

**LONG BEACH CIVIL SERVICE COMMISSION
AHMED SAAFIR, PRESIDENT
OCTOBER 24, 2007**

The regular meeting of the Civil Service Commission was held at 8:00 a.m., Wednesday, October 24, 2007, in the Board Room of the Commission, 333 West Ocean Boulevard, Seventh Floor, Long Beach, California.

MEMBERS PRESENT: Mary Islas, F. Phil Infelise, Herb Levi, Ahmed Saafir, Jeanne Karatsu

MEMBER EXCUSED:

OTHERS PRESENT: Mario R. Beas, Executive Director & Secretary
Herman M. Long, Deputy Director
Christina Pizarro Winting, Recruitment Officer
Melinda George, Employment Services Officer
Marilyn Hall, Executive Assistant
Salvador Ambriz, Personnel Analyst
Chris Daclan, Personnel Analyst
Leah Salgado, Personnel Analyst
Debbie McCluster, Personnel Analyst
Russell Ficker, Personnel Analyst
Beverly Nieves, Personnel Analyst
Lourdes Ferrer, Assistant Administrative Analyst
Ken Walker, Personnel Operations Manager, Human Resources

President Ahmed Saafir presided.

PRESIDENT'S OPENING STATEMENT:

Like most leaders, driven changes are not done democratically. Observers, who look closely, can extrapolate and come up with a Critical Metric, a nascent employee-recommendations engine. The idea animating Critical Metrics is one that contorts en vogue notions about the smarts at the top and employee networks, as well as the algorithmic under-pinning of much of the organization. Critical Metrics aggregates current and past critical opinions at the upper horizontal level. When you look at it with the ideology of the Founding Fathers of our City, it looks out for the best interest of the tax-paying employee. Critical Metric scans opinion from the rank and file, desk-to-desk and broom-to-broom. Some organizations focus on big hits while others are obsessed with deep cuts that damage the integrity of the organization. By keeping our focus on integrity and fairness and using an aggregate of collective critical opinions we will arrive at a significantly more independently diverse and qualified work force.

MINUTES:

It was moved by Commissioner Infelise, seconded by Commissioner Islas and carried that the minutes of the regular meeting of October 17, 2007, be approved as prepared. The motion carried unanimously.

AMENDED MINUTES:

It was moved by Commissioner Islas, seconded by Commissioner Levi and carried that the amended minutes of the regular meeting of September 26, 2007, be approved as prepared. The motion carried unanimously.

REQUEST FOR TEMPORARY REASSIGNMENT FOR TRAINING AND TRANSFER:

DIANE DZODIN, PERSONNEL ANALYST

The Secretary presented a communication from Lisa Marin, Director of Human Resources, Harbor Department, requesting Commission approval to temporarily reassign Diane Dzodin, Personnel Analyst, Civil Service Department for training, and transfer to the Harbor Department, to the classification of Administrative Analyst. In addition, the Secretary presented a staff report prepared by him. After discussion, it was moved by Commissioner Islas, seconded by Commissioner Karatsu and carried that the request for reassignment for training and transfer be approved, pursuant to Sections 63(3) and (64) of the Civil Service Rules and Regulations. The motion carried unanimously.

REQUEST TO REAPPOINT RESIGNED EMPLOYEES:

RAY PANEK AND SEAN HUNT/POLICE OFFICERS

The Secretary presented a communication from Anthony Batts, Chief of Police, requesting Commission approval to reappoint Ray Panek and Sean Hunt to their former classification of Police Officers. In addition, the Secretary presented a staff report prepared by him. After discussion, it was moved by Commissioner Islas, seconded by Commissioner Karatsu and carried that the request be approved, pursuant to Section 45 of the Civil Service Rules and Regulations. The motion carried unanimously.

REQUEST FOR SELECTIVE CERTIFICATION:

The Secretary presented a communication from Lori Ann Farrell, Acting Director of Financial Management, requesting Commission authorization for the selective certification for individuals with Spanish/English bilingual skills from the Customer Service Representative eligible list. In addition, the Secretary presented a staff report prepared by Lourdes Ferrer, Personnel Analyst. After discussion, it was moved by Commissioner Islas, seconded by Commissioner Karatsu and carried that the

request be approved, pursuant to Section 28 of the Civil Service Rules and Regulations. The motion carried unanimously.

**REQUEST TO FILE FOR
EXAMINATION BY DISMISSED
EMPLOYEE:**

REFUSE OPERATOR

The Secretary presented a request to file for examination by dismissed employee request from Hal B. Maples, requesting Commission approval to participate in the Refuse Operator examination process. The Secretary informed the Commission that because of questions the Commission may wish to ask regarding Mr. Maples' dismissal from City service, it may want to consider this matter in a closed session, pursuant to Government Code 54957. It was moved by Commissioner Levi, seconded by Commissioner Islas and carried to move this item to the end of the agenda to consider in closed session, pursuant to Government Code 54957. The motion carried unanimously.

PROTEST OF EXAMINATION ITEMS: FIRE CAPTAIN

The Secretary presented a staff report prepared by Leah Salgado, Personnel Analyst, regarding the disposition of the protested questions from the Fire Captain examination, administered on October 16, 2007. Ms. Salgado briefed the Commission regarding the protests. After discussion, it was moved by Commissioner Levi, seconded by Commissioner Infelise and carried that the recommended disposition of the protested questions be approved and the affected persons be so notified. The motion carried unanimously.

BULLETINS:

It was moved by Commissioner Infelise, seconded by Commissioner Levi and carried that the following Job Opportunity Bulletins be approved. The motion carried unanimously.

Planner
Senior Program Manager – Harbor
Survey Technician

EXAMINATION RESULTS:

It was moved by Commissioner Infelise, seconded by Commissioner Karatsu and carried that the following examination results be approved. The motion carried unanimously.

Civil Engineer – 3 Applied, 1 Qualified
Environmental Specialist Assistant – 80 Applied,
26 Qualified
Senior Traffic Engineer – 2 Applied, 2 Qualified

RETIREMENTS:

It was moved by Commissioner Infelise, seconded by Commissioner Karatsu and carried that the following retirements be received and filed. The motion carried unanimously.

Mirtha Guevara/Maintenance Assistant I/Public Works
Karen Cressy/Department Librarian I/Library

RESIGNATION:

**SHARON CARTER/HOUSING SPECIALIST
III/COMMUNITY DEVELOPMENT**

It was moved by Commissioner Karatsu, seconded by Commissioner Infelise and carried that the subject resignation be received and filed. The motion carried unanimously.

TRANSFERS:

**OLIGARIA RESULTAY/ACCOUNTING CLERK
III/HARBOR TO ACCOUNTING CLERK III/WATER**

It was moved by Commissioner Islas, seconded by Commissioner Levi and carried that the subject transfer between departments be approved. The motion carried unanimously.

MANAGERS' REPORT:

Melinda George, Employment Services Officer, acknowledged Beverly Nieves, Personnel Analyst, for the excellent job she is doing in the administration of the Police Recruit examination. She also informed the Commission that staff will be scheduling the second sessions of the Police Recruit examination, and will be inviting job candidates who were not able to make it to the first session.

The Secretary informed the Commission that the managers would be attending the management conference on Friday, October 26, 2007.

COMMENTS FROM PUBLIC:

Ken Walker, Manager, Personnel Operations, Human Resources, informed the Commission that Human Resources will be conducting a transition workshop for the unclassified employees affected by the Order of Layoff from the City Manager's office. He stated that Civil Service

Department would be making a presentation at this workshop. Mr. Walker thanked Civil Service Department staff for their assistance in trying to place the unclassified employees.

CLOSED SESSION:

It was moved by Commissioner Levi, seconded by Commissioner Karatsu, to recess the meeting to Closed Session, pursuant to Government Code 54957, to consider Mr. Hal Maples' request to file for examination by dismissed employee. The motion carried unanimously.

After discussion, it was moved by Commissioner Levi, seconded by Commissioner Karatsu and carried to reconvene the regular meeting.

REQUEST TO FILE FOR EXAMINATION BY DISMISSED EMPLOYEE:

REFUSE OPERATOR

After discussion, President Saafir reconvened the regular meeting and announced that it was moved by Commissioner Islas, seconded by Commissioner Karatsu and carried to approve Mr. Maples' request to file for examination by dismissed employee. The motion carried by a unanimous roll call vote.

ADJOURNMENT:

There being no further business before the Commission, President Saafir adjourned the meeting.



MARIO R. BEAS
Secretary

MRB:meh

**LONG BEACH CIVIL SERVICE COMMISSION
AHMED SAAFIR, PRESIDENT
OCTOBER 31, 2007**

The regular meeting of the Civil Service Commission was held at 8:00 a.m., Wednesday, October 31, 2007, in the Board Room of the Commission, 333 West Ocean Boulevard, Seventh Floor, Long Beach, California.

MEMBERS PRESENT: Mary Islas, F. Phil Infelise, Herb Levi, Ahmed Saafir, Jeanne Karatsu

MEMBER EXCUSED:

OTHERS PRESENT: Mario R. Beas, Executive Director & Secretary
Christina Pizarro Winting, Recruitment Officer
Melinda George, Employment Services Officer
Marilyn Hall, Executive Assistant
Salvador Ambriz, Personnel Analyst
Chris Daclan, Personnel Analyst
Russell Ficker, Personnel Analyst
Beverly Nieves, Personnel Analyst
Lourdes Ferrer, Assistant Administrative Analyst
Stephanie Kemp, Personnel Analyst, Human Resources

President Ahmed Saafir presided.

**PRESIDENT'S OPENING
STATEMENT:**

We must shape a new generation of creative managers. The driving force of innovation should push the organization to revamp their managerial skills or acquire new skills. We are in an era of constant change. Managers must learn to be comfortable with complexity and uncertainty. Managers thinking should emphasis maximizing possibilities rather than managing for efficiency alone. Managers must look for contemporary organizational issues, such as sustainability. Sustainability is a driving force for management to be a boiling pot of creativity. Innovations have always caused progress to be our most important product. Progress with measurable outcomes will bring about an alignment of seismic proportions.

Today, I am directing the Executive Director to look into the feasibility of developing and initiating a sustainability program; to use its pedal to sustain the organization as a whole; to develop tools to keep City departments supplied with necessities to create supports. It's the Civil Service department's responsibility to help departments learn to carry their weight and burdens; to help strengthen their **courage to encourage** the total field of employees so they

may learn to uphold and support the organizations validity and justice through consistent corroborative connected collaborations. The Civil Service department should formulate teams made up of various City department heads and parachute into departments when critically needed to push them to excel and execute flawlessly. The City departments contain a gold mine of talent to seek solutions without outside consultants stabbing at our vital organs. Pulling together is a practice, so let's practice.

MINUTES:

It was moved by Commissioner Islas, seconded by Commissioner Levi and carried that the minutes of the regular meeting of October 24, 2007, be approved as prepared. The motion carried unanimously.

REQUEST FOR SELECTIVE CERTIFICATION:

The Secretary presented a communication from Suzanne Frick, Director of Planning and Building, requesting Commission authorization for the selective certification for individuals with Historical Preservation skills from the Planner eligible list. In addition, the Secretary presented a staff report prepared by Caprice McDonald, Personnel Analyst. The Secretary briefed the Commission regarding this request. Greg Carpenter, Planning Bureau Manager, addressed the Commission. After discussion, it was moved by Commissioner Levi, seconded by Commissioner Islas and carried that the request be approved, pursuant to Section 28 of the Civil Service Rules and Regulations. The motion carried unanimously.

COMMUNICATION FROM SUSAN SLATER KING:

MARINA AGENT

The Secretary presented a communication from Susan Slater-King, requesting Commission reconsider and approve her request to file a late application for the Marina Agent. Ms. King addressed the Commission, stating Civil Service was at fault, in that it's staff did not properly direct her in the filing of her application. Russ Ficker, Personnel Analyst addressed the Commission. After discussion, it was moved by Commissioner Levi, seconded by Commissioner Islas and carried to deny Ms. Slater-King's request to file a late application. The motion carried by a unanimous roll call vote.

BULLETINS:

It was moved by Commissioner Infelise, seconded by Commissioner Karatsu and carried that the following Job Opportunity Bulletins be approved. The motion carried unanimously.

Housing Assistance Coordinator
Records Center Supervisor
Systems Analyst

EXAMINATION RESULTS:

DEVELOPMENT PROJECT MANAGER – 41 Applied, 15 Qualified

It was moved by Commissioner Infelise, seconded by Commissioner Levi and carried that the subject examination results be approved. The motion carried unanimously.

EXTENSION OF EXPIRING ELIGIBLE LISTS:

It was moved by Commissioner Karatsu, seconded by Commissioner Levi and carried that the following eligible lists be extended for an additional six months. The motion carried unanimously.

Business Systems Specialist (5/2/07, 11/15/06, 05/30/07)
Civil Engineering Assistant (5/2/07)
Department Librarian (5/2/07, 5/9/07)
General Librarian (5/2/07, 11/08/06, 11/29/06, 5/9/07)
Mechanical Engineer (5/2/07, 5/16/07)

RETIREMENT:

THOMAS JARAMILLO/MARINE SAFETY SERGEANT/BT-OP/FIRE

It was moved by Commissioner Isalas, seconded by Commissioner Levi and carried that the subject retirement be received and filed. The motion carried unanimously.

DISABILITY RETIREMENT:

LYDIA JIMENEZ/POLICE SERVICES SPECIALIST III/POLICE

It was moved by Commissioner Karatsu, seconded by Commissioner Levi and carried that the subject disability retirement be received and filed. The motion carried unanimously.

RESIGNATIONS:

It was moved by Commissioner Infelise, seconded by Commissioner Islas and carried that the following resignations be received and filed. The motion carried unanimously.

Fernando Cuevas/Police Officer/Police
Biju Variyam/Stock & Receiving Clerk/Public Works

**CONSIDERATION OF HEARING
OFFICER'S REPORT:**

SUSPENSION HEARING 06-S-67

The Secretary presented a report prepared by Hearing Officer Jose Urcis, Attorney at Law, to the Commission, regarding the subject hearing which was conducted on September 21, 2007. After discussion, it was moved by Commissioner Levi, seconded by Commissioner Infelise and carried that the hearing officer's report be approved as prepared. The motion carried unanimously.

MANAGERS' REPORT:

Christina Winting, Recruitment Officer, informed the Commission that Police Recruit would be closing today. She also stated that she met with the "Good Samaritan" regarding job opportunities with the City and provided career counseling. She, Robert Uranga, Personnel Services Officer, Health & Human Services and a representative from the Career Transition Center met with the Order of Layoff employees (classified and unclassified) to talk about bumping rights for classified employees, and transitioning into the classified service for unclassified employees. She indicated that individual career counseling was offered to the employees.

Melinda George, Employment Services Officer, informed the Commission that 1550 job applications had been received for Police Recruit. She also stated that over the next two weeks staff would be conducting the next phases of the Fire Captain promotional examination.

The Secretary informed the Commission that staff has begun to schedule the forecasting meetings with departments.

ADJOURNMENT:

There being no further business before the Commission, President Saafir adjourned the meeting.



MARIO R. BEAS
Secretary

MRB:meh

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, OCTOBER 29, 2007, AT 1 P.M.

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

Also present:

R. D. Steinke	Executive Director
C. Lytle	Managing Director
D. A. Thiessen	Managing Director
R. G. Kanter	Managing Director
D. T. Holzhaus	Principal Deputy City Attorney
D. K. Jacobus	Acting Executive Officer to the Board
S. Ashley	Director of Government Affairs
K. J. Adamowicz	Acting Director of Real Estate
D. L. Albrecht	Director of Information Management
R. S. Baratta	Director of Risk Management
R. D. Cameron	Director of Environmental Planning
G. J. Cardamone	Director of Construction Management
L. Cottrill	Director of Master Planning
S. Joublat	Chief Financial Officer
L. Marin	Director of Human Resources
A. J. Moro	Chief Harbor Engineer
H. C. Morris	Director of Communications
C. Perrone	Director of Security
R. Rich	Director of Maintenance
J. Groves	Senior Civil Engineer
D. Sereno	Director of Program Management
E. Shen	Director of Transportation Planning
D. B. Snyder	Director of Trade Relations

PRESIDENT CORDERO PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Upon motion by Commissioner Walter, seconded by Commissioner Hankla and unanimously carried, the amended minutes of the regular meeting of October 22, 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 AGENDA – ITEMS NOS. 1 - 11.

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

1. EXCEL PAVING COMPANY - ACCEPTANCE OF WORK UNDER SPECIFICATION NO. HD-S2282.

Communication from G. J. Cardamone, Director of Construction Management, dated October 24, 2007, advising that Excel Paving Company has satisfactorily completed, as of July 5, 2007, the Pier E, Berths E24-E26, Container Yard Redevelopment, as described in Specification No. HD-S2282, and recommending that said work be accepted as complete as of that date, was presented to the Board. The recommendation was approved by the Executive Director.

2. MANSON CONSTRUCTION COMPANY - PARTIAL ACCEPTANCE OF WORK UNDER SPECIFICATION NO. HD-S2279 AND PARTIAL RELEASE OF RETENTION.

Communication from G. J. Cardamone, Director of Construction Management, dated October 24, 2007, advising that Manson Construction Company has satisfactorily partially completed, as of June 28, 2007, the Pier T, BP, Cold Iron Project at Berth T121 as described in Specification No. HD-S2279 and recommending that said work be accepted as partially complete as of that date, with the partial release of retention, was presented to the Board. The recommendation was approved by the Executive Director.

3. REJECTION OF LOWEST BID RECEIVED - AWARD OF CONDITIONAL CONSTRUCTION CONTRACT TO FREEWAY ELECTRIC – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE, UPON SATISFACTION OF CERTAIN CONDITIONS BY CONTRACTOR, CONTRACT FOR TRAFFIC SIGNAL AND LIGHTING AT PIER C STREET AND MATSON DRIVEWAYS UNDER SPECIFICATION NO. HD-S2306A - CITY ATTORNEY REQUESTED TO PREPARE CONTRACT – DOCUMENT NO. HD-7242 - CWO NO. 1279, SUPPLEMENT NO. 1 AND INITIATION OF PROJECT BUDGET – APPROVED.

Communication from J. R. Santa Ana, Director of Engineering Design, dated October 24, 2007, requesting rejection of the lowest bid received and approval of a Conditional Award of Contract to Freeway Electric for the Traffic Signal and Lighting at Pier C Street and Matson Driveways, under Specification No. HD-S2306A, in the amount of \$458,000, CWO No. 1279, Supplement No. 1, in the amount of \$620,000, and the establishment of a project budget, was presented to the Board. The request was approved by the Executive Director.

4. PARSONS/HNTB JOINT VENTURE - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE TENTH AMENDMENT TO CONTRACT FOR THE GERALD DESMOND BRIDGE REPLACEMENT PROJECT - DOCUMENT NO. HD-6579J – CWO NO. 1233, SUPPLEMENT NO. 13 - APPROVED.

Communication from Douglas J. Sereno, Director of Program Management, dated October 24, 2007, requesting approval of an Amendment to Contract with Parsons/HNTB Joint Venture for engineering and environmental documentation for the Gerald Desmond Bridge Replacement Project, in the amount of \$967,007, and CWO No. 1233, Supplement No. 13, in the amount of \$1,257,007, was presented to the Board. The request was approved by the Executive Director.

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

Communication from Richard D. Cameron, Director of Environmental Planning, dated October 23, 2007, requesting that the following Level I Harbor Development Permits be received and filed:

HDP #07-097	SSA/Matson – Asphalt Repairs
HDP #07-102	Mitsubishi Cement – Fence Installation
HDP #07-105	ARCO Terminal Services – Asphalt Paving

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

6. TIDELANDS OIL PRODUCTION COMPANY – PERMIT TO DRILL ONE WATER INJECTION WELL - APPROVED.

Communication from Richard D. Cameron, Director of Environmental Planning, dated October 23, 2007, recommending approval of the application submitted by Tidelands Oil Production Company for a permit to drill one water injection well (2BU-017) located in Oil Set-Aside Area 3, on Pier S, was presented to the Board. The recommendation was approved by the Executive Director.

7. TIDELANDS OIL PRODUCTION COMPANY – PERMIT TO DRILL WELL Y-167 - APPROVED.

Communication from Richard D. Cameron, Director of Environmental Planning, dated October 23, 2007, recommending approval of the application submitted by Tidelands Oil Production Company for a permit to drill Well Y-167, was presented to the Board. The recommendation was approved by the Executive Director.

9. EQUILON ENTERPRISES LLC DBA SHELL OIL PRODUCTS US (EQUILON) – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE PARTIAL ASSIGNMENT TO AND PARTIAL ASSUMPTION BY CARDINAL PIPELINE, LP OF THE RIGHTS AND OBLIGATIONS OF EQUILON – DOCUMENT NO. HD-7243.

Communication from Karl Adamowicz, Acting Director of Real Estate, dated October 23, 2007, recommending that the Executive Director be authorized to execute Partial Assignment to and Partial Assumption by Cardinal Pipeline, LP, of the Rights

and Obligations of Equilon Enterprises LLC, dba Shell Oil Products US (Equilon) under the Pipeline License between the City of Long Beach and Equilon, was presented to the Board. The request was approved by the Executive Director.

10. EQUILON ENTERPRISES LLC DBA SHELL OIL PRODUCTS US (EQUILON) – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE PARTIAL ASSIGNMENT TO AND PARTIAL ASSUMPTION BY CRIMSON CALIFORNIA PIPELINE, LP OF THE RIGHTS AND OBLIGATIONS OF EQUILON – DOCUMENT NO. HD-7244.

Communication from Karl Adamowicz, Acting Director of Real Estate, dated October 23, 2007, recommending that the Executive Director be authorized to execute Partial Assignment to and Partial Assumption by Crimson California Pipeline, LP, of the Rights and Obligations of Equilon Enterprises LLC, dba Shell Oil Products US (Equilon) under the Pipeline License between the City of Long Beach and Equilon, was presented to the Board. The request was approved by the Executive Director.

11. SOUTHERN CALIFORNIA EDISON COMPANY - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE MEMORANDUM AGREEMENT FOR PIER A SUBSTATION – DOCUMENT NO. HD-7245.

Communication from Karl Adamowicz, Acting Director of Real Estate, dated October 23, 2007, requesting approval of a Memorandum of Agreement with Southern California Edison Company for the use of land north of Pier A Way, effective September 1, 2007, through August 31, 2012, was presented to the Board. The request was 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 & 9 - 11 be approved as recommended. Carried by the following vote:

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

8. SHANA ORTIZ – APPOINTMENT.

Communication from Lisa Marin, Director of Human Resources, dated October 29, 2007, requesting approval of the appointment of Shana Ortiz to the position of Executive Assistant to the Board of Harbor Commissioners at the annual salary of \$62,711, effective November 5, 2007, was presented to the Board. The request was approved by the Executive Director.

Commissioner Cordero amended the position title to Executive Secretary.

Without objection, let the communication be received and filed and Shana Ortiz be appointed to the position of Executive Secretary. Carried by the following vote:

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

REGULAR AGENDA.

12. GATEWAY CITIES COUNCIL OF GOVERNMENTS, I-5 CONSORTIUM CITIES JOINT POWERS AUTHORITY, LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, PORT OF LONG BEACH, PORT OF LOS ANGELES, AND THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FUNDING AGREEMENT FOR THE I-710 ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT AND ENGINEERING PROJECT REPORT FOR THE I-710 FROM OCEAN BOULEVARD TO SR-60 - DOCUMENT NO. HD-7246.

Communication from Eric Shen, Director of Transportation Planning, dated October 23, 2007, requesting approval of the I-710 Corridor Project Funding Agreement with the Los Angeles County Metropolitan Transportation Authority and other funding parties, in the amount of \$5 million, was presented to the Board. The recommendation was approved by the Executive Director.

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

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

13. ESTABLISHING RATES AND CHARGES FOR WATER AND SEWER SERVICES – RESOLUTION NO. HD-2387 ADOPTED - FIRST READING OF ORDINANCE.

Communication from Randy Rich, Director of Maintenance, dated October 15, 2007, recommending approval of establishing rates and charges for water and sewer services to certain consumers within the Harbor District for fiscal year 2007-2008, was presented to the Board together with the authorizing resolution and ordinance therefore. The recommendation was approved by the Executive Director.

Commissioner Topsy-Elvord 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 ESTABLISHING RATES AND CHARGES FOR WATER SERVICE TO CERTAIN CONSUMERS WITHIN THE HARBOR DISTRICT OF THE CITY OF LONG BEACH, FOR A PERIOD OF NINETY (90) DAYS COMMENCING OCTOBER 1, 2007, AND

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

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

Commissioner Topsy-Elvord moved, seconded by Commissioner Hankla that the ordinance entitled "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, ESTABLISHING RATES AND CHARGES FOR WATER SERVICE TO CERTAIN CONSUMERS WITHIN THE HARBOR DISTRICT OF THE CITY OF LONG BEACH, AMENDING ORDINANCE NO. HD-1633, AS AMENDED, 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:	Hankla,Topsy-Elvord,Walter,Cordero
NOES:	"	None
ABSENT:	"	Sramek

NEW BUSINESS.

MS. MORRIS – DIRECTOR OF COMMUNICATIONS: To say that I am pleased to be here to present this award today to the Harbor Commissioners is a complete and total understatement. Last Thursday night John Pope, our media relations manager, attended the City County Communications and Marketing Association annual conference that was held in Kansas City, Missouri. This organization is comprised of government agencies throughout the United States -- 22 counties, cities, special districts, and special agencies. Once a year they gather to share best practices and also to award the SAVVY Award, which is the best of the best. This year the Port of Long Beach was honored with a SAVVY, which is highly coveted in our communications profession, for our port newsletter as being the best governmental newsletter in the nation. The kudos on that go to our communications staff headed up between Eric and John and Lee who write all of the copy to Margaret and her staff in graphics that puts it all together with amazing photographs. The judges' comments across the board was just that it was fabulous. They couldn't put it down because it was so exciting to look at, and the content was exciting to read. We won a second SAVVY award for our cargo brochure, and I know that we're all very proud of the cargo brochures here at the port. But nationwide, again, it won as the best stand-alone publication in the nation. And I wanted to just give you a little bit of background about this cargo brochure. It started about a year ago when Larry Cottrill and Matt Plezia, came to our division and said, you know, we need to explain how cargo comes in and out of our port and through the nation. And they had this white paper, and they wanted it for a Power Point presentation, and we thought, oh, my goodness, what are we going to do with this thing? And literally it took a year of us back and forth working with our staff and Larry and Matt to come up with this cargo brochure that is now -- it's prized across the nation.

We have reports that they want this graphic; they want us to share the brochure with them. We're going to share, but we're going to keep the Port of Long Beach at least emblazoned on the front of the brochure, so I wanted to share that with you because the cargo brochure was a special publication. We also won an award for the crisis communications plan and harbor tours. I wanted to tell you our port should be very proud of its efforts to communicate across the nation. Thank you.

PRESIDENT CORDERO: On that note, regarding the harbor tours, I attended -- well, I was invited and attended an event in the Cambodian community. Many of the people who were there, the seniors, were on our boat ride, and on behalf of the board and the port, I was acknowledged, I was appreciative of that acknowledgement, but they, to this day, raved about that boat tour. And again, just following up on what you said, it is so important, the community engagement, that we are having and have had and will continue to have has produced great results. And again, your department is doing an excellent job in port communications.

PUBLIC COMMENTS ON NON-AGENDA ITEMS.

PRESIDENT CORDERO: Mr. Lightman.

MR. LIGHTMAN: Good afternoon, Commissioners and others in attendance. Obviously, I came prepared to discuss something a little different than we have today, when the fourteenth item on the agenda was taken off. Just, if I can, instead of speaking to the subject matter I was going to speak to and address, what happened? Why is it off? I'm sure we all want to know.

PRESIDENT CORDERO: First of all, the decision was made to withdraw the item. There are a couple things that still need to be discussed. In terms of in actuality, it's a benefit to all those who are still missing our position. And honestly, bottom line is the fifth commissioner who is not here, unbeknownst to us, we didn't know it was going to fall on this date, and that commissioner also wants to be involved in that discussion.

MR. LIGHTMAN: I appreciate that. Thank you very much for the answer, and I certainly concur that we all need to be involved in it. I called at about 12:30 to see if it was on, and it was still on as of 12:30. Somehow by the time I drove over, it was off. I guess since I've got a couple minutes -- I presume we're still working with the three-minute rule.

PRESIDENT CORDERO: You have two minutes left.

MR. LIGHTMAN: Nice to learn you turned the clock on now, huh? Okay. We're a little concerned with the plan as was presented last week. We pushed it forward for the vote, and now, of course, withdrawal of pushing it forward. There's no business model attached to it. It is only, you know, essentially a scheduling of when various trucks will be either retrofitted from the use of the piers whatsoever. There's no method of -- of -- course or funding with regard to it. There's no specific impact on this particular plan that was embraced at least last Thursday, and we're all still concerned with what the flow will be, what will the impact be of the containers moving from the harbor off the piers and through the distribution centers or the rail. We need to absolutely be sure that we can handle the flow. Again, I mentioned in the joint meeting that we're going to eliminate a great deal of drivers because of the quick implication -- implementation,

pardon me, that will be coming, presumably, in the fourth quarter. To, again, implement this plan without regard to consideration of that, you might be creating more chaos than benefitting everyone. And the last thing I'd like to point out is we'd like to have one plan and incorporated in that plan pier efficiency and 24/7 so that we can get in and out of the piers quickly and save the pollution from queuing in line both inside the pier and outside, and I look forward to the presentation and the vote coming up very shortly.

PRESIDENT CORDERO: Yes. Commissioner Topsy-Elvord.

COMMISSIONER TOPSY-ELVORD: Mr. President, it appears to me that even though the item was taken off of the agenda, that those in the audience who wish to speak to it may have a good opportunity actually today to speak to it because it's not on the agenda. And let us hear what you have to say, and we will be courteous and listen to whatever you have to say. And then if you wish to speak to it when it's on the agenda again, of course, you may. But just because we took it off the agenda does not mean you will not be able to speak.

PRESIDENT CORDERO: Absolutely. That's why I mentioned, as we started, given this is commentary on nonagenda items, that's exactly what's taking place. As proposed earlier on the agenda, we had comments on agenda items, and I assume, Mr. Lightman, you stayed here because now you can inject as a nonagenda item and those of you who are here also that want to speak to the topic.

COMMISSIONER HANKLA: Yes, I certainly appreciate your comments, and I would like to make one statement. Every single commissioner on this Board of Harbor Commissioners and, I believe, the Port of Los Angeles as well is acutely sensitive to the issues that everybody here is. And basically, one thing I would remind you all of is you all are entitled to your opinion, and you have one thing we do not have. You have the right to be wrong. We do not have that right, because we not only have responsibility, but we have accountability. So if you sometimes think we might be moving not quite as fast as you'd like us to, we are taking an awful lot into account. Thank you for your comment.

MR. LIGHTMAN: And I appreciate you as well as the other commissioners. Thank you very much. You've always been very attentive and very courteous, and I appreciate it. Thank you.

COMMISSIONER HANKLA: Thank you, Mr. Lightman.

PRESIDENT CORDERO: Mr. Roche.

MR. ROCHE: Good afternoon, Commissioners. Good afternoon, staff. My name is Greg Roche. I'm with Clean Energy, and I appreciate the opportunity to be here to keep you updated on the status of our collective efforts -- your staff and Clean Energy's efforts -- to build out the alternative fuel infrastructure in the ports for our future clean vehicles. And I do have an important announcement to share with you today on our clean energy efforts, but before I do that, I did want to acknowledge and thank you for your earlier action today on the general physics permit for right of access. It is very important to the project to develop the port mega-station that we're working on with the staff. Because we're doing some parallel process, we've got the least development going on with your staff, as Carl mentioned earlier. And parallel with that effort was our working on the permit with the City of Los Angeles so that we can shrink the overall time involved in developing the station. So with your action and subsequent approval of the

board, our contractor will be able to go on-site, pull soil samples, submit those to Los Angeles, and move the project forward. So thank you for that. Now, I'm on to the announcement. As you all know, an important consideration for the alternative fuel strategy is making sure that there's ample fuel available for these vehicles, and as I've talked about before, we are working on developing California's first LNG production plant in the desert nearby -- Boron, California. That project is moving on schedule. We'll be operational next year. But the new announcement is last week Clean Energy announced that we entered into a new fuel supply contract with Spectrum Energy. Spectrum Energy is building a plant at the border of Arizona and California. This provides us with 45,000 gallons of more fuel a day to service our customers here in Southern California, and that plant will be online mid-2009 with the current plan. So between our Boron plant and the Spectrum Energy plant, that will give us anywhere from 205,000 to 285,000 gallons a day of fuel just from those two plants. That's not counting our other sources that we draw from, and that's enough fuel for well over 4,000 port trucks. We're very excited to make that announcement and to continue our efforts working with the port to make alternative fuel a reality in the ports here. Thank you very much.

PRESIDENT CORDERO: Mr. Roche, thank you for coming here and updating us on such an important project. Again, I think I've referenced before that the port's discussed this question about trucks and alternative fuels. A few years ago people were questioning whether or not LNG is really going to be viable in terms of a truck fuel and infrastructure issues and the availability, and I think that Clean Energy has certainly erased the concerns to accept this thing. It's exciting to hear you give us the specifics and, again, updating us in terms of what the future really holds.

MR. ROCHE: Thank you very much, and I look forward to an announcement soon of our first station going into operation. Thank you.

MS. JACOBUS: Michael Kaschak.

MR. KASCHAK: Good afternoon, Harbor Commissioners and staff. My name is Michael Kaschak, K-a-s-c-h-a-k, and I represent Communities for Clean Ports, a nonprofit public advocacy campaign based in Los Angeles. We support the adoption of a progressive ban on dirty port trucks, a fact we've been saying since the adoption of the CAAP plan to ban dirty diesel trucks. So we're glad the Port of Long Beach is taking the first step in establishing the hard backs for this process. However, this truck ban is virtually worthless without a strong plan for truck replacement. All it will mean is that you have given up keeping the promises of Clean Air Action Plan because you'll be forcing industries on its own dime to deploy marginally less old diesel trucks, and that result, more dirty diesel trucks, will be a complete failure for the CAAP. An incomplete clean trucks program would have further repercussions. How, for instance, can the environmental review process for port expansion projects such as the trip pack container terminal even be considered before you fix the broken trucking system? A complete clean trucks program must include the cleanest available trucks and employee-based port trucking system to make the industry responsible for the true cost of goods movement. So the important questions we'd like answered are -- one, when do we see a draft of the clean trucks program? Two, will the clean trucks program use best available control technology to establish this clean truck standard as South Coast

AQMD and a coalition of truckers, community, environmental, and public health groups have almost unanimously demanded because it's the only way to have a prayer of achieving your emission reductions promised in the CAAP, especially since port business is expected to triple or quadruple? Three, how long will the public have to review the draft clean trucks program before the key harbor commission's vote on December 14th? And finally, four, has the meeting on the 14th been set? The one-year anniversary of the CAAP is upon us, and the dirty air is still turning people and making kids sick. If you look at a clear sense of how bad our air can and will get without the strongest mitigation, just think about how painful and unhealthy it was to breathe over the last week, given all the particulate matter in the air. We urge you to get a strong clean trucks program going now. Thank you very much for your time.

PRESIDENT CORDERO: Michael, let me just respond by saying that one of the points you mentioned is a very important point and, I think, one that all of us here have certainly voiced, which is the importance of the mitigation process as the Clean Air Action Plan is absolutely in line with the importance, as you've mentioned, with either project. So I would hope that you do not interpret this meeting that we're not going to accomplish the goals. So I just want to emphasize the fact that we are very cognizant with regard to the importance of this environmental mitigation plan which coincides with the need for the EIR and very important project on both sides of the ports, Port of Long Beach. And again, lastly, you know, when you undertake things like this or just in regards to it, we want to make sure, as Commissioner Hankla has noted, we can't afford to be wrong, you know, and we're taking time now to really get to that point of finalization, so if you could just bear with us, and I assure you, both ports will get to that final plan.

MR. KASCHAK: Thank you very much for your time.

MS. JACOBUS: James Ota.

MR. OTA: Good afternoon, President Cordero and members of the Port of Long Beach.

COMMISSIONER HANKLA: I want to inform you, Mr. Ota, you're in danger of becoming a gadfly. That's a joke.

MR. OTA: James Ota, Ota Trucking and the Harbor Trucking for a Sustainable Future. With the news today that the ports revised the date of the replacement of all of the trucks beginning with the 1988 and older to start in October 2008, that's relief for many independent drivers and small trucking companies to comply with the Clean Air Act Plan, gives us more time to find the right plan to work with the finding of newer trucks with the aid of the port's funding. There are solutions for all the different size trucking companies along with the independent truckers. I believe that the harbor drayage companies will show the ports that we can work with the ports on helping cleaning up the dirty air that our diesel trucks help. The trucks that need to be retrofit will also help on their share of cleaning the air. Still, the manufacturers of these retrofits need to prove that what we are to retrofit meet the diesel particulate and NOX emission standard that the ports and AQMD are requiring. The LNG trucks need to prove that they are doing what they are said to do to help clean the air. CAAP is a bold creation by the ports for a nation to follow, and everyone needs to participate with cleaning the air. All the requirements of CAAP can be worked out without being brought in on a

concession. The discussion is for the majority of the independent drivers are against this plan. Yes to clean air, but no to concession. Having concession is only a way for the Teamsters to get into the port as truck drivers, not as companies, but as drivers. If the Teamsters want to get into the ports, let the men of the port have their own companies and compete with the rest of us independent companies and show us how their plans and how they can improve the clean air. The Clean Air Plan as proposed -- proposal does not have to have a concession plan. A concession is only for the unions. We're all for the clean air. No for concession.

PRESIDENT CORDERO: Thank you, Mr. Ota.

MS. JACOBUS: Adrian Martinez.

MR. MARTINEZ: President Cordero, members of the Harbor Commission, Adrian Martinez, and I'm from the Natural Resources Defense Council. I appreciate the opportunity to present comments on the proposed tariff relating to trucks that are not being heard today but was pushed, I suppose, to the next agenda meeting. At the outset I want to knowledge that cleaning up trucks that service the port is imperative. I think this commission has acknowledged that too. Residents have been suffering for years as a result of the failure of the goods movement industry to clean up its act. Last year the ports came together to do what we thought was going to be the comprehensive program to address this pollution. However, as evidenced today, we're not getting full programs to battle air pollution. We're very disappointed as an environmental advocate in support of the Clean Air Action Plan to see the vision and forward thinking of the Clean Air Action Plan not being fully attributed. And NRDC has several concerns about the truck care that's proposed. Beyond being an incomplete approach to the truck pollution, the program is not strong enough to protect public health. First, we're concerned that the proposed care constitution shift and previous thoughts about how the bannable trucks would work. Specifically, the date by which pre-1994 trucks would not be able to enter the port and on to terminals is January 1st, 2010, instead of the previously articulated date of January 1st, 2009. This will result in a significant and unacceptable delay in reducing the emissions from heavy-duty trucks -- the industry and why there may need to be a shift from the original proposed ban of pre-1989 trucks because originally it was proposed to be by January 1st, 2008, nearly two months from now. However, delaying approval based on the 1995, pre-1994 trucks is not a good compromise. Second, there is a difference between the tariff being voted on by the ports, the Port of Long Beach versus the one being voted on by the Port of Los Angeles. This must be reconciled. NRDC supports using 2012 by which pre-2007 trucks will be banned from the port. This is commitment made in the CAAP, and the port should continue to use that schedule. Third, much of the proposed tariff is simply a restatement of the proposed CARB port truck regulation. It is unclear why the ports are not proposing standards that exceed CARB proposed standards. Fourth, I must note it is ironic that Halloween is just around the corner, and it appears the ports are dressing up a tariff as a real clean trucks program. However, the public is savvy enough to understand that this tariff by itself is not a plan. A real clean trucks program includes a comprehensive approach to scrapping old dirty trucks, insisting -- ensure old trucks are replaced with the cleanest available technology and/or cleanest available retrofit devices, and requiring companies to have concessions that include employee drivers.

Going forward on this tariff amounts to incomplete work, and for this reason, NRDC will have to give the Ports of Long Beach and L.A. an incomplete. Finally, I want to note that the ports have a real program within their reach, but it appears the ports continue to delay attacking this issue head on. I implore this commission to prove me wrong by expeditiously finishing a real clean trucks program. Thank you.

PRESIDENT CORDERO: Thank you, Mr. Martinez.

COMMISSIONER TOPSY-ELVORD: Mr. Martinez, did you ever submit a copy of your proposal?

MR. MARTINEZ: NRDC is part of the Coalition for Cleaner, Safe Ports, and we submitted a proposal, and we can resubmit it if you would like.

COMMISSIONER HANKLA: How is it, Mr. Martinez, that in your mind the creation of an employee driver program trumps clean air -- trumps clean air? What's most important to you?

MR. MARTINEZ: We see it as part and parcel.

COMMISSIONER HANKLA: Why? I don't understand that logic. Can you elucidate me and perhaps -- because I'm -- your logic escapes me?

MR. MARTINEZ: Well, my logic is based on this. There are three main reasons why the employee status relates to clean air. First, the current system is in pretty much a state of disarray where the companies servicing the ports can't afford clean trucks. We saw that in Dr. Season's (phonetic) reports. We've seen it from several other resources. It's to the point where the state had to intervene and provide a large bond for dollars to clean up the air. The second thing is this region has some of the worst air quality in the nation, and we need to be pushing full on all cylinders the cleanest technology. You can only squeeze so many missions out of a diesel engine and other engines that rely on fossil fuels. We need to push technology. It's unclear to us why you'd want to push technology only for independent contractors. We think companies would be a better situation to put the burden on maintaining clean equipment, operating it, and then also pushing technology.

COMMISSIONER HANKLA: You know, in a perfect world, you're right. But this isn't a perfect world. And I'm sure this isn't going to be a perfect plan, but every plan begins with a first step, and the plan that was on the table today that has been drawn for a variety of reasons represents that first step. Now much can grow out of that plan as we move toward the magic date, whatever it turns out to be, in terms of flushing out the plan. But the first step is basically clean air and setting the standards that will get us there, and frankly, I think hanging a lot of bells and whistles on it as a first step is counterproductive and also counterproductive to clean air. Thank you, sir.

COMMISSIONER WALTER: Mr. Martinez, I think you stated -- I think that the comments about being carried -- the issue that there were three points that's more recently than we know. I went for that reducing pollution, but I would like to say to you that in the most simplistic way as consists the problem of pollution, this is a money problem. That means this is a financing problem. Now, if you really want to come up with a plan, a plan I would like to see from you, where the funds are because this -- the truck fairy showed up one day and gave us 16,000 trucks, so everyone had new trucks. The plan -- pollution is solved. Lucky our first team.

MR. MARTINEZ: We'll definitely take that into consideration as we advocate on how the state spends its \$1 billion in bond funding. To tell you the truth, NRDC has

been actively involved in that, and we've pegged the Ports of L.A. and Long Beach and specifically port drayage trucks in a very attractive way to spend their dollars. However, what we would like to see is a comprehensive port program. Use the state dollars to set a system that's going to work, going to work into the future so we don't need another bond three, four, five years down the road. First, I think there are some financing mechanisms that have been proposed, for example, truck impact fee and other things like that.

COMMISSIONER WALTER: Mr. Martinez, would you bring to me those financing proposals? Would you send them to me? I'll read them like an investment banker.

MR. MARTINEZ: Okay. I guess we'll be following up with additional information.

COMMISSIONER WALTER: Thank you very much.

PRESIDENT CORDERO: Let me just say, Mr. Martinez, thank you for being here. It's interesting. We have not just a CAAP plan that's being discussed in this state. We have the CARB proposals; you have the issue about the auxilliary -- no-sulfur-fuel-auxilliary engine in the 24 hours -- 10 miles from the coast. And it's interesting to me that the discussions are very similar with all three, and my -- you know, let me assure you that we're making every effort to move forward. And in terms of the financing, that is problematic. However, fortunately, again, the Ports of L.A. and Ports of Long Beach are public ports. They have put in their revenue for this plan, the Clean Air Action Plan, and the bottom line is, it's a public health issue. And I think whether it's the CARB discussion or whether it's the CAAP discussion, I think I see some similar commentaries on both sides, and it's interesting that we're approaching here with regard to public health questions, but let us not lose sight of the fact that when it comes to public health, in fact, as these studies show, when it comes down to it, what is the cost of doing nothing? And then you look at that; I think that answers all the bottom line financial concerns. I'm hopeful that NRDC works with us to really address the funding issue. Not just NRDC, the whole industry needs to work with us because this is not a situation we can handle alone. So my comments are not just NRDC but the industry. We need to work together to fund this because absolutely tied to the effort, that I think that's what should be presented to everyone because I think just by the discussion I'm hearing from those of you who have been here time and time again at these meetings to give your passionate views, the employee issue really is not an issue that a lot of you are discussing right now. The whole issue is the fact that we need to address a change in our transportation system within a five-year period. We need to do so with a different model. And so employee provisos set aside, with or without, I have a funny feeling that some people are still objecting to this, and we need to be cognizant of what the public health issue is and what our mandate is, not just by the community but by our elected officials.

COMMISSIONER HANKLA: My final comment -- and this is in all due respect -- I know there are many interests here that represent different points of view. My point of view is that this adoption of the Clean Air Action Plan has been delayed specifically because it was tied up with an employee-only mandate, and I think that is what has delayed the Clean Air Action Plan to this point, by perhaps as much as six months. So basically this is something that needs to be said, and I'm delighted that I'm the one that said it.

COMMISSIONER WALTER: One more thing before you leave, Mr. Martinez, President Cordero kind of reminded me with his comments about this. I'm looking at something that says the health benefits of the Clean Air Action Plan range somewhere from \$4.7 billion to \$5.9 billion. I don't know if you agree with that or not or what the position of NRDC is, but that is the claim made by some people.

MR. MARTINEZ: I'll admit NRDC's position is that the public health impacts from the ports are huge. Our resources board estimated that for every dollar or three dollars spent, there's an eight dollar return to California from the diesel pollution.

COMMISSIONER WALTER: Then if I could point you in the right direction, I think that you and NRDC should go to Sacramento as quickly as you can, explain this savings to the State of California, and you will find the governor and every legislator behind this and would come forth with the money to replace the trucks. If that is so significant, that's one way to fund it.

MR. MARTINEZ: I assure you that NRDC is in Sacramento ringing the bell very loudly of the health benefits of reducing port pollution. They have for a long, long time, and we provided several economic studies, estimates from CARB and other entities.

COMMISSIONER WALTER: Yes, but it's not ringing the bell that's important. It is getting the people to converge to the point of saying this is an issue that we want to address, and we will address it with the funding. We'll set up the funding to do that. If that happens, we solve pollution very, very quickly.

MR. MARTINEZ: I think NRDC and other environmental groups have been supportive of financing. That's why we were supportive of container fee legislation and other approaches to provide funding for clean air, and I think there has been a long history of NRDC coalition for clean air and several environmental and community groups trying to provide funding. And I think what we want in return are really comprehensive, sustainable, durable programs, and I think that's what we're asking for here today. We're concerned that without a durable program to get clean trucks on the road and just simply banning -- we want to get old trucks off the road. That's really what we want, but we also want to get new, clean equipment on the road replacing those trucks.

COMMISSIONER WALTER: I understand what you're saying, Mr. Martinez, but I'm saying in the most simplistic case of this, when somebody steps forward with the money, we can solve pollution essentially overnight. All we need is to concentrate on that to get the most simplistic answer to it.

MR. MARTINEZ: Clearly, it's our point, there's a combination of how financing should happen. Part of it is going to come from the bond, but as everyone knows, that's limited, and it's not enough money to go around. However, the industry has to pay, and I think that's necessary for the Port of Long Beach and the Port of L.A. have noted that there has to be some cost borne by this industry.

PRESIDENT CORDERO: Well, I think that's the burning question. Certainly, our mayor has said that. He has said with regard to these plans and environmental questions, that ultimately the ultimate beneficiary has to help with this cost. And that's really what the purpose of my prior comment is. When we talk about funding, we need to talk -- everybody has to come into plan here. We just can't depend on funding from Sacramento. Obviously, CARB will answer that question because they're having their challenges also, but I think ultimately the question here sounds like what we're

proposing is, who is going to pay the cost? And I think when we look at these plans and these proposals, it's striking to me that when the question starts directing itself for the ultimate beneficiary to help pay these costs, then that's when the real discussion starts - the real debate begins. Again, for those of you who are out there, focus on where this debate's going. Who's going to pay the cost? I believe that what the CAAP proposes is it's not just going to be the state. It's not just going to be the port. It's not going to be our partners -- AQMD, EPA, CARB, Port of Long Beach, Port of Los Angeles. Absolutely correct. We don't have the money to pay for this, and the state, quite frankly, I don't think, is going to come in and throw in that draft. Ultimately, the industry needs to come together as the environmental community and start discussing our need to address this cost issue because, again, cost of doing nothing -- I don't think we can put a dollar price on a life. To me the discussion turns to ultimately, what's the cost of public health? I mean, it's really here nor there. The fact is the experts have said to us what the cost is, and when we're losing kids as a result of respiratory disease, there is not a cost, any cost, to place on a lost life. Thank you, Mr. Martinez.

PRESIDENT CORDERO: Next speaker.

MS. KIM: My name is Candice Kim with the Coalition for Clean Air. I'm here today to echo in the support for passing a comprehensive plan and plan that includes, yes, the employee provision model that we do see as part and parcel of a real solution to ending the port pollution. I listened very closely to what you said, Mr. Hankla, and I understand your viewpoint, but as an advocate for public health, for clean air, I will not put what I value the most in jeopardy. This is -- we're approaching what we see is the only way to achieve the emission reductions overall for the future. We're seeing it as the best bet and a real solution, so that's the view of the Coalition for Clean Air. So we're hoping that before December 14th that we see the passage of a full plan, not just a ban on older trucks, but also a plan for replacement with newer trucks. That includes a plan for bringing in alternative fuel trucks. We're seeing alternative fuel trucks that are back to 20-ton standards when we're not even seeing 20-ton standards in the plan, so that would be an important addition. The ports have made a promise to clean up trucks in five years. We're approaching the end of the first year, and we've spent a lot of time debating, less with (unintelligible) to make a decision. In addition, we would thank you for the opportunity to speak today and thank you for your taking public comment at the joint plus hearing and really taking the comments of the port truck drivers like we have here today that have taken the day off work to really give you their best information that you need to make a decision that represents the community's concern.

PRESIDENT CORDERO: Thank you.

MS. JACOBUS: Jorge Mayorga.

MR. MAYORGA: Good afternoon to the Commissioners and everyone present including trucking company. I'm here because I thought that you guys were going to vote on the new law for the trucks, and I see that you don't take us into account. We've been here all along. We always been saying that we support the plan for clean trucks, and it's not only for us but also for the community for families. Everything is for the children that died of asthma including my niece that has asthma and also my wife that suffers from that type of disease. Just like before a few weeks back we were at the

meeting on October the 12th, and you told us that you were going to take us into more account, and I see that you're not. Because the way I see it, you know we're not going to be able to buy any trucks. How we going to be able to buy trucks? We can't. I hope that you guys come to the right decision because the way that the kind of wages we get from the trucking companies, we're barely able to survive, nonetheless to buy a truck. And I hope that your computer -- you know, just like in the past, we were pushed over to strike the ports, that you didn't push us to do so because that's all we want. We want the good solution, the right solution for everybody. Thank you.

MS. JACOBUS: Roberto Marroquin.

MR. MARROQUIN: Good afternoon, my name is Roberto Carlos Marroquin. I've been working in the port four years. I am the owner of a truck. My truck is very old. I have heard that the old trucks might not be able to go in the ports. I don't know what's going to happen with me when my truck is not able to go in the ports. I'm okay with you guys not letting my truck in the ports because it's too old. My truck contributes to the contamination, and we all want clean air. If they don't let my truck in, you know, I'm going to be stuck with a new truck. For the kind of wages we make at trucking companies, we're not able to have our trucks in good shape, and we're not going to be able to buy a truck. My comment is that, you know, you have the final say. You're the authority, and you know, I hope that you think this through. Okay. Thank you.

PRESIDENT CORDERO: Thank you, Roberto.

MS. JACOBUS: Dagoberto Larios.

MR. LARIOS: My name is Dagoberto Larios. Mr. President, Commissioners, I've been working for about 22 years in the ports. It's always the same story. It's proposal after proposal, and at the end we always get pushed over -- the truckers. The trucking companies can buy all the new trucks that they want, but they're going to be parked because we're not going to be driving those new trucks the way -- the way they want to put the responsibility on us. We all want clean trucks, the clean air, but we also want, when you vote for something, you should vote for everything at once. It shouldn't be voting part by part. You know, they always push us over to the side, and it is important to know that we are the ones who move the industry -- the truckers, us, and they always push us over. Hope to God, it emanates in your mind, and you make the right decision. Thank you.