

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 12, 2007, AT 1 P.M.

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

Also present:

R. D. Steinke	Executive Director
S. B. Rubin	Managing Director
C. Lytle	Managing Director
D. A. Thiessen	Managing Director
G. T. Hein	Executive Officer to the Board
S. Larson	Interim Director of Human Resources
H. C. Morris	Director of Communications
S. Joumblat	Chief Financial Officer
D. L. Albrecht	Director of Information Management
R. Rich	Director of Maintenance
R. G. Kanter	Director of Planning & Environment Affairs
A. J. Moro	Acting Chief Harbor Engineer
K. J. Adamowicz	Acting Director of Real Estate
C. Perrone	Director of Security
D. B. Snyder	Director of Trade Relations
J. Garza	Government Affairs Analyst
R. S. Baratta	Director of Risk Management
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT HANKLA PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Upon motion by Commissioner Topsy-Elvord, seconded by Commissioner Walter and unanimously carried, the minutes of the regular meeting of March 5, 2007, were declared read and approved as read.

PUBLIC COMMENTS.

There was no one present to address the Board.

CONSENT CALENDAR – ITEMS NOS. 1-9

1. SAN PEDRO BAY RAIL STUDY – RECEIVED AND FILED – PRIORITY RAIL PROJECTS LIST - APPROVED.

Communication from A. J. Moro, Acting Chief Harbor Engineer, dated March 7, 2007, transmitting the San Pedro Bay Rail Study to be received and filed, and requesting approval of the priority rail projects list, was presented to the Board. The communication was approved by the Executive Director.

2. CWO NO. 1226, SUPPLEMENT NO. 2 – FOR CEQA ENVIRONMENTAL PROGRAMS FOR THE RAIL PROJECTS AND A BUDGET REVISION - APPROVED.

Communication from A. J. Moro, Acting Chief Harbor Engineer, dated March 7, 2007, requesting approval of CWO No. 1226, Supplement No. 2, to fund preparation of environmental reports and testing of conceptual rail layouts, in the amount of \$2,300,000, and a budget revision was presented to the Board. The request was approved by the Executive Director.

3. P2S ENGINEERING, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR THE COLD IRONING PROJECT ON PIER C – CITY ATTORNEY REQUESTED TO PREPARE CONTRACT - DOCUMENT NO. HD-7143 - CWO NO. 1294, SUPPLEMENT NO. 1 - APPROVED.

Communication from A. J. Moro, Acting Chief Harbor Engineer, dated March 7, 2007, recommending authorization of a Contract with P2S Engineering, Inc., for the Cold Ironing Project on Pier C, Berths C60-C62, in the amount of \$800,000, and approval of CWO No. 1294, Supplement No. 1, in the amount of \$1,150,000, was presented to the Board. The recommendation was approved by the Executive Director.

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

Communication from Robert Kanter, Director of Planning, dated March 6, 2007, requesting that the following Level I Harbor Development Permits, be received and filed:

HDP #07-013 Chemoil Marine Terminal – Tide Slide Installation

HDP #07-015 Pacific Energy – Pipeline Replacement

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

5. TIDELANDS OIL PRODUCTION COMPANY – CONTRACT PURCHASE ORDER FOR UNIT OPERATING COSTS FOR OIL FIELD OPERATIONS.

Communication from Robert Kanter, Director of Planning, dated March 6, 2007, requesting approval of the Contract Purchase Order with Tidelands Oil Production Company for unit operating costs for oil field operations for the second six months of FY 2006-2007, in the amount of \$16.887 million. The request was approved by the Acting Executive Director.

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

Communication from Sam Joumbat, Chief Financial Officer, dated March 6, 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 – Workers’ Compensation for March 2007
133,183.92	Employee Benefits Fund – pension obligation bonds for March 2007
186,152.33	General Fund – transfer of the March 2007 estimated City general administration costs
26,199.00	General Fund – adjustment for additional cost of indirect overhead for prior year – F/Y 2005
11,058.37	Technical Systems – financial information system for March 2007
3,555,546.00	Tidelands Fund – third installment of the operating transfer of 10% of FY 2005 harbor net income. Due 4/1/07

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

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

Communication from Sam Joumbat, Chief Financial Officer, dated March 7, 2007, transmitting financial statements for the Long Beach Harbor Department for the month of January 2007, was presented to the Board. The financial statements were approved by the Executive Director.

8. ROBERT KANTER – APPOINTMENT.

Communication from Steve Larson, Interim Director of Human Resources, dated March 7, 2007, requesting approval of the appointment of Robert Kanter to the position of Managing Director of Environmental Management & Planning, effective March 17, 2007, at the annual salary of \$160,000, was presented to the Board. The request was approved by the Executive Director.

9. CGR MANAGEMENT CONSULTANTS - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT TO ESTABLISH A PROGRAM MANAGEMENT OFFICE - DOCUMENT NO. HD-7144.

Communication from Douglas Albrecht, Director of Information Management, dated March 7, 2007, recommending authorization of a Contract with CGR Management Consultants to establish a program management office, in the amount of \$1,397,920, for a period of one year, with an option to extend the contract for two additional years, was presented to the Board. The recommendation was approved by the Acting Executive Director.

Mr. Holzhaus, Principal Deputy City Attorney, indicated that minor alterations were being negotiated and that the contract could be approved substantially in the form received by the Board.

Commissioner Walter moved, seconded by Commissioner Cordero that the communications be received and filed and that Items Nos. 1-9 be approved as recommended. Carried by the following vote:

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

REGULAR AGENDA.

10. RESOLUTION CANCELLING THE REGULAR MEETING OF MONDAY, MARCH 19, 2007 – RESOLUTION NO. HD-2352 - ADOPTED.

Communication from Gustav T. Hein, Executive Officer to the Board, dated February 28, 2007, recommending adoption of a resolution authorizing cancelling of the regular meeting of Monday, March 19, 2007, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Commissioner Hancock moved, seconded by Commissioner Topsy-Elvord that the communication be received and filed and that the resolution entitled "A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH SUSPENDING RULE 1(B) AS SET FORTH IN HARBOR DEPARTMENT RESOLUTION NO. HD-519, AS AMENDED, RELATING TO THE MEETING SCHEDULE OF THE BOARD OF HARBOR COMMISSIONERS, AND CANCELLING THE REGULAR MEETING OF MARCH 19, 2007," be declared read and adopted as read. Carried by the following vote:

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

NEW BUSINESS.

Mr. Don Snyder announced the 3rd Annual Peak Season Forecast Conference/Pulse of the Ports will be held at the Long Beach Convention Center on March 27, 2007, from 7:30 a.m. to 10:30 a.m.

Commissioner Cordero commented that he was recently in the Planning Division and that the environmental staff has done an outstanding job on all of the environmental projects and requests.

Mr. Steinke suggested bringing staff to the Board and introducing, not only the Planning staff, but other divisions that have worked on other major projects.

ADJOURNED.

At 2:10 p.m., Commissioner Walter moved, seconded by Commissioner Cordero that the meeting be adjourned sine die. Carried by the following vote:

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

MINUTES
 REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS
 LONG BEACH, CALIFORNIA
 MARCH 1, 2007

The Board of Water Commissioners of the City of Long Beach met in the Board Room of the Administration Building, 1800 E. Wardlow Road, Long Beach, California, on March 1, 2007.

The meeting was called to order at 9:15 a.m. by President Clarke.

PRESENT:	Frank Clarke William B. Townsend Helen Z. Hansen Lisa Peskay Malmsten Kevin L. Wattier Sandra L. Fox B. Anatole Falagan Ryan J. Alsop Matthew P. Lyons Isaac C. Pai Eric Leung Paul Fujita David Honey Melissa L. Keyes Robert V. Swain Dynna Long Ken Bott	Commissioner Commissioner Commissioner Deputy City Attorney General Manager Secretary to the Board of Water Commissioners Deputy General Manager – Business Director, Government & Public Affairs Director, Planning & Conservation Director of Engineering Director of Water Resources Director of Finance Administrative Officer Administrative Analyst II/Special Projects Coordinator Division Engineer Senior Secretary Administrative Analyst III
ABSENT	Stephen T. Conley Robert C. Cheng	Commissioner (EXCUSED) Deputy General Manager - Operations

1. PLEDGE OF ALLEGIANCE

Melissa Keyes, led the Board and audience in the Pledge of Allegiance.

2. APPROVAL OF MINUTES

February 22, 2007

Upon motion by Commissioner Hansen, seconded by Commissioner Townsend, and unanimously carried, the Minutes of the Regular Meeting of February 22, 2007, were approved.

3. PUBLIC COMMENT

President Clarke opened the public comment period. As there were no requests to address the Board, the public comment period was closed.

4. PRESIDENT'S REPORT

- **Frank Clarke, President, Board of Water Commissioners**

President Clarke reminded the Board that he and the General Manager would be having their quarterly meeting with Mayor Bob Foster later on in the day.

President Clarke appointed Helen Hansen as Acting Secretary for the March 1, 2007 board meeting due to the excused absence of Commissioner Conley.

5. GENERAL MANAGER'S REPORT

- **Kevin L. Wattier, General Manager**

Mr. Wattier reviewed with the Board a recent opinion made by California Attorney General Edmund G. Brown, Jr., regarding the fact that a person may not simultaneously serve on the board of directors of two distinct water districts whose interests are incompatible.

There was general discussion regarding this topic by board members.

6. LEGAL COUNSEL REPORT

- **Lisa Peskay Malmsten, Deputy City Attorney**

No report was given.

7. CONSENT CALENDAR

It was moved by Commissioner Hansen and seconded by Commissioner Townsend that the Board approve Consent Calendar items 7a. and 7b. These consent calendar items were unanimously approved.

7a. Approval of Transfer of Funds by Journal Entry Dated March 1, 2007

A communication was presented to the Board from Paul Fujita, which is on file at the Long Beach Water Department.

7b. Authorize the General Manager to sign a Grant Funding Agreement and all necessary documents with California Department of Water Resources (DWR) in connection with Mitigating Water Quality Effects of Desalinated Seawater (Post Treatment)

A communication was presented to the Board from K. Eric Leung, which is on file at the Long Beach Water Department

8. LEGISLATIVE ISSUES/ACTIONS/BILLS

• Ryan J. Alsop, Director, Government & Public Affairs

Mr. Alsop advised the Board that the Annual Long Beach Water Department Ratepayer Report should be received at homes and businesses this weekend.

Mr. Alsop reminded the Board of the following upcoming conference:

- Association of California Water Agencies (ACWA) State Symposium
March 21, 2007 – Sacramento, CA

Mr. Alsop reported that staff continues to work on Federal funding requests, and will keep the Board apprised of progress regarding this issue.

Mr. Alsop reported that some Water Management staff would be traveling to Washington, DC to attend the upcoming AMWA Water Conference. He also advised that during this trip staff had several important meetings scheduled with: 1) Pete Visclosky (Chair, of Appropriations Subcommittee on Energy & Water; 2) Staff from President's Office of Management and Budget to discuss President's '08 budget; 3) Commissioner Bob Johnson, of Bureau of Reclamation to follow-up on status of FY 07 funding; 4) with Senator Biden's staff to provide briefing on chlorine storage phase-out for densely populated urban areas; 5) a meeting with Representative Dan Lungren regarding Homeland Security and chlorine safety and policy.

Mr. Alsop advised that 2,800 bills had been introduced by the State legislature, and that staff was tracking the water-related items. He further advised he would be issuing tracking reports on these items as appropriate.

9. NEW BUSINESS

EXCUSED ABSENCES: COMMISSIONER CONLEY

President Clarke requested that Commissioner Conley be excused from the March 1st and March 8th Board meetings.

It was moved by Commissioner Hansen, seconded by Commissioner Townsend, and unanimously approved that Commissioner Conley be excused from the March 1st and March 8th Board meetings.

UPDATE ON REPLENISHMENT ASSESSMENT SPLIT LEGISLATION

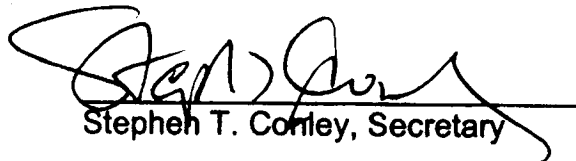
Mr. Wattier advised that a bill had been introduced but did not contain any anticipated language related to the Replenishment Assessment split. He did report that the author was considering amending the bill to include this specific issue. Mr. Wattier advised he would keep the Board members apprised of any changes regarding this matter.

WATER DEPARTMENT BEACH CLEAN-UP – SATURDAY, MARCH 3, 2007


Mr. Alsop reminded the Board that a LBWD beach clean-up was scheduled for Saturday, March 3, 2007 from 9AM – Noon, and invited the Commissioners to take part.

10. ADJOURNMENT

There being no further business to come before the Board, President Clarke adjourned the meeting at 9:44 a.m. to the next Regular Meeting of the Water Commission to be held on Thursday, March 15, 2007, at 9:15 a.m., in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California


Stephen T. Conley, Secretary

Attest:


Frank Clarke, President