

MINUTES OF A REGULAR MEETING OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, HELD IN THE BOARD ROOM OF THE HARBOR DEPARTMENT ADMINISTRATION BUILDING AT 925 HARBOR PLAZA, LONG BEACH, CALIFORNIA, ON MONDAY, MARCH 7, 2005, AT 1 P.M.

Present: Commissioners: Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
Absent: " None

Also present:

R. D. Steinke	Executive Director
G. Knatz	Managing Director
S. B. Rubin	Managing Director
T. Teofilo	Managing Director
G. T. Hein	Executive Officer to the Board
D. A. Thiessen	Chief Harbor Engineer
T. K. Whitesell	Director of Administration
A. W. Wong	Acting Director of Communications
M. J. Slavin	Director of Finance
B. B. Hong	Office Automation Analyst
W. D. Bower	Acting Director of Maintenance
R. G. Kanter	Director of Planning
K. J. McDermott	Director of Properties
O. Covington	Chief Port Security Officer
J. A. Morgan	Manager of Maritime Services
C. A. Kemp	Director of Community Relations
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT CALHOUN PRESIDED AS CHAIRMAN.

APPROVAL OF MINUTES.

Upon motion by Commissioner Topsy-Elvord, seconded by Commissioner Hancock and unanimously carried, the minutes of the regular meeting of February 28, 2005, as amended, were declared read and approved as read.

CONSENT CALENDAR – ITEMS NOS. 1-8.

1. BATTELLE MEMORIAL INSTITUTE - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE AMENDMENTS TO TASK ORDERS TO MASTER AGREEMENT FOR RADIATION PORTAL MONITORS ON PIERS A, D/E, F, G/J, AND J - DOCUMENT NO. HD-6806C.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated March 2, 2005, requesting approval of Amendments to Task Orders to Master Agreement with

Battelle Memorial Institute for construction of radiation portal monitor systems on terminals at Piers A, D/E, F, G/J, and J, in the amount of \$120,000, was presented to the Board. The recommendation was approved by the Executive Director.

2. SPECIFICATION NO. HD-S2266 - APPROVED AND NOTICE INVITING BIDS AUTHORIZED – RADIATION PORTAL MONITORS FOR PIERS A, F, AND G/J.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated March 2, 2005, submitting Specification No. HD-S2266 for radiation portal monitors for Piers A, F, and G/J and requesting authority to advertise for bids for said work, was presented to the Board. The request was approved by the Executive Director.

3. LEVEL I HARBOR DEVELOPMENT PERMIT – RECEIVED AND FILED.

Communication from Robert Kanter, Director of Planning, dated March 1, 2005, requesting that the following Level I Harbor Development Permit be received and filed:

HDP #05-010	THUMS Long Beach Company – Soil Sampling
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was presented to the Board. The request was approved by the Executive Director.

4. LEVEL I HARBOR DEVELOPMENT PERMITS – RECEIVED AND FILED.

Communication from Robert Kanter, Director of Planning, dated March 1, 2005, requesting that the following Level I Harbor Development Permits be received and filed:

HDP #05-001	Port of Long Beach – Fence and Gate Installation
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HDP #05-003	ARCO Terminal Services Corporation – Fire Protection Piping Installation
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HDP #05-004	Port of Long Beach – Off-Site Disposal of Dredge Material
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HDP #05-005	The Queen Mary – Gangway Relocation
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was presented to the Board. The request was approved by the Executive Director.

5. EWO NO. 5071 – QUALITY ASSURANCE REVIEW OF FUTURE PREPARATION OF ENVIRONMENTAL IMPACT REPORTS/ENVIRONMENTAL IMPACT STATEMENTS – APPROVED.

Communication from Robert Kanter, Director of Planning, dated March 2, 2005, requesting approval of EWO No. 5071, to cover the costs associated with various contracts for professional services with quality assurance consultants in the field of the California Environmental Quality Act (CEQA), the National Environmental Policy Act

(NEPA), and various technical areas, in the amount of \$1,000,000, was presented to the Board. The request was approved by the Executive Director.

6. HARBOR REVENUE FUND – APPROVAL OF FUND TRANSFER JOURNALS AND AUTHORIZATION OF TRANSFER OF FUNDS.

Communication from Michael J. Slavin, Director of Finance, dated March 2, 2005, submitting the following Fund Transfer Journals received from the Department of Financial Management:

<u>AMOUNT</u>	<u>DESCRIPTION</u>
\$115,670.50	Employee Benefits Fund – pension obligation bonds for March 2005
156,303.25	General Fund – transfer of the March 2005 estimated City general administration costs
(4,359.00)	General Fund – monthly credit for prior year indirect cost adjustment
171,395.00	Technology Services – finance allocation for First and Second Quarter of FY2005
2,120.34	Public Works Department – maintenance of streetlights for January and February 2005
8,049.83	Technical Systems – financial information system for March 2005
22,726.78	Planning and Building Permits for January 2005

was presented to the Board. The Fund Transfer Journals were approved by the Executive Director.

7. COSMO PERRONE – APPOINTMENT.

Communication from Toni K. Whitesell, Director of Administration, dated March 1, 2005, requesting approval of the appointment of Cosmo Perrone, to the position of Director of Security, at \$110,000 annually, effective March 14, 2005, was presented to the Board. The request was approved by the Executive Director.

8. REX R. ORENZO – JACQUELINE H. PORCEL - APPOINTMENTS.

Communication from Toni K. Whitesell, Director of Administration, dated March 1, 2005, requesting approval of the appointments of the following individuals:

<u>Appointment</u>	<u>Classification</u>	<u>Range & Step</u>	<u>Effective Date</u>
Rex R. Orenzo	Survey Technician	467/4	3/08/05
Jacqueline H. Porcel	Administrative Intern-NC	H36/1	3/08/05

was presented to the Board. The request was approved by the Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Cordero that the communications be received and filed and that Items Nos. 1-8 be approved as recommended. Carried by the following vote:

AYES:	Comms:	Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	None

REGULAR AGENDA.

9. AUDITED FINANCIAL STATEMENTS FOR THE LONG BEACH HARBOR DEPARTMENT FOR FISCAL YEAR 2004 – RECEIVED AND FILED.

Communication from Michael J. Slavin, Director of Finance, dated March 1, 2005, transmitting the audited financial statements for the Long Beach Harbor Department for the fiscal year ending September 30, 2004, was presented to the Board. The audited financial statements were approved by the Executive Director.

Commissioner Hancock moved, seconded by Commissioner Topsy-Elvord that the communication and audited financial statements transmitted therewith be received and filed. Carried by the following vote:

AYES:	Comms:	Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	None

10. REPORT NO. 22 FROM THE RULE 1158 TASK FORCE – RECEIVED AND FILED.

Communication from Geraldine Knatz, Managing Director, dated March 1, 2005, transmitting Report No. 22 from the Rule 1158 Task Force regarding implementation of the amended rule to be received and filed, was presented to the Board. The report was approved by the Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Cordero that the communication and that Report No. 22 from the Rule 1158 Task Force be received and filed. Carried by the following vote:

AYES:	Commrs:	Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	None

11. BP WEST COAST PRODUCTS, LLC - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIFTH AMENDMENT TO LEASE FOR A COKE CALCINER FACILITY AND THIRD AMENDMENT TO LEASE FOR A RAILROAD RIGHT-OF-WAY – FIRST READING OF ORDINANCES.

Communication from Kathryn McDermott, Director of Properties, by Karl Adamowicz, dated March 1, 2005, recommending approval of the Fifth Amendment to Lease for a coke calciner facility and a Third Amendment to Lease for a railroad right-of-way on Pier A, was presented to the Board together with the authorizing ordinances therefore. The recommendation was approved by the Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Hancock that the communication be received and filed and that the ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A FIFTH AMENDMENT TO GROUND LEASE BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND BP WEST COAST PRODUCTS LLC FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," be declared read for the first time and laid over for its second and final reading. Carried by the following vote:

AYES:	Commrs:	Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	None

Commissioner Cordero moved, seconded by Commissioner Topsy-Elvord that the communication be received and filed and that the ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A THIRD AMENDMENT TO RAILROAD RIGHT OF WAY AGREEMENT BETWEEN THE CITY

OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND BP WEST COAST PRODUCTS LLC FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," be declared read for the first time and laid over for its second and final reading. Carried by the following vote:

AYES:	Commrs:	Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	None

CLOSED SESSION.

At 1:55 p.m., President Calhoun recessed the Board meeting to hold a closed session:

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT

Closed session pursuant to Section 54957 of the Government Code to consider appointment of a Director of Trade and Maritime Services.

At 2:25 p.m., the meeting was again called to order by President Calhoun.

ADJOURNED.

At 2:26 p.m., Commissioner Hancock moved, seconded by Commissioner Cordero that the meeting be adjourned sine die. Carried by the following vote:

AYES:	Commrs:	Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	None