

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 9, 2004, AT 1 P.M.

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

Also present:

R. D. Steinke	Executive Director
S. B. Rubin	Managing Director
G. T. Hein	Executive Secretary
D. A. Thiessen	Chief Harbor Engineer
T. K. Whitesell	Director of Administration
Y. R. Smith	Director of Communications
M. J. Slavin	Director of Finance
D. L. Albrecht	Director of Information Management
K. D. Allen	Director of Maintenance
R. G. Kanter	Director of Planning
K. J. Adamowicz	Manager of Leasing Sales
W. C. Ellis	Interim Director of Security
D. B. Snyder	Marketing Manager
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT CALHOUN PRESIDED AS CHAIRMAN.

APPROVAL OF MINUTES.

Upon motion by Commissioner Hancock, seconded by Commissioner Topsy-Elvord and unanimously carried, the minutes of the regular meeting of August 2, 2004, were declared read and approved as read.

PUBLIC COMMENTS.

Mr. Elijah Kemp Bowdre addressed the Board and stated he was a Long Beach 2004 Poly High honors graduate, and he is leaving on Wednesday to attend Florida A & M University to continue his education. He stated his major is Business Administration with an emphasis on marketing. Additionally, Mr. Kemp Bowdre stated he would like to return to Long Beach and serve the City.

President Calhoun welcomed Mr. Kemp Bowdre and congratulated him on his service to the city while in high school and his many accomplishments.

CONSENT CALENDAR – ITEMS NOS. 1-6.

Item No. 3 was removed from Consent Calendar for discussion.

1. PALP, INC., DBA EXCEL PAVING – EXECUTIVE DIRECTOR AUTHORIZED TO RATIFY CHANGE ORDER NO. 1 - AUTHORIZE EXECUTION OF CHANGE ORDER NO. 2 – PIER S MARINE TERMINAL DEVELOPMENT UNDER SPECIFICATION NO. HD-S2220, AND CWO NO. 1217, SUPPLEMENT NO. 26 - APPROVED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated August 4, 2004, recommending ratification of Change Order No. 1, in the amount of \$38,912, authorization of execution of Change Order No. 2, in the amount of \$100,000, with PALP, Inc., dba Excel Paving; for fill and rail relocation for the Pier S Marine Terminal Development, under Specification No. HD-S2220, and approval of CWO No. 1217, Supplement No. 26, in the amount of \$150,000, was presented to the Board. The request was approved by the Executive Director.

2. BEST ELECTRIC – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE, UPON SATISFACTION OF CERTAIN CONDITIONS BY CONTRACTOR, CONTRACT FOR SECURITY LIGHTING UNDER SPECIFICATION NO. HD-S2226A – CITY ATTORNEY REQUESTED TO PREPARE CONTRACT – DOCUMENT NO. HD-6837.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated August 4, 2004, requesting conditional authorization of a Contract with Best Electric for security lighting under Specification No. HD-S2226A, in the amount of \$356,000, was presented to the Board. The request was approved by the Executive Director.

4. LEVEL I HARBOR DEVELOPMENT PERMIT – RECEIVED AND FILED.

Communication from Robert Kanter, Director of Planning, dated August 4, 2004, requesting that the following Level I Harbor Development Permit be received and filed:

HDP #04-085	Port of Long Beach – Pier B and Pier F Sector Light Towers/Bridge Air Gap Sensor
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was presented to the Board. The request was approved by the Executive Director.

5. PORT OF LONG BEACH – ISSUANCE OF LEVEL III HARBOR DEVELOPMENT PERMIT HDP #04-041 FOR BUILDING DEMOLITION ON PIER T - APPROVED.

Communication from Robert Kanter, Director of Planning, dated August 4, 2004, requesting approval of issuance of Harbor Development Permit HDP #04-041 to the

Port of Long Beach for demolition of former Naval buildings 303 and 309 on Pier T, was presented to the Board. The recommendation was approved by the Executive Director.

6. JUAN GONZALEZ, JR. – APPOINTMENT.

Communication from Toni K. Whitesell, Director of Administration, dated August 4, 2004, requesting approval of the appointment of Juan Gonzalez, Jr., to the position of Security Officer III, at Range/Step 430/6, effective August 7, 2004, was presented to the Board. The request was approved by the Executive Director.

Commissioner Hancock moved, seconded by Commissioner Topsy-Elvord that the communications be received and filed and that Items Nos. 1, 2, and 4-6 be approved as recommended. Carried by the following vote:

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

3. QUEST CONSULTANTS, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR A HAZARDS ASSESSMENT - DOCUMENT NO. HD-6838.

Communication from Robert Kanter, Director of Planning, dated August 4, 2004, recommending authorization of a Contract with Quest Consultants, Inc., for conducting a hazards assessment of the proposed Sound Energy Solutions LNG terminal, in the amount of \$130,000, was presented to the Board. The recommendation was approved by the Executive Director.

In response to a request by President Calhoun, Dr. Kanter reviewed the scope of work for the Contract and stated their confidence with Quest Consultants, Inc.

Ms. Byn Myown addressed the Board and stated her concerns with safety at the proposed LNG terminal and her issues with Quest Consultants, Inc., in performing this assessment study.

Commissioner Hankla stated he is comfortable that Quest Consultants, Inc., would evaluate all the conceivable risks and do a comprehensive study.

Commissioner Topsy-Elvord requested the ABS study report from Quest Consultants, Inc. regarding Boston be given to the Commissioners for them to review.

Commissioner Cordero stated he was confident with the selection of Quest Consultants, Inc., and with the scenarios they will be evaluating.

Commissioner Hancock moved, seconded by Commissioner Topsy-Elvord that the communication be received and filed; that the Executive Director be authorized to execute said contract. Carried by the following vote:

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

REGULAR AGENDA.

7. FINANCIAL STATEMENTS FOR THE LONG BEACH HARBOR DEPARTMENT FOR THIRD QUARTER ENDED, JUNE 30, 2004 – RECEIVED AND FILED.

Communication from Michael J. Slavin, Director of Finance, dated July 28, 2004, requesting the financial statements for the Long Beach Harbor Department for the third quarter ended June 30, 2004, be received and filed, was presented to the Board. The financial statements were approved by the Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Hankla that the communication and financial statements transmitted therewith be received and filed. Carried by the following vote:

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

8. CROWLEY MARINE SERVICES, INC. – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SECOND AMENDMENT TO REVOCABLE PERMIT FOR PROPERTY – DOCUMENT NO. HD-6148B - RESOLUTION NO. HD-2208 - ADOPTED.

Communication from Kathryn McDermott, Director of Properties, dated August 4, 2004, recommending approval of the Second Amendment to Revocable Permit with Crowley Marine Services, Inc., for land and water area property located at Pier D, 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 DIRECTING THE EXECUTIVE DIRECTOR TO EXECUTE A SECOND AMENDMENT TO REVOCABLE PERMIT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND CROWLEY MARINE SERVICES, INC., FOR THE USE OF CERTAIN PREMISES IN

THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," be declared read and adopted as read. Carried by the following vote:

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

9. FORMER MANUFACTURED GAS PLANT III – EXECUTIVE DIRECTOR AUTHORIZED TO SIGN SETTLEMENT AGREEMENT AND A COVENANT TO RESTRICT USE OF PROPERTY – DOCUMENT NO. HD-6839 - ORDINANCE NO. 1919 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AND RECORD A COVENANT TO RESTRICT THE USE OF APPROXIMATELY FIVE ACRES IN THE NORTH HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," was presented to the Board for its second and final reading.

Commissioner Topsy-Elvord moved, seconded by Commissioner Cordero that said ordinance be declared read for the second time and adopted as read. Carried by the following vote:

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

CLOSED SESSION.

At 2:20 p.m., President Calhoun recessed the Board meeting to hold a closed session:

- A. Pursuant to Section 54957(b) of the Government Code to evaluate the performance of the Executive Director.
- B. Pursuant to Section 54957(b) of the Government Code to evaluate the performance of the Executive Secretary.

At 3:25 p.m., the meeting was again called to order by President Calhoun.

ADJOURNED.

At 3:30 p.m., Commissioner Cordero moved, seconded by Commissioner Hancock that the meeting be adjourned sine die. Carried by the following vote:

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