



Board of Harbor Commissioner Minutes

Minutes of the Board of Harbor Commissioners regular meeting of the City of Long Beach, held in the Board Room of the Harbor Department Interim Administration Building at 4801 Airport Plaza Drive, Long Beach, California, on June 13, 2016, at 6:00 pm.

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

I. REPORTS

- 1R.** HD-16-284 Update on the Gerald Desmond Bridge. (Executive - D. Kenagy)
[Legislation Text](#)
[061316.bridge presentation](#)

Motion: Receive and File.

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

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

- 2R.** HD-16-346 Update on the FY 17 Strategic Plan process.
(Master Planning - M. Plezia)
[Legislation Text](#)
[Presentation_Strategic Plan Board Update 6-13-16](#)

Motion: Receive and File.

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

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

3R. HD-16-347 Update on the Port of Long Beach Land Use Study.

(Master Planning - M. Plezia)

[Legislation Text](#)

[Figure 1 Land Use Study Outreach Process Overview](#)

[Presentation_LUS Update 6-13-16](#)

Motion: Receive and File.

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

Ayes: Commissioners: Dines, Drummond, Egoscue, Bynum, Guzmán

Noes: Commissioners: None

Absent: Commissioners: None

II. NEW BUSINESS

Motion: Approve Consent Items #1-8. Commissioner Egoscue abstained for Item # 1 as she was not in attendance at the May 23, 2016, Board of Harbor Commissioners meeting.

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

Ayes: Commissioners: Dines, Drummond, Egoscue, Bynum, Guzmán

Noes: Commissioners: None

Absent: Commissioners: None

Consent Agenda

1. HD-16-316 Approval of Minutes - May 23, 2016. (Commission - S. Ortiz)

[Legislation Text](#)

[BHC Minutes 52316](#)

2. HD-16-319 Approve Substantial Completion of Work as of May 20, 2016, for Pier F, Berth 209 Chemoil Facility Improvements Project; John S. Meek Company, Inc. (Construction Management - S. Plezia)

[Legislation Text](#)

[Punch List](#)

3. HD-16-324 Receive and file Level I Harbor Development Permits and corresponding environmental determinations that the permits are categorically or statutorily exempt pursuant to the California Environmental Quality Act. (Environmental Planning - H. Tomley)

[Legislation Text](#)

[20160613_BHC_Level_I_MAP](#)

4. HD-16-344 Approval of Fund Transfer Journals. (Finance - M. Lee)
[Legislation Text](#)
[Fund Transfer Journals - 6-13-16](#)
5. HD-16-300 Approve First Amendment to Contract with Convergent Technologies, LLC to add prevailing wage determinations to the agreement for the CCTV System Enhancement Project. (Security - R. Parsons) (DOCUMENT NO. HD-8562A)
[Legislation Text](#)
[1st Amendment to HD-8562 Convergent signed by Vendor](#)
6. HD-16-301 Approve First Amendment to Contract with Datagear, Inc. to add prevailing wage determinations to the agreement for the Wireless Network Enhancement Project. (Security - R. Parsons) (DOCUMENT NO. HD-8564A)
[Legislation Text](#)
[1st Amendment to HD-8564 DataGear signed by Vendor](#)
7. HD-16-302 Approve First Amendment to Contract with Endeavor Advanced Solutions to add prevailing wage determinations to the agreement for the Automated License Plate Recognition Camera Enhancements Project. (Security - R. Parsons) (DOCUMENT NO. HD-8570A)
[Legislation Text](#)
[1st Amendment to HD-8570 Endeavor signed by Vendor](#)
8. HD-16-303 Approve First Amendment to Contract with Tetra Tech, Inc. to add prevailing wage determinations to the agreement for the Fiber-Optic Network Enhancement Project. (Security - R. Parsons) (DOCUMENT NO. HD-8511A)
[Legislation Text](#)
[1st Amendment to Tetra Tech HD-8511 signed by Vendor](#)

Regular Agenda

9. HD-16-322 Adopt resolution canceling the regular Board Meeting of June 27, 2016, and reschedule to June 30, 2016, at 6:00 p.m. (Commission - R. Jordan) (RESOLUTION NO. HD-2846)
[Legislation Text](#)
[RESOLUTION](#)

Motion: Adopt Resolution.

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

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

- 10.** HD-16-345 Authorize the Chief Executive Officer to sign the Settlement Agreement between AIG Specialty Insurance Company, et al., on the one hand, and Alameda Corridor Transportation Authority, the Harbor Department of the City of Los Angeles, and the Harbor Department of the City of Long Beach, on the other hand, arising from the litigation with Crimson Pipeline Management, Inc., in United States District Court Case No. CV12-0365 GHK (RZx). (Attorney - W. Baerg) (DOCUMENT NO. HD-8641)

[Legislation Text](#)

[Settlement Agreement_Crimson](#)

Motion: Approve recommendation.

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

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

- 11.** HD-16-295 Ratify Change Order No. 17, authorized by the Chief Executive Officer in the amount of \$50,961.36; authorize the Chief Executive Officer to execute Unilateral Change Order No. 18 in the credit amount of (\$121,870.00); and restore the Chief Executive Officer's authority for change orders to \$200,000 for the Pier E, Middle Harbor, Terminal Container Yard / Intermodal Railyard Phase 2; Balfour Beatty Infrastructure Inc. (Construction Management - S. Plezia)

[Legislation Text](#)

[Change Order No. 17](#)

Motion: Approve recommendation.

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

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

12. HD-16-338 Authorize the Chief Executive Officer to Execute Professional Services Contract for CD/DVD Development Production Services of Conformed Bid Documents with CADSTAR, Inc., in the amount of \$180,000.00, for a term of three years.
(J. Chun - Design) (DOCUMENT NO. HD-8642)
[Legislation Text](#)
[Cadstar - Contract - Signed by Firm 2016.05.04](#)
[Change Order No. 18](#)

Motion: Approve recommendation.

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

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

13. ***WITHDRAWN*** Approve First Amendment to Contracts with Al Larson Boat Shop and Gambol Industries each in the amount of \$450,000, for large vessel repair and maintenance services. (Maintenance - F. Greco)
14. HD-16-337 Approve Conditional Award and authorize the Chief Executive Officer to execute Contract with Sandwood Enterprises, Inc., in the amount of \$169,000 and declare bid from F.M. Thomas Air Conditioning, Inc., to be non-responsive for HVAC and Ducting Replacement at D-48 Facility, Pier D, Berth 48. (Maintenance - F. Greco)
(DOCUMENT NO. HD-8643)
[Legislation Text](#)
[Legislation Text](#)
[Analysis of Bids 5-31-16](#)
[Legislation Text](#)

Motion: Approve recommendation.

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

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

- 15.** HD-16-268 Authorize the Chief Executive Officer to execute a Contract with Psomas in the amount of \$460,000, for a year and a half term for on-call professional land surveying services. (Survey - R. Seidel) (DOCUMENT NO. HD-8644)

[Legislation Text](#)

[Attachment A - Selection Process](#)

[PSOMAS Contract Signed by Consultant](#)

[Legislation Text](#)

Motion: Approve recommendation.

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

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

- 16.** HD-16-314 Approve a memorandum of understanding between the Harbor Department and the Development Services Department for the transfer of up to \$65,000 for fiscal year 2016 to provide partial funding for the City's Office of Sustainability. (Environmental Planning - H. Tomley) (DOCUMENT NO. HD-8645)

[Legislation Text](#)

[20160613_BHC_Attachment_Sustainability_MOU_FY16_MC](#)

Motion: Approve recommendation.

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

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

- 17.** HD-16-329 Approve Contract with Starcrest Consulting Group, LLC in the total amount of \$100,000 for a period of three years for Technology Advancement Program consulting services. (Environmental Planning - H. Tomley) (DOCUMENT NO. HD-8646)

[Legislation Text](#)

[20160613_BHC_ATTACHMENT A_2016-2019 TAP Professional Consulting Services Contract](#)

[20160613_Starcrest Consulting Group, LLC_TAP Contract_](#)

[20160613_BHC_Attachment_Sustainability_MOU_FY16_MC](#)

Motion: Approve recommendation.

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

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

- 18.** HD-16-330 Request for the Port of Long Beach to enter into a subgrant agreement with Long Beach Container Terminals, Inc. in order to pass through the 2015 DERA grant award received from the Environmental Protection Agency. (DOCUMENT NO. HD-8647) (Environmental Planning - H. Tomley)

[Legislation Text](#)

[20160523_LBCT_DERA_Subgrant_Agreement](#)

Motion: Approve recommendation.

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

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

- 19.** HD-16-340 Adopt Resolution approving a Joint Revocable Permit with the State of California, Department of Transportation, for the removal of existing paint and application of new primer on the Anaheim Street overhead bridge along State Route 103, make the determination that this action is categorically exempt pursuant to the California Environmental Quality Act. (Real Estate - K. Adamowicz) (RESOLUTION NO. HD-2847) (DOCUMENT NO. HD-8648)

[Legislation Text](#)
[Joint Revocable Permit.pdf](#)
[Resolution.pdf](#)

Motion: Adopt Resolution.

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

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

- 20.** HD-16-341 Approve First Reading of Ordinance approving a Fourth Amendment to Lease HD-7830 with Chemoil Corporation, make determination that this action is Categorically Exempt pursuant to the California Environmental Quality Act. (DOCUMENT NO. HD-7830D) (Real Estate - K. Adamowicz)

[Legislation Text](#)
[Fourth Amendment to Lease HD-7830.pdf](#)
[Ordinance.pdf](#)

Motion: Approve First Reading of Ordinance.

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

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

21. HD-16-342 Adopt Resolution and approve First Reading of Ordinance amending Port of Long Beach Tariff No. 4, Item 260, Exception 5 - Dockage Incentive Program for Large Container Vessels extending the Exception an additional two years until July 31, 2018. (Business Development - D. Snyder) (RESOLUTION NO. HD-2848)

[Legislation Text](#)

[Proposed Tariff Language for Extension to Item 260 Exception 5](#)

[Resolution for Item 260 Exception 5](#)

[Ordinance for Item 260 Exception 5](#)

Michele Grubbs, PMSA, addressed the Board in favor of the Tariff Amendments.

Motion: Adopt Resolution and Approve First Reading of Ordinance.

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

Ayes: Commissioners: Dines, Drummond, Egoscue, Bynum, Guzmán

Noes: Commissioners: None

Absent: Commissioners: None

22. HD-16-343 Adopt Resolution and approve First Reading of Ordinance amending Port of Long Beach Tariff No. 4, Item 261 - Dockage Reduction Incentive for Vessel Technology Demonstrations by extending the program an additional two years to June 30, 2018. (Business Development - D. Snyder) (RESOLUTION NO. HD-2849)

[Legislation Text](#)

[Proposed Language for Extension of Item 261 to June 30 2018](#)

[Resolution for Item 261](#)

[Ordinance for Item 261](#)

Motion: Adopt Resolution and Approve First Reading of Ordinance.

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

Ayes: Commissioners: Dines, Drummond, Egoscue, Bynum, Guzmán

Noes: Commissioners: None

Absent: Commissioners: None

23. HD-16-349 Authorize the Chief Executive Officer to enter into agreements with FM Global Insurance Company in an amount not to exceed \$657,631 for the Port's property insurance program and with Marsh Insurance Services in an amount not to exceed \$449,109 for the Port's watercraft, patrol officers liability, helipad liability, hyperbaric chamber liability, master builders risk and related insurance coverage both for the period of July 1, 2016 through June 30, 2017. (Risk Management - R. Baratta) (DOCUMENT NO. HD-8649) (DOCUMENT NO. HD-8650)

[Legislation Text](#)

Motion: Approve recommendation.

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

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

[SUPPLEMENTAL](#)

24. HD-16-363 Approval of Appointments of Eric MacNeal, to the position of Acting Manager, Utilities, John Yonemoto to the position of Office Systems Analyst II, Shannon Everson to the position of Plumber Supervisor, Barnabas James to the position of Harbor Maintenance Mechanic I, and Steven Steinhoff to the position of Survey Technician-Provisional. (Human Resources - M. Huebner)

[Legislation Text](#)

Motion: Approve recommendation.

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

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

25. HD-16-353 Adopt Resolution and approve First Reading of Ordinance to amend Port of Long Beach Tariff No. 4, Item 264 - Dockage Reduction Incentive for Green Calls, also known as the Free Parking Program, by extending the program an additional two years until June 30, 2018. (Business Development - D. Snyder) (RESOLUTION NO. HD-2850)

[Legislation Text](#)

Motion: Adopt Resolution and Approve First Reading of Ordinance.

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

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

26. HD-16-354 Adopt Resolution and approve First Reading of Ordinance to amend Port of Long Beach Tariff No. 4, Item 1060 - Green Ship Incentive Program by extending the program an additional year until June 30, 2017. (Business Development - D. Snyder) (RESOLUTION NO. HD-2851)

[Legislation Text](#)

[Proposed Tariff Language for Item 1060 GSI Extension to 2017 \(Redline\)](#)

[Resolution for Item 1060](#)

[Ordinance for Item 1060](#)

[Legislation Text](#)

Motion: Adopt Resolution and Approve First Reading of Ordinance.

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

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

27. ***WITHDRAWN*** Adopt Resolution approving lease with LBCT LLC for the use of 31,753 square feet of land and improvements situated thereon for general office purposes and employee vehicle parking, and make the determination that this action is categorically exempt pursuant to the California Environmental Quality Act.
(Real Estate - K. Adamowicz)

28. HD-16-364 Approve First Reading of Ordinance approving Third Amendment to Preferential Assignment Agreement with OOCL LLC, and make the determination that this action is categorically exempt pursuant to the California Environmental Quality Act. (Real Estate - K. Adamowicz) (DOCUMENT NO. HD-7918C)
[Legislation Text](#)
[3rd Amd to PAA HD-7918.pdf](#)
[Ordinance.pdf](#)

Motion: Approve First Reading of Ordinance.

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

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

29. HD-16-365 Approve an Access Agreement with Long Beach Generation LLC; and make the determination pursuant to the California Environmental Quality Act that the project on the acquired property is a subsequent approval contemplated by and within the scope of the certified Environmental Impact Report for the Gerald Desmond Bridge Replacement Project, and to authorize the Chief Executive to execute the document. (Real Estate - K. Adamowicz) (DOCUMENT NO. HD-6851)
[Legislation Text](#)
[Access Agreement.pdf](#)
[Vicinity Map.pdf](#)

Motion: approve

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

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

III. 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.

Commissioner Egoscue reported on her attendance at the 6/1/16 Transportation Committee and Gateway Cities Council of Governments meeting.

Commissioner Dines reported on his attendance at the 6/9/16 Alameda Corridor Transportation Authority meeting.

IV. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

V. ANNOUNCEMENTS

VI. CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

1CS. HD-16-320 Closed session pursuant to Section 54956.8 of the Government Code for conference with real property negotiator Karl Adamowicz to discuss a potential sale of a 5.6 acre parcel located at the southeast corner of Golden Avenue and West Broadway, Long Beach with negotiating parties Hanover R.S. Limited Partnership, Integral Partners Funding LLC, Greenlaw Acquisitions, LLC and Wood Partners.

2CS. HD-16-326 Closed session pursuant to Section 54956.8 of the Government Code for conference with negotiator Karl Adamowicz to discuss price and terms pursuant to lease HD-3120 regarding that certain property located at 170 North Pico Avenue, Long Beach, California. The negotiating party is San Pedro Bay Pipeline Company, a California corporation.

3CS. HD-16-351 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 a potential Lease of 0.73 acres of land and improvements (office trailers) located at 925 Harbor Plaza, Long Beach. The negotiating party is LBCT LLC.

4CS. HD-16-327 *****WITHDRAWN*****Closed session pursuant to Section 54956.8 of the Government Code for conference with negotiator Karl Adamowicz to discuss price and terms pursuant to 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.

5CS. HD-16-321 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 for the Pier T Container Terminal. The negotiating parties are Total Terminals International, LLC.

6CS. HD-16-325 Closed session pursuant to Section 54956.8 of the Government Code for conference with real property negotiator Karl Adamowicz to discuss a potential area assignment of Berth D50 and adjacent property. The negotiating party is Foss Maritime Company.

7CS. HD-16-328 Closed session pursuant to Section 54956.8 of the Government Code for

conference with real property negotiator Karl Adamowicz to discuss a potential amendment to that certain Lease between the City of Long Beach and Pacific Towboat & Salvage Co. (Harbor Department Document No. HD-6834) with respect to Lessee's use of Berth D35 and adjacent property. The negotiating party is Foss Maritime Company, the successor to Pacific Towboat & Salvage Co.

CONFERENCE WITH LEGAL COUNSEL - EXPOSURE TO LITIGATION

8CS. HD-16-350 Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9 of the Government Code (one case). Pursuant to paragraph (2) of subdivision (e) of Section 54956.9 of the Government Code, the facts and circumstances which might result in litigation are the letter dated March 23, 2016 from the Fair Political Practices Commission to Charles Gale and Janna Sidley and statements from Los Angeles County staff regarding a conflict of interest code as regards the Operating Committee for the Alameda Corridor and the Alameda Corridor Transportation Authority.

Adjournment

The meeting was adjourned at approximately 8:45 pm.