

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, JULY 2, 2007, AT 1 P.M.

Present: Commissioners: Hancock, Hankla, Topsy-Elvord, Cordero
Absent: " Walter

Also present:

R. D. Steinke	Executive Director
S. B. Rubin	Managing Director
D. A. Thiessen	Managing Director
R. G. Kanter	Managing Director
G. T. Hein	Executive Officer to the Board
S. Larson	Interim Director of Human Resources
H. C. Morris	Director of Communications
J. A. Urrutia	Assistant Director of Finance
D. L. Albrecht	Director of Information Management
R. Rich	Director of Maintenance
A. J. Moro	Assistant Managing Director of Engineering
K. J. Adamowicz	Acting Director of Real Estate
C. Perrone	Director of Security
D. B. Snyder	Director of Trade Relations
S. Ashley	Director of Government Affairs
R. S. Baratta	Director of Risk Management
C. Gale	Deputy City Attorney

OUTGOING PRESIDENT REMARKS.

Commissioner Hankla stated today culminates an important year in his life. He stated during this year he was honored to serve as President of the Board of Harbor Commissioners and in that capacity was able to become a change agent. Commissioner Hankla stated there have been a lot of changes in this past year and he believes most people would agree that the changes have been for the better and he looks forward to continuing to further the changes that together we still need to make.

Commissioner Hankla thanked Commissioner Topsy-Elvord, Commissioner Hancock, Commissioner Cordero, Commissioner Walter, and the entire Port staff for their support during his tenure as President of the Board of Harbor Commissioners.

Outgoing President Hankla presented incoming President Cordero his gavel.

President Cordero stated Commissioner Hankla indicated he came to the Port to be a change agent and he not only accomplished that goal but his involvement in this Board is so important that this Board is going to continue that goal of being a change agent.

INCOMING REMARKS BY PRESIDENT CORDERO.

President Cordero thanked his fellow Board members who he stated had the trust and confidence electing him to the position of President, and that he looks forward to working with them in continuing the great things that this Board has done.

President Cordero acknowledged his parents in their hard work and determination to see that all their children had a college education.

President Cordero read an excerpt from the editorial section of the Press Telegram from June 13, 2003, “. . . the two new Commissioners, they are Mario Cordero, a local lawyer and James Hankla, CEO of the Alameda Corridor. Their appointments were announced last week by Mayor Beverly O’Neill and the City Council will likely approve them at their next meeting. Cordero is not well known around town, besides practicing law he teaches Political Science at Long Beach City College and appears to have the passion for mentoring young people”. President Cordero stated he believed the reason he was here today was because of the professionalism that his wife, Gloria, exercised and continues to exercise in this community, along with her hard work, ethics, and in particular, balancing that with being a mother and wife.

President Cordero also acknowledged and thanked former Mayor Beverly O’Neill, who took a risk in appointing him to one of the most important Commissions, not just in Long Beach, not just in the region, but in the nation.

Additionally, President Cordero stated he appreciates the support of Mayor Bob Foster, who is working with us here at the Port to accomplish the goals and objectives that we all have in common.

President Cordero introduced his wife, Gloria, his daughter, Celine, his son, Mario, Jr., his daughter-in-law, Ricki, and grandsons, Cruz and Santos.

President Cordero made the following comments/statements:

In 1956, a vessel departed Newark, New Jersey to Houston, marking the beginning stages of container shipping as we know it today. The leaders and innovators of the day were the likes of Malcolm Mclean and Matson Navigation Company. Matson sailed its first container vessel from a California port in 1958. California quickly moved to concentrate on its ports in an effort to build terminals large enough to handle the contemplated oceangoing vessels. In 1958, California voters

approved \$50 million in bonds earmarked for the Port of San Francisco. Soon, thereafter, the ports became center stage in the West Coast given the potential in containerization for the local economy.

In 1959, voters in Los Angeles passed a referendum approving revenue for port investment given the potential economic benefit. A second bond measure was approved in 1962 resulting in an additional \$14 million.

The Port of Long Beach, early in the 20th century emerged as an oil producing Harbor. However, in the latter 1950s, a new vision for the port arose in line with the activity in other West Coast ports. In 1962, Sea-Land established itself at the Port of Long Beach, as its first container terminal. The pacific coast ports commenced a journey to invest in their ports as a way to further economic prosperity for the region.

Today, I believe we now again face the pressing issues that confronted our leaders in the early 1960s. There is a need for significant investment in our ports, which clearly have become the economic engine, not only for the local region, but for the nation. California voters in November 2006, once again passed a bond measure to address infrastructure improvements in its ports. Proposition 1B will allocate money for both infrastructure and environmental measures.

In Long Beach, moving forward with vital projects like those of the Gerald Desmond Bridge, Middle Harbor, and Pier S, is essential, not just for Long Beach, but for the goods movement industry. These projects, I suggest are of national significance - for the Gerald Desmond Bridge is not a "bridge to nowhere", but rather a bridge to everywhere.

However, unlike the 1960s, new investment necessitates addressing the social and public health problems that have resulted from containerization. Today, the overriding public health concern is the state of our air quality. In this regard, our Board this year supported the basic principles noted in SB974, authored by Senator Alan Lowenthal. Together with the Port of Los Angeles, we are moving forward with the Clean Air Action Plan. Both of the aforementioned measures will assist in attaining federal air quality standards. Any delay in attainment will translate to loss in federal transportation dollars but more importantly, further jeopardizes the health of the people living and working in and around the port. These are not risks we can no longer take, nor will the public accept.

Global trade plays a key part in the economies of the international community. The Port of Long Beach is at the center of this global economy. The question for Long Beach is how we guide the impact of containerization and globalization. Clearly, the Port as a major economic engine will grow. The question for us is now to "grow responsibly", and addressing the impact on the quality of life in local communities, the impact on public health, and the impact on our highways. On these issues, the Port of Long Beach is and will continue to be a major voice for growing responsibly.

As our Green Port Policy mandates, trade growth runs parallel to being an environmental steward. Working in partnership with our various stakeholders, we must implement new technologies to minimize trade's environmental impacts. Hence, the challenge is not only to be a leader, but an innovator.

The economic engine of Port operations translates to \$310 billion annually in international trade for the region. This engine should not only benefit the few, but benefit the many. The good jobs we promote should not only be within the port, but beyond the Port. Our environmental policies should not only be promoted at the local level, but should be furthered at both the national and international levels.

The Port is regularly both praised and criticized and always under the microscope – as it should be. The Port's public outreach and policy advocacy must be fully integrated throughout all departments if we hope to accomplish our objectives locally, in Sacramento, or Washington. I believe both our Communications and Government Affairs departments have done an excellent job in their respective outreach and advocacy roles. However, we have pressing issues and time is of the essence. All of us must be "on-call advocates", 24/7 for the port to advance our policy agenda and create friends and allies on behalf of our port. Thus, this is my challenge to Port staff.

These are both turbulent and exciting times. We need to continue to impress upon the public and elected officials that we, in this room, have the leadership, backbone, and know-how to address port growth in an environmentally bold and innovative way while preserving the port's internationally respected standing as a place to move goods quickly and efficiently across this nation.

As we proceed as leaders and innovators, we must remember we are a public port. Ultimately, our mandate arises not only from the Charter under which we operate, but from the mandate of those who appointed and confirmed our privilege to govern and ultimately, the public mandate. We must always be mindful we are first public servants.

To this end, in furthering our community engagement and need for transparency in how we operate, I am asking my fellow commissioners to consider the following:

- Scheduling Board meeting(s) at 5 pm
- Implement forthwith web cast or video stream technology for the public to view our meetings
- Instruct staff to arrange for a joint Harbor board – City Council meeting
- Consider an off-site Board meeting within 90 days. Here, I would suggest at Hudson School

As a public port, our decisions should not be based solely on the cost benefit or the financial ledger, but rather the ultimate benefit as a whole to our shareholders. As a public port, we must remember our shareholders include the public. The value of their

shares is measured in part by the effect of the Port on their health and quality of life. That quality of life must be protected just as much as this port must be protected. There should be no distinction between the level of priority placed on public security and public health. To date, in both areas we have seen remarkable advances made, I thank our environmental and security departments for their diligent and hard work.

As a public port, we do not lose sight of the need to work with private industry. Matson's leadership in the 1950s continues today. Matson partnered with the Port to address environmental mitigation by way of a Green Lease signed in 2006. Thereafter, K-Line executed a cutting edge Green Lease with our provisions that will result in significant emission reductions. Many of our tenants have moved forward to work with us in addressing the principles established pursuant to the Ports Green Port policy. I thank the tenants for their cooperation in attempting to maximize their efforts to mitigate harmful emissions.

Many challenges remain. Voters in California have historically answered the call to provide public tax dollars toward port infrastructure. The Port of Long Beach has committed to a Green Port Policy and has backed that commitment with significant dollars from port revenue. Many of our tenants have come on board with their respective investment, one notable example, British Petroleum and the Cold Ironing at Pier T, scheduled to be completed within the next year.

However, we must call for the retailers and shippers, the ultimate beneficiaries, to step up to the plate to address the pressing issues of both infrastructure and environmental improvements. Here, we ask only that they pay their fair share.

On the same note, the trucking industry must re-think the status quo on how they conduct business. All of us in the trade and maritime industry must get on board with aggressive implementation of environmental measures. We must stop viewing these measures as anti-cost saving "job killers". Rather, as "job producers" and will result in saving lives. Most of all it is the right thing to do as socially responsible corporate leaders and public servants when health experts link 2,400 premature deaths a year to noxious emissions produced by the ports.

The June edition of the Washington Monthly noted a recent New York Times poll that . . . "63% of Americans agreed that protecting the environment is so important that requirements and standards cannot be too high and continuing environmental improvements must be made regardless of cost".

Lastly, we must emphasize our long term vision as it relates to Good Movements. I will continue the vision of our immediate past president, James Hankla, who cited the need to identify new technology as part of the transportation system, specifically, exploring implementation of a MAGLEV transportation system, which moves containers efficiently and environmentally. In this regards, the Clean Air Action Plan begins this process, setting in motion the feasibility of using Maglev for short haul movement of goods. We also will partner with an inland port with the objective to move containers

quickly to distribution centers to reduce dwell time at port terminals and help accommodate future port growth outside the immediate urban area.

One important note, I am pleased to hear about continued positive discussions between the shipping companies and the clerical union, and the ILWU. This year both labor and management will be addressing challenging issues. Fair and reasonable agreements negotiated amicably, and in good faith, are to everyone's best interest. Again, issues that have been addressed successfully since the 1960s.

In addressing maritime labor issues, President John F. Kennedy stated in 1962 the following: "I regard it as the major domestic challenge, really of the 60s, to maintain full employment, at a time when automation, of course, is replacing men".

Again, many of our issues we face today are no different than what our leaders faced in the 60s. Needless to say, the maritime industry and goods movement have risen to a new level. As have the issues of labor and efficiency. I offer my continued encouragement for the parties to resolve their issues and avoid at all cost disruption or interruption of the flow of cargo at the ports.

PRESIDENT CORDERO PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Upon motion by Commissioner Hancock, seconded by Commissioner Topsy-Elvord and unanimously carried, the minutes of the regular meeting of June 25, 2007, were declared read and approved as read.

PUBLIC COMMENTS.

The Board of Harbor Commissioners heard comments on the Clean Air Action Plan Truck Program from the following: Mr. William McConnell, Ms. Glenda Wina; Mr. Louie Ceja, Mr. Andriano Matinez, Mr. Jesse Marquez, Ms. Rupal Patel, Mr. Matt Keiner, Ms. Candace Kim, Mr. Miguel Lopez, Mr. Rand Thomas, Ms. Felicia Bender, and Ms. Maria Cortez.

President Cordero thanked everyone for their comments.

CONSENT CALENDAR – ITEMS NOS. 1-7.

1. CWO NO. 1297 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.

Communication from A. J. Moro, Chief Harbor Engineer, dated June 27, 2007, submitting the following project for closing action:

		<u>BHC Approval</u>	<u>Expenditures</u>
CWO No. 1297	Pier G Terminal Lease Repairs	\$ 8,150,000	\$ 131,699

and requesting that the expenditures made to said project be approved and that it be closed to all future charges, was presented to the Board. The request was approved by the Executive Director.

2. CWO NO. 1289, SUPPLEMENT NO. 2 – LEAD-BASED PAINT ABATEMENT AND PAINTING OF PIER D WAREHOUSES, BERTHS D48-D50 AND D52-D54 – AND A BUDGET REVISION - APPROVED.

Communication from A. J. Moro, Chief Harbor Engineer, dated June 27, 2007, requesting approval of CWO No. 1289, Supplement No. 2, in the amount of \$120,000, for the lead-based paint abatement and painting of Pier D warehouses, Berths D48-D50 and D52-D54, and a budget revision, was presented to the Board. The request was approved by the Executive Director.

3. KPFF CONSULTING ENGINEERS - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO CONTRACT FOR SECURITY COMMAND AND CONTROL CENTER – DOCUMENT NO. HD-7060A.

Communication from A. J. Moro, Chief Harbor Engineer, dated June 27, 2007, requesting approval of an amendment to the Contract with KPFF Consulting Engineers for the Security Command and Control Center, extending the term of the contract to December 31, 2007, was presented to the Board. The request was approved by the Executive Director.

4. DISTRIBUTION OF A NEGATIVE DECLARATION/APPLICATION SUMMARY REPORT FOR EDISON AVENUE RAILROAD GRADE CROSSING VACATION AND CLOSURE - APPROVED.

Communication from Richard D. Cameron, Manager of Environmental Planning, dated June 26, 2007, requesting approval to distribute a Negative Declaration/ Application Summary Report, for a 30-day public review and comment period, for the Edison Avenue Railroad Grade Crossing Vacation and Closure, was presented to the Board. The recommendation was approved by the Executive Director.

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

Communication from Sam Joumblat, Chief Financial Officer, dated June 27, 2007, submitting the following Fund Transfer Journals received from the Department of Financial Management:

<u>AMOUNT</u>	<u>DESCRIPTION</u>
96,950.08	Insurance Fund – Worker’s Comp for July 2007
133,183.92	Employee Benefits Fund – pension obligation bonds for July 2007
186,152.33	General Fund – transfer of the July 2007 estimated City General administration costs
26,199.00	General Fund – adjustment for additional cost of indirect overhead for prior year – F/Y 2005
549,472.50	Police Department – police services for February and March 2007
121,422.02	Gas, water, and sewer for May 2007
825.79	Reprographics for June 2007
11,058.37	Technical Systems – financial information system for July 2007
3,231.48	Planning and Building permits for May 2007
537.00	Fingerprinting for May 2007
203.38	Utility user’s tax billed for May 2007

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

6. FINANCIAL STATEMENTS FOR THE LONG BEACH HARBOR DEPARTMENT FOR THE MONTH OF MAY 2007 – RECEIVED AND FILED.

Communication from Sam Joumblat, Chief Financial Officer, dated June 26, 2007, transmitting financial statements for the Long Beach Harbor Department for the month of May 2007, was presented to the Board. The financial statements were approved by the Executive Director.

7. CONGHUI CHEN – APPOINTMENT.

Communication from Steve Larson, Interim Director of Human Resources, dated June 27, 2007, requesting approval of the appointment of Conghui Chen to the position of Administrative Intern-NC at Range/Step H36, effective July 3, 2007, was presented to the Board. The request was approved by the Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Hancock that the communications be received and filed and that Items Nos. 1-7 be approved as recommended. Carried by the following vote:

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

NEW BUSINESS.

Mr. Steinke stated this Board has taken on responsibilities that few other Boards here at the Port of Long Beach have in the past and the challenges that this Board faces are much more daunting and tougher than they were many, many years ago.

Mr. Steinke stated Commissioner Hankla has guided the Port through some very challenging times this past year and he thanked him for his wisdom, dedication, service, and guidance.

Additionally, Mr. Steinke commented we have certainly appreciated the 12 years of dedication, time, and service that Commissioner Hancock has given to this Port and the Harbor Department.

ADJOURNED.

At 3:15 p.m., Commissioner Topsy-Elvord moved, seconded by Commissioner Hancock that the meeting be adjourned sine die. Carried by the following vote:

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

CITY PLANNING COMMISSION MINUTES

MAY 17, 2007

The regular meeting of the City Planning Commission and public hearing convened on May 17, 2007, at 5:06pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, CA.

PRESENT: COMMISSIONERS: Leslie Gentile, Charles Greenberg,
Nick Sramek, Matthew Jenkins

ABSENT: EXCUSED: Morton Stuhlbarg

CHAIRMAN: Leslie Gentile

STAFF MEMBERS PRESENT: Suzanne Frick, Director
Greg Carpenter, Planning Manager
Angela Reynolds, Advance Planning
Carolyn Bihn, Zoning Officer
Steve Valdez, Planner
Miguel Madrigal, Planner

OTHERS PRESENT: Mike Mais, Deputy City Attorney
Dave Roseman, City Traffic Engineer
Marcia Gold, Minutes Clerk

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Commissioner Jenkins.

SWEARING OF WITNESSES

CONSENT CALENDAR

Commissioner Jenkins moved to accept Item 1A as presented by staff. Commissioner Sramek seconded the motion, which passed 4-0. Commissioner Stuhlbarg was absent.

1A. Case No. 0702-12, Condominium Conversion, CE 07-020

Applicant: Union Dominion, Priscilla Bushe, Rep.
Subject Site: 110 West 6th Street (Council District 1)
Description: Request for approval of Tentative Tract Map No. 68495 to convert 158 residential and five commercial rental units with 192 subterranean level off-street parking spaces into condominiums.

Approved Tentative Tract Map No. 78495 subject to conditions.

R E G U L A R A G E N D A

Item #2 was moved to the end of the agenda

3. Case No. 0702-14, Conditional Use Permit, CE 07-021

Applicant: Mike Darkhor, Princess Global Enterprises
Subject Site: 2109 Artesia Boulevard (Council District 9)
Description: A Conditional Use Permit to construct a
1,095 sq.ft. car wash, a 663 sq.ft. accessory lube center
and 658 sq.ft. retail store.

Steve Valdez presented the staff report recommending approval of the request since noise levels would not substantially impact adjacent properties with mitigating conditions in place.

In response to a query from Commissioner Sramek, Angela Reynolds explained that an acoustic sensitivity study done by staff had included all structures within a certain radius, and the resulting recommendations had been incorporated into the mitigating conditions of approval.

Mike Darkhor, 2109 Artesia Boulevard, applicant, explained various materials and layout alterations he was hoping to make during the construction process.

Commissioner Greenberg expressed concerns about the project based on his feelings that the planned ingress and egress to the various elements on the property were insufficient and confusing. Mr. Greenberg added that the applicant should have clarified and finalized all design details for the project before presenting it to the Commission.

In response to a query from applicant Darkhor as to whether or not she liked the design, Chairman Gentile said she felt it needed improvement, and Commissioner Jenkins suggested he meet with staff to discuss issues of circulation, design and materials.

Commissioner Jenkins moved to continue the item to the June 21, 2007 meeting to allow the applicant time to redesign the project with staff. Commissioner Sramek seconded the motion, which passed 4-0. Commissioner Stuhlberg was absent.

2. Case No. 0702-01

Applicant: Boeing c/o Gene Warden
Senior Real Estate Manager
Subject Site: 3855 Lakewood Boulevard (Council District 5)
Description: Annual review of the Douglas Park
Development Agreement between the City of Long Beach and
the McDonald Douglas Corporation.

Miguel Madrigal presented the staff review of the project with the recommendation that the Commissioner find the applicant in compliance with the terms of the Development Agreement.

Mr. Carpenter noted that the residential component of the project was likely changing because Boeing had made a decision not to move forward with it at this time due to soil remediation issues. Chairman Gentile suggested that an active park system be installed instead.

Stephane Wandel, Senior Project Manager, gave a presentation outlining the concept, scope, goals and traffic improvements of the project.

Dave Roseman, City Traffic Engineer, discussed the conceptual design of the Adaptive Traffic Control System planned to facilitate and regulate traffic flow within the vicinity of the project.

Commissioner Sramek said he liked the progress that had been made, and moved to review the materials and find the applicant to be in compliance with the terms of the Development Agreement.

Commissioner Jenkins seconded the motion, which passed 4-0. Commissioner Stuhlberg was absent.

M A T T E R S F R O M T H E A U D I E N C E

There were no matters from the audience.

**M A T T E R S F R O M T H E D E P A R T M E N T O F
P L A N N I N G A N D B U I L D I N G**

There were no issues from the Department of Planning and Building.

**M A T T E R S F R O M T H E P L A N N I N G
C O M M I S S I O N**

In response to a query from the Commission as to why Applicant Darkhor was allowed to present such a vague project, Carlyne Bihn explained that in spite of meeting with staff and their concerted efforts to assist the applicant on the project, the applicant had resisted their suggestions.

Commissioner Greenberg requested that staff present more information to the Commission about mixed-use development projects and their economic viability.

A D J O U R N

The meeting adjourned at 6:45pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk