

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, FEBRUARY 27, 2006, AT 1 P.M.

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

Also present:

S. B. Rubin	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
D. B. Snyder	Director of Trade & 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 Walter, seconded by Commissioner Hankla and unanimously carried, the minutes of the regular meeting of February 13, 2006, were declared read and approved as read.

PUBLIC COMMENTS.

Mr. Robert Browning, Magnet Arts Coordinator and Ms. Nicole Lopez, Performing Arts Coordinator from the Renaissance High School for the Arts in Long Beach invited the Commissioners to the production of Cinderella. Additionally, Mr. Browning stated the students of the school would be interested in participating in the upcoming Green Port Open House.

In response to a question by Commissioner Hancock, Mr. Browning stated they are located at the corner of 8th Street and Long Beach Boulevard and the school serves 500 students.

President Topsy-Elvord thanked Mr. Browning and Ms. Lopez for the tickets to their upcoming performance of Cinderella and she referred them to Ms. Morris, Director of Communications, for participation in the upcoming Green Port Open House.

Mr. Scott Johns gave an update on the Pacific Spills Control School and stated they have four classes coming up.

President Topsy-Elvord thanked Mr. Johns for his presentation and referred him to Mr. Perrone, Director of Security.

CONSENT CALENDAR – ITEMS NOS. 1-6.

1. CWO NO. 1050 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated February 22, 2006, submitting the following project for closing action:

		<u>BHC Approval</u>	<u>Expenditures</u>
CWO No. 1050	Pier T, Berth T118, Recycled Resources Terminal Development	\$29,207,545	\$29,180,080

and requesting that the expenditures made to said project be approved and that it be closed to all future charges, was presented to the Board. The request was approved by the Acting Executive Director.

2. CWO NO. 1228 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated February 22, 2006, submitting the following project for closing action:

		<u>BHC Approval</u>	<u>Expenditures</u>
CWO No. 1228	Traffic Signals at Anaheim and Farragut	\$ 286,000	\$ 251,421

and requesting that the expenditures made to said project be approved and that it be closed to all future charges, was presented to the Board. The request was approved by the Acting Executive Director.

3. SPECIFICATION NO. HD-S2296 - APPROVED AND NOTICE INVITING BIDS AUTHORIZED – RECYCLING ASPHALT AND CONCRETE MATERIALS AND OTHER RELATED SERVICES.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated February 22, 2006, submitting Specification No. HD-S2296 for recycling asphalt and concrete materials and other related services and requesting authority to advertise for bids for said work, was presented to the Board. The request was approved by the Acting Executive Director.

4. LEVEL I HARBOR DEVELOPMENT PERMITS – APPROVED.

Communication from Robert Kanter, Director of Planning, dated February 16, 2006, requesting that the following Level I Harbor Development Permits be approved:

HDP #06-007x	THUMS – redrill oil production well J-529 RD1 in Site J-5
HDP #06-008x	THUMS – redrill injection well J-5441 RD1 in Site J-5
HDP #06-009x	THUMS – redrill oil production well J-147 in Site J-1
HDP #06-101x	THUMS – redrill oil production well J-1671 RD2 in Site J-1

was presented to the Board. The request was approved by the Acting 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 February 22, 2006, submitting the following Fund Transfer Journals received from the Department of Financial Management:

AMOUNT	DESCRIPTION
610,997.48	Employee Benefits and Insurance Funds – transfer of the January 2006 cost of employees' fringe benefits
273,423.00	Police Department – police services for December 2005
113,739.16	Gas, water, and sewer for January 2006
2,120.34	Public Works Department – maintenance of streetlights for November and December 2005
2,814.81	Planning and Building permits for January 2006

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

6. APRIL TURNBULL – MINDI OSOWSKI – MAY SIRINOPWONGSAGON – SALLY MOAWAD – APPOINTMENTS.

Communication from Toni K. Whitesell, Director of Administration, dated February 23, 2006, requesting approval of the appointments of the following individuals:

<u>Appointment</u>	<u>Classification</u>	<u>Range & Step</u>	<u>Effective Date</u>
April Turnbull	Administrative Analyst III	630/07	3/04/06
Mindi Osowski	Secretary	410/05	2/28/06
May Sirinopwongsagon	Administrative Intern-NC	H36	3/02/06
Sally Moawad	Administrative Intern-NC	H36	3/01/06

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

Commissioner Hancock moved, seconded by Commissioner Hankla that the communications be received and filed and that Items Nos. 1-6 be approved as recommended. Carried by the following vote:

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

REGULAR AGENDA.

7. REPORT NO. 25 FROM THE RULE 1158 TASK FORCE – RECEIVED AND FILED.

Communication from Robert Kanter, Director of Planning, dated February 21, 2006, transmitting Report No. 25 from the Rule 1158 Task Force regarding implementation of the amended rule to be received and filed, was presented to the Board. The report was approved by the Acting Executive Director.

Commissioner Hancock moved, seconded by Commissioner Cordero that the communication and that Report No. 25 from the Rule 1158 Task Force be received and filed. Carried by the following vote:

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

8. NIXON PEABODY LLP – INCREASE IN CONTRACT FOR LEGAL SERVICES - APPROVED.

Communication from Charles M. Gale, Deputy City Attorney, dated February 21, 2006, requesting authorization of an increase to the Contract with Nixon Peabody LLP for litigation services specializing in energy matters, in the amount of \$100,000, was presented to the Board.

Commissioner Hankla moved, seconded by Commissioner Hancock that the communication be received and filed and that said increase of Contract with Nixon Peabody LLP be authorized. Carried by the following vote:

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

9. CALIFORNIA DEPARTMENT OF TRANSPORTATION – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE PROGRAM SUPPLEMENT NO. M022, REVISION 2, TO THE ADMINISTRATING AGENCY-STATE AGREEMENT NO. 07-5108 FOR THE OCEAN BOULEVARD/TERMINAL ISLAND FREEWAY INTERCHANGE PROJECT – DOCUMENT NO. HD-6860A - RESOLUTION NO. HD-2293 - ADOPTED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated February 22, 2006, recommending approval of Revision 2 of a Program Supplement to the Adminstrating Agency-State Agreement with California Department of Transportation for the Ocean Boulevard/Terminal Island Freeway interchange, was presented and read to the Board together with the authorizing resolution therefore. The recommendation was approved by the Acting Executive Director.

Commissioner Hancock moved, seconded by Commissioner Hankla 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 APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE

PROGRAM SUPPLEMENT NO. M022, REVISION 2, TO AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS NO. 07-5108," be declared read and adopted as read. Carried by the following vote:

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

10. PORT OF LONG BEACH TARIFF NO. 4 - ADDITION OF ITEM NO. 262 – DOCKAGE REDUCTION INCENTIVE FOR COMPLIANCE WITH THE VOLUNTARY VESSELSPEED REDUCTION PROGRAM – RESOLUTION NO. HD-2294 - ADOPTED – FIRST READING OF ORDINANCE.

Communication from Donald B. Snyder, Director of Trade and Maritime Services, dated February 15, 2006, recommending approval of the addition of Item No. 262 in the Port of Long Beach Tariff No. 4 for dockage reduction incentive for compliance with the Voluntary Vessel Speed Reduction Program, was presented to the Board together with the authorizing resolution and ordinance therefore. The recommendation was approved by the Executive Director.

Commissioner Cordero moved, seconded by Commissioner Walter 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 AMENDING ORDINANCE NO. HD-1357, DESIGNATED EXHIBIT A TARIFF NO. 4, BY ADDING ITEM NO. 262," be declared read and adopted as read. Carried by the following vote:

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

Commissioner Hancock moved, seconded by Commissioner Cordero that the ordinance entitled "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AMENDING ORDINANCE NO. HD-1357, DESIGNATED EXHIBIT A TARIFF NO. 4, BY ADDING ITEM NO. 262," 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

Commissioner Walter left the meeting.

NEW BUSINESS.

President Topsy-Elvord announced that there was a tremendous write up on the Port of Long Beach in the World Wide Shipping magazine.

Commissioner Cordero stated he had recently attended the Association of Pacific Ports Mid-Year Conference in Port Hueneme. He stated subjects covered were Ethics in Government and an update of Employment Law for Ports, as well as a presentation highlighting the use of Dipetane as an alternative fuel source. Commissioner Cordero stated the presentation on Dipetane by Mr. McPherson was very informative and he suggested Mr. McPherson make a presentation on that subject to the Board.

Additionally, Commissioner Cordero stated that, along with Mr. Steinke, he had attended the American Association of Port Authorities semi-annual conference of the Latin American Delegation and he would provide a briefing at the next meeting.

President Topsy-Elvord commended the Engineering division for hosting a training forum on how to find Small Business Enterprises and Very Small Business Enterprises for projects at the Port. She stated she has received a lot of positive feedback from SBE/VSBE's and clients about how effective the Port of Long Beach is in helping them find subcontractors.

President Topsy-Elvord praised the Communications staff for the recent re:port publication. She stated the publication highlighted all of the Port's recent community involvements, career day at Long Beach schools, the holiday parades, snow day, and the donation of computers to local Long Beach schools.

Ms. Gwen Butterfield, Chair and Immediate Past President of Harbor Association of Industry and Commerce, addressed the Board and thanked them for the sponsorship of the annual Allied Trade Association's trip to Sacramento.

Ms. Debra Reed from South Coast AQMD addressed the Board and thanked them for the recent sponsorship of the Asthma Conference. Additionally, she reviewed the current leaf blower exchange program for Lawn Service businesses.

President Topsy-Elvord recognized and thanked the Board of Harbor Commissioners for working together as a unit in making the Port of Long Beach the best port in the nation.

ADJOURNED.

At 3:00 p.m., Commissioner Hancock moved, seconded by Commissioner Cordero that the meeting be adjourned sine die. Carried by the following vote:

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