



Board of Harbor Commissioner Minutes

Minutes of the Board of Harbor Commissioners of the City of Long Beach regular meeting, held in the Board Room of the Harbor Department Interim Administration Building at 4801 Airport Plaza Drive, Long Beach, California, on November 28, 2016, at 6:00 pm

Present: Commissioners: Dines, Egoscue, Bynum, Guzmán
Absent: Commissioners: Drummond
President Guzmán chaired the meeting

ADDED ACTION ITEM

Pursuant to Government Code section 54954.2(b)(2), the Board may discuss an item which was not previously placed upon an agenda at a regular meeting, when the Board determines that there is a need for immediate action which cannot reasonably wait for the next regularly scheduled meeting and which need for immediate action must have come to the attention of the Harbor Department of the City of Long Beach after the agenda had already been posted. In this case, that proposed additional item is a resolution to reschedule the December 12, 2016 regular Board meeting to December 14, 2016 at 6:00pm. The need for immediate action is because the next regular Board meeting is December 12, 2016 and the need for immediate action arose today when it was determined today that a December 14, 2016 meeting was practicable for Board members.

President Guzman made a motion to place the Resolution rescheduling the regular board meeting of December 12, 2016 to December 14, 2016 at 6:00pm on the agenda.

Dines moved, seconded by Egoscue, carried by the following vote:

Ayes: Commissioners: Dines, Egoscue, Bynum, Guzmán
Noes: Commissioners: None
Absent: Commissioners: Drummond

President Guzman made a motion to adopt the Resolution rescheduling the regular board meeting of December 12, 2016 to December 14, 2016 at 6:00pm. (RESOLUTION NO. HD-2864)

Dines moved, seconded by Egoscue, carried by the following vote:

Ayes: Commissioners: Dines, Egoscue, Bynum, Guzmán
Noes: Commissioners: None
Absent: Commissioners: Drummond

I. NEW BUSINESS

Motion: Approve Consent Items #1 & 2.

Dines moved, seconded by Egoscue, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

Consent Agenda

1. HD-16-717 Approval of Minutes - November 14, 2016 & November 17, 2016.
(Commission - S. Ortiz)
[Legislation Text](#)
[BHC Minutes 11142016.pdf](#)
[BHC Joint Meeting 11172016.pdf](#)
2. HD-16-712 Approval of Fund Transfer Journals. (Finance - M. Lee)
[Legislation Text](#)
[BOH - Fund Transfer 11-28-16](#)

Regular Agenda

3. HD-16-711 Approve additional appropriation for Dal Soglio & Martens LLP in the amount of \$300,000 for specialized assistance of harbor matters.
(City Attorney - C. Gale)
[Legislation Text](#)

Motion: Approve recommendation.

Dines moved, seconded by Egoscue, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

4. HD-16-708 Authorization of Security Deposit and Partial Rent Refund to Alameda Corridor Transportation Authority in the amount of \$29,337.97 for area assignment agreements AA-14-05 and AA-16-11. (Finance - M. Lee)
[Legislation Text](#)
[ACTA Security Deposit Refund Attachments \(1-10\)](#)

Motion: Approve recommendation.

Dines moved, seconded by Egoscue, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

5. HD-16-713 Authorize the Interim Chief Executive to approve First Amendment to Contract with Natoma Technologies in the amount of \$400,000 and extending the term to May 31, 2018, for on-call IT services. (Information Management - N. Maiko) (DOCUMENT NO. HD-8333A)

[Legislation Text](#)

[Natoma 1st Amendment](#)

Motion: Approve recommendation.

Dines moved, seconded by Bynum, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

6. HD-16-689 Approve Fourth Amendment to Contract with Environmental Systems Research Institute, Inc. in the amount of \$1,122,442 for the Virtual Port Project. (Security - R. Parsons) (DOCUMENT NO. HD-7941D)

[Legislation Text](#)

[4th Amendment to HD-7941 - Esri.pdf](#)

Motion: Approve recommendation.

Egoscue moved, seconded by Dines, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

7. HD-16-714 Approve Second Reading and Adoption of Ordinance to amend Port of Long Beach Tariff No. 4, Item 262 by extending the Dockage Reduction Incentive for Compliance with the Voluntary Vessel Speed Reduction Program until December 31, 2017. (Business Development - D. Snyder) (ORDINANCE NO. HD-2252)

[Legislation Text](#)

[Ordinance for Tariff Item 262](#)

[Resolution for Tariff Item 262](#)

[Proposed Tariff Language for Item 262 Extension to 2017](#)

Motion: Second Reading and Adoption of Ordinance.

Dines moved, seconded by Bynum, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

8. HD-16-704 Approve a Permit to Terminate and Abandon Existing Hydrant Service with the Alameda Corridor Transportation Authority, and make the determination that this action is Categorically Exempt pursuant to the California Environmental Quality Act. (Real Estate - K. Adamowicz) (DOCUMENT NO. HD-8718) (RESOLUTION NO. HD-2865)

[Legislation Text](#)

[Permit to Terminate and Abandon Existing Hydrant Service](#)

[Exhibit A](#)

[Exhibit A with 91-898951](#)

[Exhibit B](#)

[Exhibit C](#)

[Vicinity Map](#)

[Resolution - Permit to Term & Abandon Existing Hydrant Service](#)

Motion: Adopt Resolution.

Bynum moved, seconded by Dines, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

9. HD-16-706 Adopt Resolution approving and accepting a delegation of authority from the City Council of certain additional powers and duties relating to the sale of real property at Broadway and Golden Avenue, adjacent to the World Trade Center. (Real Estate - K. Adamowicz) (RESOLUTION NO. HD-2866)

[Legislation Text](#)

[Resolution - WTC Acceptance of Delegation of Additional Powers Relating to Sale](#)

Motion: Adopt Resolution.

Dines moved, seconded by Egoscue, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

- 10.** HD-16-657 Authorize the Interim Chief Executive to execute Change Order No. 1 in the credit amount of (\$247,845.27), authorize the Interim Chief Executive to execute First Amendment to Contract with Ferreira Construction Co., Inc., and approve Final Acceptance of Work for Critical Valve Replacement Program Phase II; Ferreira Construction Co., Inc. (Construction Management - S. Plezia) (DOCUMENT NO. HD-8592A)

[Legislation Text](#)

[Change Order No. 1](#)

[First Amendment to Contract HD-8592](#)

Motion: Approve recommendation.

Dines moved, seconded by Egoscue, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

- 11.** HD-16-668 Authorize the Interim Chief Executive to execute Contracts with Twining, Inc., Smith Emery Laboratories, Inc., Koury Engineering & Testing, Inc., and Ninyo & Moore Geotechnical & Environmental Sciences Consultants in the amount of \$2,000,000 each for a term of three years for on-call construction inspection and materials testing. (Construction Management - S. Plezia) (DOCUMENT NO. HD-8719) (DOCUMENT NO. HD-8720) (DOCUMENT NO. HD-8721) (DOCUMENT NO. HD-8722)

[Legislation Text](#)

[Professional Services Contract with Twining Inc.](#)

[Professional Services Contract with Smith Emery Laboratories](#)

[Professional Services Contract with Koury Engineering](#)

[Professional Services Contract with Ninyo Moore](#)

Motion: Approve recommendation.

Dines moved, seconded by Bynum, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

- 12.** HD-16-687 Approve Conditional Award and Authorize Execution of a Contract under Specification HD-S2546A with Lovco Construction, Inc., in the amount of \$2,927,090 for a term of two years to provide On-Call Rental of Construction Equipment and Other Related Services. (Program Management - D. Sereno) (DOCUMENT NO. HD-8723)
[Legislation Text](#)
[Analysis of Bids](#)

Motion: Approve recommendation.

Dines moved, seconded by Egoscue, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

- 13.** HD-16-688 Authorize the Interim Chief Executive to Advertise for Bids under Specification HD-S2558, On-Call Services for Providing and Installing Fencing Material. (Program Management - D. Sereno)
[Legislation Text](#)
[20161114 Revised Notice Inviting Bids HD-S2558-GSC](#)

Motion: Approve recommendation.

Dines moved, seconded by Bynum, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

- 14.** HD-16-694 ~~***WITHDRAWN*** Declare the Bids from All-American Asphalt and Griffith Company non-responsive, approve the Conditional Award of Contract with R.J. Noble Company in the amount of \$1,677,183, authorize the Interim Chief Executive to execute the contract with R.J. Noble Co., authorize spending and approve a Baseline Budget for the 2014 Roadway Rehabilitation Program. (Program Management - D. Sereno)~~

- 15.** HD-16-696 Authorize the Interim Chief Executive to Advertise for Bids under Specification HD-S2537 for the Phase II Harbor Plaza Facilities Site Improvements Project. (Program Management - D. Sereno)
[Legislation Text](#)
[Notice Inviting Bids](#)
[Project Vicinity Map](#)

Willie Weaver addressed the Board.

Motion: Approve recommendation.

Dines moved, seconded by Bynum, carried by the following vote:

Ayes: Commissioners: Dines, Egoscue, Bynum, Guzmán
Noes: Commissioners: None
Absent: Commissioners: Drummond

SUPPLEMENTAL

16. HD-16-722 Approval of Appointments of Heather Moro, to the position of Acting Director of Communications, Amir Arefnia to the position of Project Scheduler II, Ruth Remolacio to the position of Project Scheduler I, Fernando Carvajal to the position of Equipment Mechanic I, LaTayna Henderson to the position of Clerk Typist III, Madison Chavarria to the position of Clerk Typist III, Annie Fang to the position of Clerk Typist III, and Jasmine David to the position of Maintenance Assistant I Non-Career. (Human Resources - M. Huebner)

[Legislation Text](#)

Motion: Approve recommendation.

Dines moved, seconded by Bynum, carried by the following vote:

Ayes: Commissioners: Dines, Egoscue, Bynum, Guzmán
Noes: Commissioners: None
Absent: Commissioners: Drummond

17. HD-16-721 Approve the Harbor Department Salary Resolution for FY 2017. (Human Resources - M. Huebner) (RESOLUTION NO. HD-2867)

[Legislation Text](#)

[Recommended Changes to FY 2017.docx](#)

[HD Salary Resolution_\(REVISED 11.21.16\).pdf](#)

[Attachment I - Bureaus Divisions and Position Titles rev 112116.pdf](#)

[Attachment II - Position and Assigned Pay Range Numbers rev 112116.pdf](#)

[Attachment III a -Salary Schedule - General City Titles 10-01-16.pdf](#)

[Attachment III b - Salary Schedule - Harbor Titles 10-01-16.pdf](#)

[Attachment III c- Salary Schedule - Water Titles 10-01-16.pdf](#)

[Attachment IV - Skill Pay.pdf](#)

Motion: Approve recommendation.

Dines moved, seconded by Egoscue, carried by the following vote:

Ayes: Commissioners: Dines, Egoscue, Bynum, Guzmán
Noes: Commissioners: None
Absent: Commissioners: Drummond

- 18.** HD-16-725 Approve First Reading of Ordinance approving Second Amendment to a License Agreement between the City of Long Beach, a municipal corporation, acting by and through its Board of Harbor Commissioners and Southern California Edison Company and making the determination that the project is categorically exempt pursuant to the California Environmental Quality Act, Declaring the urgency thereof and providing that this Ordinance shall take effect immediately. (Real Estate - K. Adamowicz) (DOCUMENT NO. HD-5180B) (ORDINANCE NO. HD-2253)

[Legislation Text](#)

[SCE - Second Amendment HD-5180 \(1 Year Extension\)](#)

[SCE Ordinance - 2nd Amendment HD-5180](#)

[SCE Vacinity Map](#)

Motion: Approve recommendation.

Dines moved, seconded by Egoscue, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

- 19.** HD-16-728 Approve the proposal by President Guzmán, pursuant to Articles IV.A and V.A of the By-Laws, to establish a Special Purpose Ad Hoc Committee consisting of Vice President Bynum and Commissioner Egoscue to review the Clean Air Action Plan 2017. (Commission - L. Guzmán)

[Legislation Text](#)

Motion: Approve recommendation.

Bynum moved, seconded by Egoscue, carried by the following vote:

Ayes:	Commissioners:	Dines, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	Drummond

II. REPORTS FROM EX OFFICIO APPOINTEES

Reports, if any, from board members serving on external board, commissions and committees requiring representation of the board pursuant to Article V.B of the Bylaws, including the Intermodal Container Transfer Facility, the Alameda Corridor Transportation Authority, the Interstate 710 Project Committee, Gateway Cities Council of Governments, Southern California Leadership Council and the Los Angeles Area Chamber of Commerce.

III. PUBLIC COMMENTS ON NON-AGENDA ITEMS

IV. ANNOUNCEMENTS

V. CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

- 1CS. HD-16-709 Closed session pursuant to Section 54956.8 of the Government Code for conference with real property negotiator Karl Adamowicz to discuss price and terms of payment in connection with Lease HD-7877 regarding that certain property located at Pier B, Berths 84-87, Long Beach, California. The negotiating party is Tesoro Refining and Marketing Company LLC, a Delaware limited liability company.
- 2CS. HD-16-710 Closed session pursuant to Section 54956.8 of the Government Code for conference with real property negotiator Karl Adamowicz to discuss price and terms of payment in connection with Lease HD-7837 regarding that certain property located at Pier B, Berths 82-83, Long Beach, California. The negotiating party is Toyota Motors Sales, U.S.A., Inc., a California corporation.
- 3CS. HD-16-718 Closed session pursuant to Section 54956.8 of the Government Code for conference with real property negotiator Duane Kenagy to discuss price and terms of payment for the Pier T Container Terminal. The negotiating party is Total Terminals International, LLC.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

- 4CS. HD-16-719 Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 of the Government Code. (one case).

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

- 5CS. HD-16-726 Closed session pursuant to paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code regarding Hanjin Shipping Co, Ltd., Debtor in a foreign proceeding, United States Bankruptcy Court, District of New Jersey, Chapter 15, Case No. 16-27041 (JKS).

Adjournment

President Guzmán adjourned the meeting at approximately 8:30 pm.