

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, AUGUST 29, 2005, AT 1 P.M.

Present: Commissioners: Walter, Hancock, Cordero, Hankla, Topsy-Elvord
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
R. Rich	Director of Maintenance
R. G. Kanter	Director of Planning
K. J. McDermott	Director of Properties
C. Perrone	Director of Security
J. A. Morgan	Manager of Maritime Services
C. A. Kemp	Director of Community Relations
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT TOPSY-ELVORD PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Upon motion by Commissioner Cordero, seconded by Commissioner Hankla and unanimously carried, the minutes of the regular meeting of August 22, 2005, were declared read and approved as read.

EMPLOYEE OF THE YEAR RECOGNITION.

Ms. Whitesell announced Ms. Gail Wasil from Properties and Sergeant Richard Rumpfelt from Security were the 2005 Co-Employees of the Year. Additionally, she introduced the nominees:

Maintenance	Mr. Rick Ussery, Mr. Eric Woodson, Mr. Ricarado Hernandez, Mr. Henry Mills, Mr. Jose "Andy" Nanez, Mr. Don Tarango
Executive Administration	Ms. Paula Grond

Engineering	Mr. Dave Fargo, Mr. Carlo Luzzi, Mr. Nick Gomez, Ms. Sue Vachon, Mr. Cheng Lai
Administration	Ms. Dona Blazis, Ms. Kathy Esquerra, Ms. Lois Wangsness
Trade & Maritime	Ms. Kathleen Cox
Planning	Mr. Matthew Arms
Information Management	Mr. Terry Barber
Finance	Mr. Curtis Christensen
Properties	Ms. Gail Wasil
Security	Mr. Edwin Davis, Mr. Richard Rumfelt

President Topsy-Elvord congratulated all of the nominees and Ms. Wasil and Sergeant Rumfelt on being chosen the 2005 Co-Employees of the Year.

CONSENT CALENDAR – ITEMS NOS. 1-10.

Item No. 8 was removed from Consent Calendar for discussion.

1. CWO NO. 1273, SUPPLEMENT NO. 1 – PIER A WEST SITE PREPARATION – APPROVED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated August 24, 2005, requesting approval of CWO No. 1273, Supplement No. 1, for the development of the Environmental Impact Report for the Pier A West site preparation, in the amount of \$150,000, was presented to the Board. The request was approved by the Executive Director.

2. PARSONS/HNTB JOINT VENTURE - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SEVENTH AMENDMENT TO CONTRACT FOR THE GERALD DESMOND BRIDGE REPLACEMENT PROJECT - DOCUMENT NO. HD-6579G AND CWO NO. 1233, SUPPLEMENT NO. 10 - APPROVED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated August 24, 2005, requesting approval of an amendment to Contract with Parsons/HNTB Joint Venture, for additional services for the design, permitting, and construction for the Gerald Desmond Bridge replacement project, in the amount of \$845,275, extending the term to December 31, 2007, and CWO No. 1233, Supplement No. 10, in the amount of \$1,095,275, was presented to the Board. The request was approved by the Executive Director.

3. MARINA LANDSCAPE - PARTIAL ACCEPTANCE OF WORK UNDER SPECIFICATION NO. HD-S2231 AND RELEASE OF PARTIAL RETENTION.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated August 24, 2005, advising that Marina Landscape has satisfactorily partially completed, as of January 21, 2005, the Pico Avenue Landscaping, Phase 5, as described in Specification No. HD-S2231 and recommending that said work be accepted as partially complete as of that date, and the release of partial retention, in the amount of \$39,645, was presented to the Board. The recommendation was approved by the Executive Director.

4. WASHINGTON GROUP INTERNATIONAL, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SECOND AMENDMENT TO CONTRACT FOR THE PORT TRANSPORTATION MANAGEMENT PROGRAM - DOCUMENT NO. HD-6962 - CWO NO. 1255, SUPPLEMENT NO. 5 AND A BUDGET REVISION.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated August 24, 2005, requesting approval of an amendment to Contract with Washington Group International, Inc., for the Port transportation management program in connection with the development of a comprehensive Truck Trip Reduction and Enhanced Rail Activity Program, CWO No. 5058, Supplement No. 5, both in the amount of \$100,000, and a budget revision, was presented to the Board. The request was approved by the Executive Director.

5. TIDELANDS OIL PRODUCTION COMPANY – PERMIT TO REDRILL ONE OIL PRODUCTION WELL AND DRILL ONE PRODUCTION WELL – APPROVED.

Communication from Robert Kanter, Director of Planning, dated August 23, 2005, recommending approval of the application submitted by Tidelands Oil Production Company for a permit to redrill one oil production well (Z1-024) on Pier F and drill one production Well (UP-887) on Pier S, was presented to the Board. The recommendation was approved by the Executive Director.

6. THUMS – PERMIT TO REDRILL TWO OIL PRODUCTION WELLS AND ONE INJECTION WELL – APPROVED.

Communication from Robert Kanter, Director of Planning, dated August 23, 2005, recommending approval of the application submitted by THUMS for a permit to redrill two oil production Wells (J-414) and (J-515) located in the Pier J-4 site, and one injection Well (J-442I) located on the Pier J-5 site, was presented to the Board. The recommendation was approved by the Executive Director.

7. PACIFIC HARBOR LINE - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SECOND AMENDMENT TO OPERATING AGREEMENT FOR REPLACEMENT OF THE LOCOMOTIVE FLEET – DOCUMENT NO. HD-6580A.

Communication from Robert Kanter, Director of Planning, dated August 23, 2005, requesting approval of an amendment to Operating Agreement with Pacific Harbor Line for locomotive fleet replacement, providing no more than \$5 million in funding, and extending the term to July 31, 2018, was presented to the Board. The request was approved by the Executive Director.

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

Communication from Michael J. Slavin, Chief Financial Officer, dated August 25, 2005, submitting the following Fund Transfer Journals received from the Department of Financial Management:

<u>AMOUNT</u>	<u>DESCRIPTION</u>
673,991.95	Employee Benefits and Insurance Funds – transfer of the July 2005 cost of employees’ fringe benefits
561,027.00	Police Department – Police services for April, June, and July 2005 (May was previously paid)
18.00	Information Services Bureau – voice charges for July 2005
125,147.15	Gas, water, and sewer charges for July 2005
6,644.28	Reprographics for July 2005
2,316.41	Utility user’s tax billed for July 2005
54.00	Information Services Bureau – pager service charges for July 2005
327.66	Energy Department – Compressed Natural Gas (CNG) usage for July 2005

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

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

Communication from Michael J. Slavin, Chief Financial Officer, dated August 23, 2005, transmitting financial statements for the Long Beach Harbor Department for the month ended July 31, 2005, was presented to the Board. The financial statements were approved by the Executive Director.

Commissioner Hankla moved, seconded by Commissioner Walter that the communications be received and filed and that Items Nos. 1-7 and 9-10 be approved as recommended. Carried by the following vote:

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

8. BOLSA CHICA INTERAGENCY MEMORANDUM OF AGREEMENT - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE THIRD AMENDMENT TO MEMORANDUM OF AGREEMENT FOR WETLANDS ACQUISITION AND RESTORATION – DOCUMENT NO. HD-5553C.

Communication from Robert Kanter, Director of Planning, dated August 23, 2005, requesting approval of an amendment to Memorandum of Agreement with the Bolsa Chica Interagency for wetlands acquisition and restoration, was presented to the Board. The request was approved by the Executive Director.

In response to a request by Commissioner Hancock, Dr. Kanter reviewed the amendment.

Commissioner Hancock moved, seconded by Commissioner Cordero that the communication be received and filed, that said amendment to the Memorandum of Agreement with Bolsa Chica Interagency be approved, and that the Executive Director be authorized to execute the amendment. Carried by the following vote:

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

REGULAR AGENDA.

11. STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE PURCHASE AND SALE AGREEMENT FOR ACQUISITION OF PARCEL OF LAND WITHIN THE ANAHEIM STREET GRADE SEPARATION PROJECT AREA – FIRST READING OF ORDINANCE.

Communication from Kathryn McDermott, Director of Properties, dated August 17, 2005, recommending the approval of a Purchase and Sale Agreement with State of California Department of Transportation for acquisition of parcel of land at the corner of Perry Avenue and Anaheim Street, was presented and to the Board together with the authorizing ordinance therefore. The recommendation was approved by the Executive Director.

Commissioner Hankla moved, seconded by Commissioner Hancock 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 PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION FOR APPROXIMATELY 526 SQUARE FEET OF LAND AT THE CORNER OF PERRY AVENUE AND ANAHEIM STREET, 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:	Walter, Hancock, Cordero, Hankla, Topsy-Elvord
NOES:	"	None
ABSENT:	"	None

12. SMALL BUSINESS AND VERY SMALL BUSINESS ENTERPRISE PROGRAM - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO EXHIBIT A OF ORDINANCE NO. HD-1923 – FIRST READING OF ORDINANCE.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated August 24, 2005, recommending approval of the First Amendment to Exhibit A of Ordinance No. HD-1923, for the Small and Very Small Business Enterprise Programs, was presented to the Board together with the authorizing ordinance therefore. The recommendation was approved by the Executive Director.

Commissioner Hancock 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 ADOPTING AN AMENDMENT TO ORDINANCE NO. HD-1923, ADOPTED OCTOBER 11, 2004, ESTABLISHING A SMALL AND VERY SMALL BUSINESS ENTERPRISE PROGRAM FOR PUBLIC WORKS CONSTRUCTION AND PROFESSIONAL SERVICES CONTRACTS AND MAKING A DETERMINATION RELATED THERETO," be declared read for the first time and laid over for its second and final reading. Carried by the following vote:

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

13. MORTON INTERNATIONAL, INC. – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO LEASE FOR PROPERTY ON PIER F – DOCUMENT NO. HD-4806A - ORDINANCE NO. HD-1944 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE

EXECUTIVE DIRECTOR TO EXECUTE A FIRST AMENDMENT TO LEASE BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND MORTON INTERNATIONAL, INC., FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," was presented to the Board for its second and final reading.

Commissioner Hankla moved, seconded by Commissioner Hancock that said ordinance be declared read for the second time and adopted as read. Carried by the following vote:

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

14. METROPOLITAN WATER DISTRICT – EXECUTIVE DIRECTOR AUTHORIZED TO APPROVE EASEMENT DEED FOR PROPERTY ALONG THE ALAMEDA CORRIDOR – DOCUMENT NO. HD-6963 – ORDINANCE NO. HD-1945 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR OF THE LONG BEACH HARBOR DEPARTMENT TO EXECUTE THE UTILITY EASEMENT DEED BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND THE METROPOLITAN WATER DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," was presented to the Board for its second and final reading.

Commissioner Hankla moved, seconded by Commissioner Hancock that said ordinance be declared read for the second time and adopted as read. Carried by the following vote:

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

15. CITY OF VERNON – EXECUTIVE DIRECTOR AUTHORIZED TO APPROVE EASEMENT DEED FOR PROPERTY ALONG THE ALAMEDA CORRIDOR – DOCUMENT NO. HD-6964 – ORDINANCE NO. HD-1946 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR OF THE LONG BEACH HARBOR DEPARTMENT TO EXECUTE THE EASEMENT DEED BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND THE CITY OF VERNON, AND MAKING A DETERMINATION RELATING THERETO," was presented to the Board for its second and final reading.

Commissioner Hankla moved, seconded by Commissioner Hancock that said ordinance be declared read for the second time and adopted as read. Carried by the following vote:

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

16. STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO FREEWAY MAINTENANCE AGREEMENT – DOCUMENT NO. HD-6965 - ORDINANCE NO. HD-1947 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH DIRECTING THE EXECUTIVE DIRECTOR TO EXECUTE A FIRST AMENDMENT TO FREEWAY MAINTENANCE AGREEMENT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF TRANSPORTATION, AND MAKING A DETERMINATION RELATING THERETO," was presented to the Board for its second and final reading.

Commissioner Hankla moved, seconded by Commissioner Hancock that said ordinance be declared read for the second time and adopted as read. Carried by the following vote:

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

NEW BUSINESS.

President Topsy-Elvord announced that the Green Port Open House would be held on October 1 from 9 a.m. until noon. She stated the Open House would feature exhibits, demonstrations, and harbor cruises to showcase the Port's efforts to improve the environment.

Mr. Kemp introduced a delegation of elected officials from Argentina.

Senator Mario Losada addressed the Board and thanked the Port for its hospitality in providing a briefing and tour and he acknowledged the exemplary environmental stewardship. He went on to underscore the importance of international trade between Argentina and the United States, as well as with Asia, and he invited the Port to partner with Argentina. Additionally, Senator Losada invited the Port to visit his country.

President Topsy-Elvord welcomed Senator Losada and the delegation to the Port of Long Beach and thanked them for their invitation to visit Argentina.

ADJOURNED.

At 1:45 p.m., Commissioner Cordero moved, seconded by Commissioner Walter that the meeting be adjourned sine die. Carried by the following vote:

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