strategic Plan environmental goal to protect air quality, water resources, and land managed by the port through deliberate and proactive efforts in all aspects of the port's operations.

The purpose of this contract is to assist the port through the Washington State Department of Ecology (Ecology) cleanup process. As property owner, the port is involved in the cleanup both as a Potentially Liable Person (PLP) under the Model Toxics Control Act and to confirm that future work accommodates the port's maritime and commercial activities.

In 2009, the port purchased the former Alcoa Vancouver property to support industrial use and economic development. The site is now known as Terminal 5 and includes Berth 17. Under a 2009 Consent Decree with Ecology, Alcoa has responsibility for cleanup of the site including contaminated Columbia River sediments. In 2018, the port collected sediment samples to support inclusion of Berth 17 into the port's maintenance dredge program. Sediment sampling identified areas of elevated polychlorinated biphenyls (PCBs) and polycyclic aromatic hydrocarbons (PAHs) in subsurface sediments near the Berth 17 dock. The port submitted the sediment results to Ecology. In August 2020, Ecology determined that the port as current property owner is a PLP. Ecology has asked for a work plan to determine the nature and extent of the contamination to assist it in its determination of whether the remedy remains protective of human health and the environment and expects the parties to work together. A summary of work items for this contract include:

- Provide technical support for Ecology 5-year review including sediment sampling workplan and oversight of field activities
- Evaluate and provide technical input on results of investigations to determine nature and extent of sediment contamination
- Evaluate proposed additional remedial work to address sediment contamination
- Assist future port operations including best management practices for construction and maritime activities
- Coordinate with Ecology, Alcoa, Tribes and Stakeholders



- Provide technical assistance on emerging technical issues to support the Ecology cleanup process
- Provide legal support

On September 9, 2020 the port received four proposals in response to a Request for Qualifications (RFQ) for Terminal 5 Remediation Consultant Services. Interviews were conducted with two finalists selected from the proposal evaluation. The results determined Floyd Snider to be the most qualified consultant to perform the services required by the port.

The scope of work identified above addresses tasks to be performed in 2020 for the estimated amount of \$60,000. These costs were not included in the 2020 budget. For 2021, \$245,000 is included in the proposed budget with an estimated amount of \$265,000 anticipated to perform tasks identified in 2022. The contract will be issued through project completion. If the contract reaches its dollar limits, additional funds may be requested through the CEO/Board of Commission approval process, in accordance with the Administrative Authority of the CEO/Executive Director.

**Additional Information Attached?** No

**RECOMMENDATION:** That the Board of Commissioners authorize the CEO to execute a contract with Floyd Snider for a not to exceed amount of \$570,000 for Terminal 5 Sediment Contamination Consultant Services.

<b>Submitted by:</b> _____	, CEO <i>Juliana Marler</i>
<b>Date Action Taken</b> _____	<b>Motion By:</b> _____
<b>Approved:</b> _____	<b>Seconded By:</b> _____
<b>Deferred To:</b> _____	<b>Unanimous:</b> Yes ___ No ___