

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, JULY 23, 2007, AT 1 P.M.

Present: Commissioners: Sramek, Hankla, Walter, Cordero
Absent: " Topsy-Elvord

Also present:

R. D. Steinke	Executive Director
S. B. Rubin	Managing Director
C. Lytle	Managing Director
D. A. Thiessen	Managing Director
R. G. Kanter	Managing Director
D. K. Jacobus	Acting Executive Officer to the Board
C. Stafford	Acting Director of Human Resources
H. C. Morris	Director of Communications
S. Joumbat	Chief Financial Officer
D. L. Albrecht	Director of Information Management
R. Rich	Director of Maintenance
A. J. Moro	Chief Harbor Engineer
G. Wasil	Senior Leasing Officer
C. Perrone	Director of Security
Y. Allen	Terminal Services Manager
S. Ashley	Director of Government Affairs
R. S. Baratta	Director of Risk Management
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT CORDERO PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Upon motion by Commissioner Sramek, seconded by Commissioner Walter and unanimously carried, the minutes of the special meeting and the regular meeting of July 16, 2007, were declared read and approved as read.

PUBLIC COMMENTS ON AGENDA ITEMS.

There was no one present to address the Board on agenda items.

CONSENT CALENDAR – ITEMS NOS. 1-8.

1. MARRS SERVICES, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR PROJECT CONTROLS AND SCHEDULING SERVICES - DOCUMENT NO. HD-7196.

Communication from A. J. Moro, Chief Harbor Engineer, dated July 18, 2007, recommending authorization of a Contract with MARRS Services, Inc., for project controls and scheduling services, in the amount of \$270,000, for a period of one year, was presented to the Board. The recommendation was approved by the Executive Director.

2. BEN'S ASPHALT, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO CONTRACT FOR PROVIDING BITUMINOUS PAVING, TRAFFIC STRIPING, PAVEMENT MARKING AND OTHER RELATED SERVICES UNDER SPECIFICATION NO. HD-S2297 – DOCUMENT NO. HD-7052A.

Communication from A. J. Moro, Chief Harbor Engineer, dated July 18, 2007, requesting approval of an Amendment to Contract with Ben's Asphalt, Inc., for providing bituminous paving, traffic striping, pavement marking and other related services, under Specification No. HD-S2297, extending the term of the contract to September 14, 2007, was presented to the Board. The request was approved by the Executive Director.

3. SPECIFICATION NO. HD-S2308 - APPROVED AND NOTICE INVITING BIDS AUTHORIZED – PIER D STREET IMPROVEMENTS.

Communication from A. J. Moro, Chief Harbor Engineer, dated July 18, 2007, submitting Specification No. HD-S2308 for Pier D Street Improvements and requesting authority to advertise for bids for said work, was presented to the Board. The request was approved by the Executive Director.

4. CITY OF LONG BEACH DEPARTMENT OF PARKS, RECREATION AND MARINE – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE MEMORANDUM OF UNDERSTANDING FOR THE COLORADO LAGOON RESTORATION PROJECT ENVIRONMENTAL IMPACT REPORT – DOCUMENT NO. HD-7198.

Communication from Richard D. Cameron, Manager of Environmental Planning, dated July 18, 2007, recommending authorization of a Memorandum of Understanding with the City of Long Beach Department of Parks, Recreation and Marine, for the preparation of the Colorado Lagoon Restoration Project Environmental Impact Report, in an amount not-to-exceed \$235,000, was presented to the Board. The recommendation was approved by the Executive Director.

5. ELIZABETH A. BRADY – APPOINTMENT.

Communication from Cynthia Stafford, Acting Director of Human Resources, dated July 18, 2007, requesting approval of the appointment of Elizabeth A. Brady to the position of Administrative Intern-NC at Range/Step H36, effective July 24, 2007, was presented to the Board. The request was approved by the Executive Director.

6. DIANE JACOBUS – APPOINTMENT.

Communication from Cynthia Stafford, Acting Director of Human Resources, dated July 18, 2007, requesting approval of the appointment of Diane Jacobus to the position of Acting Executive Secretary to the Board at the annual salary of \$90,332, effective July 18, 2007, was presented to the Board. The request was approved by the Executive Director.

7. VERIZON CALIFORNIA, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIFTH AMENDMENT TO JOINT AGREEMENT WITH THE CITY OF LONG BEACH FOR LOCAL TELEPHONE SERVICE – DOCUMENT NO. HD-6184E.

Communication from D. L. Albrecht, Director of Information Management, dated July 17, 2007, requesting approval of a Fifth Amendment to Joint Agreement with the City of Long Beach and Verizon California, Inc., for local telephone service, in an amount not to exceed \$150,000, for a term of one year ending August 31, 2008, with an option of an additional year at the discretion of the Executive Director, was presented to the Board. The request was approved by the Executive Director.

8. AERA ENERGY, LLC – REFUND - APPROVED.

Communication from Sam Joublat, Chief Financial Officer, dated July 3, 2007, recommending authorization of a refund to Aera Energy, LLC, for overpayment of rent, in the amount of \$22,808.33, was presented to the Board. The recommendation was approved by the Executive Director.

Commissioner Walter moved, seconded by Commissioner Sramek that the communications be received and filed and that Items Nos. 1-8 be approved as recommended. Carried by the following vote:

AYES:	Commrs:	Sramek,Hankla,Walter,Cordero
NOES:	“	None
ABSENT:	“	Topsy-Elvord

REGULAR AGENDA.

9. SAN PEDRO BAY PIPELINE COMPANY - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE RIGHT OF ENTRY AGREEMENT FOR A TEMPORARY WASTE WATER PIPELINE ON PIER D – DOCUMENT NO. HD-7199 - AERA ENERGY, LLC – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE MUTUAL TERMINATION AGREEMENT FOR A TEMPORARY WASTE WATER PIPELINE ON PIER D - DOCUMENT NO. HD-7200 - RESOLUTION NO. HD-2372 - ADOPTED.

Communication from K. Adamowicz, Acting Director of Real Estate, dated July 16, 2007, recommending approval of a Right of Entry Agreement with San Pedro Bay Pipeline Company and a Mutual Termination Agreement with Aera Energy, LLC, for

a temporary waste water pipeline on Pier D, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Ms. Wasil reviewed the item.

In response to a question by President Cordero, Ms. Wasil stated the hydro testing has been the general history of the pipeline and that the new entity, San Pedro Bay Pipeline, will be doing the work.

In response to a question by Commissioner Sramek, Ms. Wasil stated, if a leak was detected, additional work would need to be conducted.

In addition, Mr. Thiessen stated the pipelines have to be tested per a regulatory requirement.

Commissioner Hankla 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 AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE (1) A RIGHT OF ENTRY AGREEMENT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS ("CITY") AND SAN PEDRO BAY PIPELINE COMPANY, AND (2) A MUTUAL TERMINATION AGREEMENT BETWEEN CITY AND AERA ENERGY, LLC, AND MAKING CERTAIN DETERMINATIONS RELATING THERETO," be declared read and adopted as read. Carried by the following vote:

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

10. HARBOR DEPARTMENT BUDGET FOR FISCAL YEAR 2007/2008 – RESOLUTION NO. HD-2373 - ADOPTED.

Communication from Sam Joumblat, Chief Financial Officer, dated July 17, 2007, requesting approval of the Harbor Department Budget for fiscal year 2007/2008, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Mr. Joumblat reviewed the budget.

Commissioner Walter moved, seconded by Commissioner Sramek that the communication be received and filed, that the resolution entitled, "A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS ADOPTING THE ANNUAL BUDGET

FOR THE LONG BEACH HARBOR DEPARTMENT FOR THE FISCAL YEAR 2007-2008," be declared read and adopted as read. Carried by the following vote:

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

11. RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS TO THE TIDELANDS OPERATING FUND – RESOLUTION NO. HD-2374 - ADOPTED.

Communication from Sam Joumbat, Chief Financial Officer, dated July 17, 2007, submitting the resolution for transferring 10% of the net income of the Harbor Department, in the amount of \$15,399,535, to the Tidelands Operating Fund pursuant to City Charter Section 1209(C)(4), was presented to the Board together with the authorizing resolution therefore. The submission was approved by the Executive Director.

Mr. Joumbat reviewed the item.

Commissioner Walter stated it should be noted that we are transferring this money when the Port has an approximate debt of one billion dollars and that the Harbor Department may need to issue additional debt as early as 2010.

Additionally, Commissioner Walter mentioned that at the City Council meeting tomorrow there will be discussion of using Tidelands Funds for making a study of the breakwater.

Ms. Ashley stated it had been recommended by Council members Gabelich and O'Donnell to use Tidelands Funds for the breakwater study.

Mr. Holzhaus stated using the Tidelands Funds for a study of the breakwater was an appropriate use.

President Cordero mentioned he had been asked about the trash that gathers at the dock by Parkers Lighthouse, where our public harbor cruises board from, and he thinks that the maintenance is the responsibility of the City and not the Port.

Mr. Mark Sandoval from Parks, Recreation and Marine stated he would get the dock area cleaned up and he asked for dates of our public harbor cruises. Additionally, he stated there are plans on the board to rebuild the dock and extend it another 400 feet and it is the intent to make it a concrete dock similar to the docks in the downtown area.

Commissioner Hankla 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

APPROVING UPON CERTAIN FINDINGS, THE TRANSFER OF \$15,399,535 FROM THE HARBOR REVENUE FUND TO THE TIDELAND OPERATING FUND PURSUANT TO THE PROVISIONS OF SECTION 1209(C)(4) OF THE CHARTER OF THE CITY OF LONG BEACH," be declared read and adopted as read. Carried by the following vote:

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

12. HAGEMEYER NORTH AMERICA, INC. – EXECUTIVE DIRECTOR AUTHORIZED TO PURCHASE FORTY-NINE CLOSED CIRCUIT TELEVISION CAMERAS UNDER A U.S. COMMUNITIES CONTRACT – DOCUMENT NO. HD-7201 - RESOLUTION NO. HD-2375 - ADOPTED.

Communication from Cosmo Perrone, Director of Security, dated July 18, 2007, recommending authorization to purchase forty-nine closed circuit television cameras under a U.S. Communities contract with Hagemeyer N.A., Inc., in an amount not-to-exceed \$280,000, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Mr. Perrone reviewed the item.

In response to a question by Commissioner Walter, Mr. Perrone stated the Federal Government has an overall Port Security Program and this is a system that we have designed within the Port of Long Beach, in coordination with the Port of Los Angeles, to establish a Port complex security program. Additionally, Mr. Perrone stated this program is from a fully funded grant with no matching requirements.

President Cordero mentioned the visit of Homeland Security Secretary Michael Chertoff and he asked Mr. Perrone about the concerns of small vessel crafts within the Ports of Long Beach and Los Angeles.

Mr. Perrone reviewed the concerns and stated both Ports and the Federal Government have held a symposium in Washington to address this issue and he believes new measures will be forthcoming in the near future.

Commissioner Hankla 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 AUTHORIZING THE EXECUTIVE DIRECTOR TO PURCHASE CCTV CAMERAS THROUGH A CONTRACT BETWEEN THE COUNTY OF FAIRFAX, VIRGINIA AND

HAGEMeyer NORTH AMERICA, INC.," be declared read and adopted as read.
Carried by the following vote:

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

President Cordero left the meeting.

PUBLIC COMMENTS ON NON-AGENDA ITEMS.

Mr. Eric Witten from Whitmar Engineering gave an update from the cold ironing project currently in implementation on the APL China at the Port of Oakland. The APL China is a 5,000 TEU ship, and Whitmar Engineering spent \$75,000 to retrofit the ship. Additionally, he stated Whitmar built a natural gas engine generator, parked it on the dock, and used an LNG fuel supply connected to the bow thruster transformer and the connection was inspected by the US Coast Guard and is approved as a connection to the ship for future use.

Mr. Witten stated APL is now moving forward to retrofit all of their 23 ships that call on the West Coast, and by next year he expects to have seven units at the Port of Oakland. Additionally, he mentioned they are building two units for APL in the Port of Los Angeles, and some shipping companies here in Long Beach have expressed an interest and his plan is to have some in Long Beach before the end of the next year.

Commissioner Hankla thanked Mr. Witten for his report and congratulated him on the success, and stated he had been following what has been going on at Oakland.

In response to a question by Commissioner Hankla, Mr. Witten stated one of their partners was PG & E and their unit was at their research facility and one of the tests was the CARB air pollution testing and permit process. He stated they had received a permit for the unit and those results are then transmitted to CARB for evaluation.

Vice President Walter thanked Mr. Witten for his report and comments.

The Board of Harbor Commissioners heard comments on the Clean Air Action Plan Truck Program from the following; Mr. Douglas Reber, Mr. Bill McConnell, Mr. Ernie Galudo, and Mr. Jose Hernandez.

Vice President Walter thanked everyone for their comments.

NEW BUSINESS.

Ms. Samara Ashley, Director of Government Affairs, gave an update of the recent visit of Homeland Security Secretary Michael Chertoff. She stated he visited

Pier A and participated in a demo of the Advanced Spectroscopic Portal and that Customs and Border Patrol provided the Secretary with a walk-through of this new radiation detection system.

Also in attendance with the Secretary were Congresswomen Jane Harman and Loretta Sanchez, Mayor Bob Foster, Vice Mayor Bonnie Lowenthal, and Councilmember Suja Lowenthal.

SERVICE PIN RECOGNITION.

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

Eric MacNeal Planner, Maintenance Division 25 years

Vice President Walter congratulated Mr. MacNeal on his years of service.

CLOSED SESSION.

At 2:15 p.m., Vice President Walter recessed the Board meeting to hold a closed session:

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT

Closed session pursuant to Section 54957 of the Government Code to consider appointment of Director of Human Resources.

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT

Closed session pursuant to Section 54957 of the Government Code to consider appointment of Director of Construction Management.

At 2:50 p.m., the meeting was again called to order by Vice President Walter.

ADJOURNED.

At 2:51 p.m., Commissioner Sramek moved, seconded by Commissioner Walter that the meeting be adjourned sine die. Carried by the following vote:

AYES:	Commr:	Sramek, Hankla, Walter
NOES:	"	None
ABSENT:	"	Topsy-Elvord, Cordero

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, JULY 30, 2007, AT 1 P.M.

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

Also present:

R. D. Steinke	Executive Director
S. B. Rubin	Managing Director
C. Lytle	Managing Director
D. A. Thiessen	Managing Director
R. D. Cameron	Manager of Environmental Planning
D. K. Jacobus	Acting Executive Officer to the Board
C. Stafford	Acting Director of Human Resources
H. C. Morris	Director of Communications
S. Joumblat	Chief Financial Officer
D. L. Albrecht	Director of Information Management
R. Rich	Director of Maintenance
A. J. Moro	Chief Harbor Engineer
K. J. Adamowicz	Acting Director of Real Estate
C. Perrone	Director of Security
D. B. Snyder	Director of Trade Relations
S. Ashley	Director of Government Affairs
R. S. Baratta	Director of Risk Management
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT CORDERO PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Upon motion by Commissioner Topsy-Elvord, seconded by Commissioner Walter and unanimously carried, the amended minutes from the regular meeting of July 16, 2007, and the minutes of the regular meeting of July 23, 2007, were declared read and approved as read.

PUBLIC COMMENTS ON AGENDA ITEMS.

There was no one present to address the Board on agenda items.

CONSENT CALENDAR – ITEMS NOS. 1-10.

1. ORTIZ ENTERPRISES, INC. – EXECUTIVE DIRECTOR AUTHORIZED TO APPROVE ADDITIONAL STAFF-APPROVED CHANGE ORDER AUTHORITY FOR

THE CONSTRUCTION OF PIER S UNDER SPECIFICATION NO. HD-S2275 AND CWO NO. 1217, SUPPLEMENT NO. 34 – APPROVED.

Communication from A. J. Moro, Chief Harbor Engineer, dated July 25, 2007, recommending approval of additional staff-approved change order authority with Ortiz Enterprises, Inc., for grading, drainage, and utilities at Pier S, under Specification No. HD-S2275; and approval of CWO No. 1217, Supplement No. 34, both in the amount of \$350,000, was presented to the Board. The request was approved by the Executive Director.

2. ALL AMERICAN ASPHALT – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE, UPON SATISFACTION OF CERTAIN CONDITIONS BY CONTRACTOR, CONTRACT FOR PROVIDING BITUMINOUS PAVING, TRAFFIC STRIPING, PAVEMENT MARKING, AND OTHER RELATED SERVICES UNDER SPECIFICATION NO. HD-S2314 – CITY ATTORNEY REQUESTED TO PREPARE CONTRACT – DOCUMENT NO. HD-7202.

Communication from A. J. Moro, Chief Harbor Engineer, dated July 25, 2007, requesting conditional authorization of a Contract with All American Asphalt for providing bituminous paving, traffic striping, pavement marking, and other related services under Specification No. HD-S2314, in the amount of \$1,131,400, was presented to the Board. The request was approved by the Executive Director.

Mr. Moro stated the agenda had reflected the award was with Ben's Asphalt, Inc., but the correct award of the conditional contract is to All American Asphalt.

3. POST, BUCKLEY, SCHUH & JERNIGAN, INC., DBA PBS&J - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO CONTRACT FOR WHARF DESIGN – DOCUMENT NO. HD-7203.

Communication from A. J. Moro, Chief Harbor Engineer, dated July 25, 2007, requesting approval of an amendment to Contract with Post, Buckley, Schuh & Jernigan, Inc., dba PBS&J for wharf design, increasing the contract to \$200,000, and extending the term of the contract to June 30, 2009, was presented to the Board. The request was approved by the Executive Director.

4. URS CORPORATION – DOCUMENT NO. HD-7204 - TMAD TAYLOR & GAINES – DOCUMENT NO. HD-7205 - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACTS FOR HARBOR PLAZA FACILITIES DEVELOPMENT PROJECT/ PROPOSED NEW PORT ADMINISTRATION BUILDING AND MAINTENANCE FACILITIES – CWO NO. 1234, SUPPLEMENT NO. 5 - APPROVED.

Communication from A. J. Moro, Chief Harbor Engineer, dated July 25, 2007, recommending authorization of Contracts with URS Corporation, in the amount of \$700,000, and TMAD Taylor & Gaines, in the amount of \$600,000, with both contracts

ending July 31, 2009, for the Harbor Plaza Facilities Development Project/proposed new Port Administration Building and Maintenance Facilities, and approval of CWO No. 1234, Supplement No. 5, in the amount of \$1,700,000, was presented to the Board. The recommendation was approved by the Executive Director.

5. LEVEL I HARBOR DEVELOPMENT PERMITS – RECEIVED AND FILED.

Communication from Richard D. Cameron, Manager of Environmental Planning, dated July 24, 2007, requesting that the following Level I Harbor Development Permits be received and filed:

HDP #07-053	Tidelands Oil Production Company – Pipeline Removal and Installation
HDP #07-060	Southern California Edison – Control Cabinet Installation
HDP #07-061	Chemoil Marine Terminal – Geotechnical Investigation
HDP #07-063	BP West Coast Products – Water Tank Replacement
HDP #07-064	Total Terminals International – Radio Frequency Equipment Installation
HDP #07-068	THUMS Long Beach Company – Discharge Oil Line Replacement
HDP #07-069	Tesoro Corporation – Fence and Gate Installation
HDP #07-070	Port of Long Beach – Annual Routine Maintenance and Repair

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

6. FINANCIAL STATEMENTS FOR THE LONG BEACH HARBOR DEPARTMENT FOR THE MONTH OF JUNE 2007 – RECEIVED AND FILED.

Communication from Sam Joumbat, Chief Financial Officer, dated July 25, 2007, transmitting financial statements for the Long Beach Harbor Department for the month of June 2007, was presented to the Board. The financial statements were approved by the Executive Director.

7. GARY CARDAMONE – LISA MARIN – APPOINTMENTS.

Communication from Cynthia Stafford, Acting Director of Human Resources, dated July 25, 2007, requesting approval of the appointments of the following individuals:

<u>Appointment</u>	<u>Classification</u>	<u>Range & Step</u>	<u>Effective Date</u>
Gary Cardamone	Director of Construction Management	E00	8/04/07
Lisa Marin	Director of Human Resources	E00	8/06/07

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

8. ANNUAL MEETINGS OF PORT AUTHORITY ASSOCIATIONS – EXECUTIVE DIRECTOR AUTHORIZED TO DESIGNATE DELEGATES AND ALTERNATES.

Communication from Diane K. Jacobus, Acting Executive Officer to the Board, dated July 24, 2007, recommending that the Executive Director be authorized to designate the delegates and alternates to the annual meetings of the American Association of Port Authorities (AAPA), California Association of Port Authorities (CAPA), and the biennial meetings of the International Association of Ports and Harbors (IAPH), was presented to the Board. The recommendation was approved by the Executive Director.

9. INTERMODAL CONTAINER TRANSFER FACILITY JOINT POWERS AUTHORITY GOVERNING BOARD – APPOINTMENT OF REPRESENTATIVE.

Communication from Richard D. Steinke, Executive Director, dated July 25, 2007, recommending the appointment of Nick Sramek to the Governing Board of the Intermodal Container Transfer Facility Joint Powers Authority for a term of five years, was presented to the Board. The request was approved by the Executive Director.

10. ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY GOVERNING BOARD – APPOINTMENT OF ALTERNATES.

Communication from Richard D. Steinke, Executive Director, dated July 24, 2007, recommending the appointment of Nick Sramek and Steve Rubin to the Governing Board of the Alameda Corridor Transportation Authority to serve as the alternates, was presented to the Board. The request was approved by the Executive Director.

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

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

REGULAR AGENDA.

11. RESOLUTION AUTHORIZING ESTABLISHING A MECHANISM FOR DETERMINING THE ANNUAL FUNDING OF THE INSURANCE RESERVE ACCOUNT – RESOLUTION NO. HD-2376 - ADOPTED.

Communication from Richard Baratta, Director of Risk Management, dated July 25, 2007, requesting establishing a mechanism for determining the annual funding of the Insurance Reserve Account and authorization to increase the account by \$10 million, was presented to the Board together with the authorizing resolution therefore.

Commissioner Walter moved, seconded by Commissioner Topsy-Elvord 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 ESTABLISHING A MECHANISM FOR DETERMINING THE ANNUAL FUNDING OF THE INSURANCE RESERVE ACCOUNT," be declared read and adopted as read. Carried by the following vote:

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

12. THUMS LONG BEACH COMPANY - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FOURTH AMENDMENT TO LEASE FOR CORRECTING LAND BOUNDARY OF THE LEASED PREMISES – FIRST READING OF ORDINANCE.

Communication from Karl Adamowicz, Acting Director of Real Estate, dated July 23, 2007, recommending approval of the Fourth Amendment to Lease with THUMS Long Beach Company for correcting land boundary of the leased premises, increasing the monthly rent to \$176,189, was presented to the Board together with the authorizing ordinance therefore. The recommendation was approved by the Acting Executive Director.

In response to a question by President Cordero, Mr. Adamowicz confirmed that ITS and the Pier J tenant are all in agreement.

Commissioner Topsy-Elvord moved, seconded by Commissioner Sramek 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 FOURTH AMENDMENT TO LEASE (HD-5798) BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND THUMS LONG BEACH COMPANY 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:	Commr:	Sramek, Hankla, Topsy-Elvord, Walter, Cordero
NOES:	"	None
ABSENT:	"	None

PUBLIC INVITED TO ADDRESS THE BOARD ON NON-AGENDA ITEMS.

Dr. Willard Zahn addressed the Board and spoke on the consideration of the reconfiguration of the breakwater and the recent decision by the Long Beach City Council for an initial study.

In addition to his comments, Dr. Zahn praised the Board on their progress of going green and he complimented the Port on its informative publications.

Mr. Larry Goodhue addressed the Board and spoke on the breakwater.

The Board of Harbor Commissioners heard comments on the Clean Air Action Plan Truck Program from the following; Mr. Narcisco Roman Perez, Mr. Douglas Reber, and Mr. Ernie Galudo. In addition to addressing the Board on the Clean Air Action Plan Truck Program, Ms. Rupal Patel submitted a petition signed by over 6,500 Californians urging the Ports of Los Angeles and Long Beach to pass a Clean Trucks Program with higher environmental standards than the Ports draft plan, and Mr. Rene Estrada, who stated he came here in the name of 16,000 drivers, submitted petitions in support of the plan from about 5,000 drivers.

President Cordero thanked everyone for their comments.

NEW BUSINESS.

Ms. Morris announced that the Port had recently won the prestigious 2007 Telly Award for its Sustainability Video.

Ms. Morris stated the community engagement team was at the Family Fun Festival at Shearer Park on Saturday, as well as on Saturday and Sunday they were at our Port booth at the Sea Festival Dragon Boat Races where they gave out promotional and Port educational information.

Additionally, on Saturday was the annual media harbor tour where we take the media around the Port and share information about the Port and the projects.

Ms. Morris thanked President Cordero and Vice President Walter for their participation in the media harbor tour.

Vice President Walter commented that he thought the media harbor tour went well and he also attended the Dragon Boat races on Sunday at Marine Stadium.

President Cordero thanked the staff that participates in these weekend events.

Mr. Steinke stated on Friday the Ports of Los Angeles and Long Beach hosted State Secretary of Business Transportation and Housing, Dale Bonner and his assistant Secretary of Goods Movement, John Humer. The Secretary received not only a helicopter and boat tour but briefings from Mr. Kerry Cartwright and Ms. Samara Ashley.

Ms. Ashley stated she had talked to the staff in the State Secretary's office and they were very pleased with the tours and that the State Secretary was interested in returning to the Port of Long Beach in the future for a terminal tour.

Commissioner Cordero stated tomorrow, Tuesday, July 31, at the Westin Hotel in Long Beach, the Long Beach City College Center for International Trade Development/ California-Mexico Trade Assistance Center and the Long Beach International Trade Office are hosting the 2nd Annual Port Technologies Conference/Mexican Port Expansions: Opportunities and Benefits for Southern California. He stated Mayor Cesar Mancillas Amador of Ensenada, Mexico, will be the luncheon keynote speaker.

Additionally, President Cordero mentioned he would be participating on a panel along with Ensenada Port Director Carlos Jaegui Gonzalez, SSA Mexico Development Manager Joseph Ritzman, and the President of Watkins/Baile & Associates, Greg Watkins.

ADJOURNED.

At 2:40 p.m., Commissioner Walter moved, seconded by Commissioner Sramek that the meeting be adjourned sine die. Carried by the following vote:

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

MINUTES
REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS
LONG BEACH, CALIFORNIA
JULY 12, 2007

The Board of Water Commissioners of the City of Long Beach met in the Board Room of the Administration Building, 1800 E. Wardlow Road, Long Beach, California, on July 12, 2007.

The meeting was called to order at 9:15 a.m. by President Clarke.

PRESENT:	Frank Clarke	Commissioner
	William B. Townsend	Commissioner
	Stephen T. Conley	Commissioner
	Charles Parkin	Principal Deputy City Attorney
	Kevin L. Wattier	General Manager
	Sandra L. Fox	Secretary to the Board of Water Commissioners
	Robert C. Cheng	Deputy General Manager – Operations
	B. Anatole Falagan	Deputy General Manager – Business
	Ryan J. Alsop	Director, Government & Public Affairs
	Matthew P. Lyons	Director, Planning & Conservation
	Isaac C. Pai	Director of Engineering
	Eric Leung	Director of Water Resources
	Paul Fujita	Director of Finance
	David Honey	Administrative Officer
	Robert V. Swain	Engineering Manager
	Melissa L. Keyes	Administrative Analyst II/Special Projects Coordinator
	Dynna Long	Office Administrator
	Ken Bott	Administrative Analyst III
	Nancy Morlock	Administrative Analyst III
	Helen Hansen	Metropolitan Water District Director
	Paul Blanco	Water Commission Appointee
	John Allen	Water Commission Appointee
	Ashley Atkinson	Management Assistant
	Grace Hong	Management Assistant
	Nancy Villaseñor	Management Assistant

ABSENT: NONE

1. PLEDGE OF ALLEGIANCE

Eric Leung, led the Board and audience in the Pledge of Allegiance.

2. PUBLIC COMMENT

At the request of President Clarke, Sandra Fox, Secretary to the Board of Water Commissioners, opened the public comment period. As there were no requests to address the Board, the public comment period was closed.

David Honey, Administrative Officer, introduced City of Long Beach Management Assistants, Ashley Atkinson, Grace Hong and Nancy Villaseñor, who were attending the Board meeting as part of their Water Department orientation.

3. APPROVAL OF MINUTES

June 14, 2007 & June 21, 2007

Upon motion by Commissioner Townsend, seconded by Commissioner Conley and unanimously carried, the Minutes of the Regular Meetings of June 14, 2007, and June 21, 2007 were approved.

4. PRESIDENT'S REPORT

- **Frank Clarke, President, Board of Water Commissioners**

President Clarke recognized Helen Hansen's eleven plus years as a Board of Water Commissioner as her term ended on July 10, 2007. He advised the Water Department had been honored by her service.

NOTE: AGENDA ITEMS 7 & 8 WERE TAKEN OUT OF ORDER AT THIS POINT IN THE MEETING

7. REVIEW BOARD MEETING SCHEDULE FOR AUGUST 2007

- **Frank Clarke, President, Board of Water Commissioners**

The Board discussed the proposed meeting schedule for the month of August 2007 and agreed to the following meeting schedule:

August 2, 2007	Regular Meeting – 9:15 A.M.
August 9, 2007	Committee of the Whole Meeting - 9:15 A.M.
August 16, 2007,	Regular Meeting – 9:15 A.M.
August 23, 2007	Committee of the Whole Meeting - 9:15 A.M.
August 30, 2007	Special Meeting – Public Hearing – 7:00 P.M.

Commissioner Conley requested that the newly appointed Commissioners be provided with a copy of the August 2007 board meeting calendar so they could advise of any upcoming conflicts.

8. GENERAL MANAGER'S REPORT
Kevin L. Wattier, General Manager

Mr. Wattier introduced and welcomed Mr. Paul Blanco, and Mr. John Allen as the newly appointed Board of Water Commission members.

Mr. Wattier advised that Helen Hansen's term as a Board of Water Commissioner ended on July 10, 2007, but that she would continue to serve as the City of Long Beach Metropolitan Water District Director, and provide periodic reports to the Board.

STATE WATER PROJECT (SWP) UPDATE

Mr. Wattier reported that all SWP pumps were operating at full speed, and moving large amounts of water from Shasta and Oroville through the Delta to meet downstream demands. He advised that the U.S. Fish and Wild Service, and National Marine Fisheries Service had submitted proposed operations plans to the Judge overseeing the CESA and FESA violation case. There were general comments regarding the pumping operations and legal issues regarding the State Water Project.

ALAMITOS BAY WATER QUALITY UPDATE

Mr. Wattier provided an update on recent work conducted by the City of Long Beach Water Quality Taskforce related to the flow studies recently conducted and the impact of the pumping operations of the power plants and their effect on the hydrology of the Bay. He reported that Mayor Foster would be announcing his formation of a Water Quality Taskforce, and Mr. Wattier advised he had been asked to be part of this group.

Mr. Wattier reported about the bad water quality of Alamitos Bay over the last week related to a failure of a pump at the Los Angeles County Sanitation District pump station near the Leeway Sailing Center that diverted storm drain flows into the Bay.

President Clarke asked if the City of Long Beach had legal authority to ask the Los Angeles County to cease this discharge into the Bay. Mr. Charles Parkin, Principal Deputy City Attorney, responded it would depend on the terms of the agreement between the City of Long Beach and Los Angeles County Department of Public Works.

NOTE: AGENDA ITEM 5 WAS TAKEN OUT OF ORDER AT THIS POINT IN THE MEETING

5. PUBLIC HEARING REGARDING WATER QUALITY RELATIVE TO PUBLIC HEALTH GOALS

At 9:43 A.M. President Clarke opened the Public Hearing.

Mr. Cheng made a presentation regarding Water Quality Relative to Public Health Goals.

As there were no comments from the public or board members, President Clarke closed the Public Hearing at 9:59 A.M.

NOTE: AGENDA ITEM 6 WAS TAKEN OUT OF ORDER AT THIS POINT IN THE MEETING

6. ADOPTION OF 2007 REPORT ON WATER QUALITY RELATIVE TO PUBLIC HEALTH GOALS (SB 1307, CALDERON-SCHER)

- **Robert C. Cheng, Deputy General Manager – Operations**

It was moved by Commissioner Conley, seconded by Commissioner Townsend and unanimously approved that the Board adopt the 2007 Report on Water Quality Relative to Public Health Goals.

NOTE: AGENDA ITEMS 7 & 8 WERE CONSIDERED EARLIER IN THE MEETING

9. LEGAL COUNSEL REPORT

- **Charles Parkin, Principal Deputy City Attorney**

None.

10. CONSENT CALENDAR

It was moved by Commissioner Conley and seconded by Commissioner Townsend that the Board approve Consent Calendar items 10a. thru 10g. These Consent Calendar items were unanimously approved.

10a. Approval of Transfer of Funds by Journal Entry Dated July 12, 2007

A communication was presented to the Board from Paul Fujita, which is on file at the Long Beach Water Department.

10b. Receive and File List of Vendor Payments for May 2007

A communication was presented to the Board from Paul Fujita, which is on file at the Long Beach Water Department.

10c. Adopt Specification WD-08-06 for the Long Beach Conjunctive Use Expansion in Lakewood, Palo Verde Avenue Pipeline Interconnection, and Authorize the General Manager to Sign a Construction Contract with Robert G. Castongia, Inc., in the amount of \$232,454

A communication was presented to the Board from Isaac Pai, which is on file at the Long Beach Water Department.

10d. Request Approval for Fiscal Year 2007-2008 Board Conference and Travel Schedule

A communication was presented to the Board from Sandra Fox, which is on file at the Long Beach Water Department.

10e. Receive and File the Comprehensive Annual Financial Report for the Period Ended September 30, 2006

A communication and copy of the report was presented to the Board from B. Anatole Falagan, which is on file at the Long Beach Water Department.

10f. Adopt Specification WD-05-07 and Authorize the General Manager to Execute an Agreement with Carmenita Ford Truck Sales, Inc. to furnish and deliver one (1) two-axle dump truck in the amount of \$125,630.00

A communication was presented to the Board from Robert Cheng, which is on file at the Long Beach Water Department.

10g. Adopt Specification WD-06-07 and Authorize the General Manager to Execute an Agreement with Peck Road Truck Center to furnish and deliver two (2) one-ton emergency service trucks for an amount of \$105,538.32

A communication was presented to the Board from Robert Cheng, which is on file at the Long Beach Water Department.

11. LEGISLATIVE ISSUES/ACTIONS/BILLS

- **Ryan J. Alsop, Director, Government & Public Affairs**

AB 640 UPDATE

Mr. Alsop provided an update on AB 640, and advised that it had been amended and was now a study bill. Mr. Alsop advised the author, Assemblymember Hector De La Torre, was continuing to work on revisions to the bill. Mr. Alsop advised he would keep the Board apprised of future changes to this bill.

Mr. Alsop also commented on AB 1420 (introduced by Assemblymember Laird) that would tie mandatory compliance of Best Management Practices (BMPs) to water agencies receiving future grants and loans financed by specified bond funds. Mr. Alsop advised this bill had recently been re-written by the Water Committee and that staff is monitoring these changes and will keep the Board apprised of its status. Mr. Wattier advised there is a possibility that staff would be bringing this issue to the Board at a future meeting recommending support of this legislation.

Mr. Alsop advised that the Rate Public Hearing notice had been mailed out to the ratepayers. He advised that to date, staff had received calls from ratepayers who had questions, but that no formal protests had yet been received.

Mr. Alsop provided details on the Rate Public Hearing hotline, and reported that this message would be available for ratepayers in English, Spanish and Khmer.

Mr. Alsop reported that the Water Waster Hotline (562-570-2455) was operational, and that the Water Waster e-mail (waterwaster@lbwater.org) had been set up.

Mr. Alsop also advised that water conservation ads would be running weekly in the Sunday *Press-Telegram* through September 2007.

Commissioners Townsend and Conley complimented staff on the water conservation ad campaign.

12. REPORT OF THE METROPOLITAN WATER DISTRICT (MWD) BOARD MEETING ON JULY 10, 2007

• **Helen Z. Hansen, MWD Director**

Ms. Hansen, MWD Director, reported that a former MWD Director (Jack Foley) had made an impassioned plea about Desalination at a recent MWD meeting. She advised he had commented that MWD was letting the public down by not supporting viable desal projects.

Commissioner Conley commented on the Long Beach Desalination project, and suggested staff agendaize periodic Desalination Updates for upcoming Committee of the Whole meetings.

Ms. Helen Hansen, in her capacity as the City of Long Beach MWD Director, provided a report of the MWD Board of Director's meeting of July 10, 2007, and highlighted the following agenda items: 1) Conservation Program Enhancements. Ms. Hansen advised that the Directors discussed looking at other areas to ensure an uninterrupted water supply to their agencies – such as the possibility of completing the State Water Project aqueduct as a long-term solution; 2) Accepted Prop. 50 State Grants for Diemer, Skinner and Weymouth oxidation retrofit programs; 3) The Board inducted a new Director, Robert Wunderlich as the City of Beverly Hills' representative on the Board of Directors.

13. NEW BUSINESS

Commissioner Conley requested to be excused from the July 26, 2007 Board meeting.

It was moved by Commissioner Townsend, seconded by Commissioner Conley, and unanimously approved that Commissioner Conley be excused from the July 26, 2007 Board meeting.

Commissioner Townsend requested to be excused from the August 16, 2007 Board meeting.

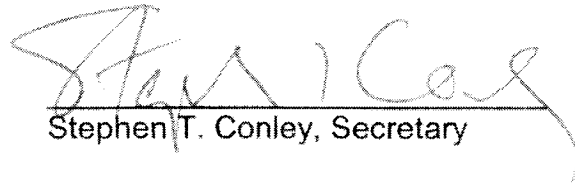
It was moved by Commissioner Conley, seconded by Commissioner Townsend, and unanimously approved that Commissioner Townsend be excused from the August 16, 2007 Board meeting.

Commissioner Conley thanked Helen Hansen for her eleven years of guidance, leadership and inspiration as a Long Beach Board of Water Commissioner.


Commissioner Townsend commented on serving with Helen Hansen as a Board member, and thanked her for her dedicated service as a Water Commissioner.

14. ADJOURNMENT

There being no further business to come before the Board, President Clarke adjourned the meeting at 10:50 a.m. to the Board Meeting of the Water Commission to be held on Thursday, July 26, 2007, at 9:15 a.m., in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California


Stephen T. Conley, Secretary

Attest:


Frank Clarke, President