

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, JUNE 27, 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
T. Teofilo	Managing Director
G. T. Hein	Executive Officer to the Board
D. A. Thiessen	Chief Harbor Engineer
T. K. Whitesell	Director of Administration
H. C. Morris	Director of Communications
M. J. Slavin	Chief Financial Officer
D. L. Albrecht	Director of Information Management
W. D. Bower	Acting Director of Maintenance
L. L. Cottrill	Manager of Master Planning
K. J. McDermott	Director of Properties
C. Perrone	Director of Security
D. B. Snyder	Director of Trade & 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 Cordero, seconded by Commissioner Topsy-Elvord and unanimously carried, the minutes of the regular meeting of June 20, 2005, were declared read and approved as read.

SERVICE PINS.

The following were presented to the Board in recognition of their service to the City:

Dirk Moyer	Harbor Maintenance Supervisor	10 years
Christi Thomsen	Office Automation Analyst IV	20 years

President Calhoun congratulated the service pin recipients on their years of service.

CONSENT CALENDAR – ITEMS NOS. 1-7.

1. MANSON/CONNOLLY JOINT VENTURE - ACCEPTANCE OF WORK UNDER SPECIFICATION NO. HD-S2111.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated June 22, 2005, advising that Manson/Connolly Joint Venture has satisfactorily completed, as of March 30, 2005, the Phase 2, dredging and wharf extension at Pier T, Berths T132-T134, as described in Specification No. HD-S2111 and recommending that said work be accepted as complete as of that date, was presented to the Board. The recommendation was approved by the Executive Director.

2. MANSON/CONNOLLY JOINT VENTURE – EXECUTIVE DIRECTOR AUTHORIZED TO ISSUE CHANGE ORDER NO. 3 FOR THE DREDGING AND WHARF EXTENSION ON PIER T UNDER SPECIFICATION NO. HD-S2111.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated June 22, 2005, recommending authorization of the issuance of Change Order No. 3 with Manson/Connolly Joint Venture for the dredging and wharf extension on Pier T, Berths T132-T134, under Specification No. HD-S2111, in the amount of \$3,300,244.85, was presented to the Board. The request was approved by the Executive Director.

3. REJECTION OF BIDS FOR PIER D AND PIER T PIPELINE RELOCATION UNDER SPECIFICATION NO. HD-S2269B - AUTHORITY TO RE-ADVERTISE THE PROJECT.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated June 22, 2005, recommending the rejection of bids for Pier D and Pier T pipeline relocation under Specification No. HD-S2269B and authorization to re-advertise the project, was presented to the Board. The request was approved by the Executive Director.

4. SEQUEL CONTRACTORS, INC. – EXECUTIVE DIRECTOR AUTHORIZED TO GRANT RELIEF FROM THEIR BID AND RELEASE THE BID BOND – EXCEL PAVING COMPANY – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE, UPON SATISFACTION OF CERTAIN CONDITIONS BY CONTRACTOR, CONTRACT FOR CHIQUITA BUILDING DEMOLITION AND SITE IMPROVEMENTS ON PIER E UNDER SPECIFICATION NO. HD-S2258 - CITY ATTORNEY REQUESTED TO PREPARE CONTRACT – DOCUMENT NO. HD-6949 - CWO NO. 1197, SUPPLEMENT NO. 17 - AND BUDGET REVISION – APPROVED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated June 22, 2005, requesting grant relief for Sequel Contractors, Inc., for their bid and release of bid bond, conditional authorization of a Contract with Excel Paving Company for the Chiquita Building demolition and site improvements on Pier E, Berths E12-E13,

under Specification No. HD-S2258, in the amount of \$6,548,737, CWO No. 1197, Supplement No. 17, in the amount of \$9,384,191, and a budget revision, was presented to the Board. The request was approved by the Executive Director.

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

Communication from Michael J. Slavin, Chief Financial Officer, dated June 22, 2005, submitting the following Fund Transfer Journals received from the Department of Financial Management:

<u>AMOUNT</u>	<u>DESCRIPTION</u>
\$667,773.18	Employee Benefits and Insurance Funds – transfer of the May 2005 cost of employees’ fringe benefits
115,670.50	Employee Benefits Fund – pension obligation bonds for June 2005
156,303.25	General Fund – transfer of the June 2005 estimated City general administration costs
(4,359.00)	General Fund – monthly credit for prior year indirect cost adjustment
684,812.00	Fire Department – fire boats for June 2005 Fire Department – fire stations for June 2005
7,368.50	Fire Department – vessel patrol for June 2005
13,411.60	Information Services Bureau – data processing operations and maintenance for May 2005
18.00	Information Services Bureau – voice charges for April 2005
920.27	Information Services Bureau – wireless communications for May 2005, includes charges of \$767.09 assigned to the Mobile Command Post Vehicle Project
118,690.04	Gas, water, and sewer for May 2005
1,060.17	Public Works Department – maintenance of streetlights for June 2005
4,993.13	Health Department – vector control & laboratory charges for December 2004 – April 2005

1,815.29	Reprographics for June 2005
8,049.83	Technical Systems – financial information system for June 2005
1,712,694.25	Tidelands Fund – fourth installment of the operating transfer of the 10% FY 2003 Harbor net income. Due 7/1/05.
1,599.99	Planning and building permits for March and May 2005
96.00	Fingerprinting for April 2005
2,519.35	Utility user's tax billed for May 2005
469.04	Energy Department – compressed natural gas (CNG) usage for April and May 2005
54.00	Information Services Bureau – pager service charges for April 2005

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

6. FINANCIAL STATEMENTS FOR THE LONG BEACH HARBOR DEPARTMENT FOR THE MONTH ENDED MAY 31, 2005 – RECEIVED AND FILED.

Communication from Michael J. Slavin, Chief Financial Officer, dated June 22, 2005, transmitting financial statements for the Long Beach Harbor Department for the month ended May 31, 2005, was presented to the Board. The financial statements were approved by the Executive Director.

7. JAMES F. ADAIR – MEREDITH A. BERRIER - APPOINTMENTS.

Communication from Toni K. Whitesell, Director of Administration, dated June 21, 2005, requesting approval of the appointments of the following individuals:

<u>Appointment</u>	<u>Classification</u>	<u>Range & Step</u>	<u>Effective Date</u>
James F. Adair	Construction Inspector II	574/6	6/28/05
Meredith A. Berrier	Security Officer III	430/4	7/02/05

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

Commissioner Hancock moved, seconded by Commissioner Hankla 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,Cordero,Hankla,Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	None

REGULAR AGENDA.

8. CAMERON PEARLSON & FOSTER – AGREEMENT FOR LEGAL SERVICES - APPROVED.

Communication from Charles M. Gale, Deputy City Attorney, dated June 22, 2005, requesting authorization of an agreement with Cameron Pearlson & Foster to assist the City Attorney in connection with real estate matters, in the amount not-to-exceed \$100,000, was presented to the Board.

Commissioner Topsy-Elvord moved, seconded by Commissioner Hankla that the communication be received and filed and that said agreement be authorized. Carried by the following vote:

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

9. RESOLUTION CANCELLING THE REGULAR MEETING OF JULY 11, 2005 – RESOLUTION NO. HD-2261 - ADOPTED.

Communication from Gustav T. Hein, Executive Officer to the Board, dated June 23, 2005, recommending adoption of a resolution authorizing cancelling of the regular meeting of July 11, 2005, was presented to the Board together with the authorizing resolution 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 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 JULY 11, 2005," be declared read and adopted as read. Carried by the following vote:

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

10. ARCO TERMINAL SERVICES CORPORATON - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SECOND AMENDMENT TO LEASE FOR A LIQUID BULK MARINE TERMINAL ON PIER B – FIRST READING OF ORDINANCE.

Communication from Kathryn McDermott, Director of Properties, dated June 21, 2005, recommending approval of the Second Amendment to Lease with ARCO Terminal Services Corporation for a Liquid Bulk Marine Terminal on Pier B, was presented to the Board together with the authorizing ordinance therefore. The recommendation was approved by the Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Cordero 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 SECOND AMENDMENT TO LEASE BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND ARCO TERMINAL SERVICES CORPORATION 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:	Comms:	Hancock,Cordero,Hankla,Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	None

ELECTION OF OFFICERS.

Commissioner Hancock presented the slate of officers for the Board of Harbor Commissioners for the 2005-2006 year:

President	Doris Topsy-Elvord
Vice President	James C. Hankla
Secretary	Mario Cordero
Assistant Secretary	John W. Hancock

Commissioner Hancock moved, seconded by Commissioner Cordero that the slate of officers be elected to serve for the 2005-2006 year. Carried by the following vote:

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

President Calhoun presented Vice President Topsy-Elvord, incoming President the gavel for her term and congratulated her.

PRESIDENT REMARKS.

President Calhoun stated he has been an officer and employee of the City of Long Beach for 43 years and that he was proud to have had the honor and privilege to serve as a Long Beach Harbor Commissioner. He stated he would like to thank all the Board members, both past and present, with whom he had served for their friendship, courtesy, cooperation, thoughtfulness, and assistance in caring out the duties and responsibilities of the Commission. President Calhoun stated he wanted to highly commend and thank the entire Harbor Department staff for their outstanding professionalism and their dedication and hard work to make Long Beach the best Port.

President Calhoun stated he is extremely pleased with Mayor O'Neill and the City Council in their election of Dr. Mike Walter to fill his seat. He stated Dr. Walter has a lot of business academic and governmental experience and he will be a great asset to the Board and to the Port.

COMMISSIONER REMARKS.

Commissioner Hankla stated President Calhoun had served the Port and City well in a number of capacities. He thanked President Calhoun for his friendship and counsel and stated in his view, President Calhoun is the finest municipal lawyer in the state of California.

President-elect Topsy-Elvord stated she had enjoyed working with President Calhoun as City Attorney and then on the Harbor Commission. She stated it is an honor and privilege to follow in his footsteps.

Commissioner Cordero stated President Calhoun always did the right thing and followed the law. He stated President Calhoun is an asset to the community.

Commissioner Hancock stated he has had the pleasure and enjoyment of working with President Calhoun over the last six years and he is a dedicated, thorough man and a great resource. Commissioner Hancock presented President Calhoun with the honorary "Other Commissioner" tee shirt.

Commissioner Hankla presented President Calhoun with his garage parking sign and his portrait.

Mr. Steinke thanked President Calhoun for his service to the Harbor Department. He stated he had been one of the most involved Commissioners and he appreciated him getting to know all of the customers of the Port and for all his personal time he gave to be involved in Harbor business.

At 2:10 p.m., President-elect Topsy-Elvord recessed the Board meeting for a short recess.

At 2:30 p.m., the meeting was again called to order by President-elect Topsy-Elvord

CLOSED SESSION.

At 2:31 p.m., President-elect Topsy-Elvord recessed the Board meeting to hold a closed session:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Closed session pursuant to Section 54957(b) of the Government Code to evaluate the performance of the Executive Director.

At 3:20 p.m., the meeting was again called to order by President-elect Topsy-Elvord.

ADJOURNED.

At 3:21 p.m., Commissioner Cordero moved, seconded by Commissioner Hancock that the meeting be adjourned sine die. Carried by the following vote:

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