



## Board of Harbor Commissioners Minutes

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, November 26, 2007 at 1 p.m.

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

Also present:

R. D.	Steinke	Executive Director
S. B.	Rubin	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.	Joumblat	Chief Financial Officer
A. J.	Moro	Chief Harbor Engineer
H. C.	Morris	Director of Communications
C.	Wynne	Security Division Analyst
R.	Rich	Director of Maintenance
J. R.	Santa Ana	Director of Engineering Design
D.	Sereno	Director of Program Management
E.	Shen	Director of Transportation Planning
D. B.	Snyder	Director of Trade Relations

**President Cordero Presided as Chairperson.**



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## Trade Relations and Port Operations Committee November 26, 2007

**Doris Topsy-Elvord, Chair**  
**Nick Sramek, Vice Chair**

1. Pulse of the Port Award Recognition. (H. Morris)

Recommendation: Receive and file.

Ms. Holden spoke on the Pulse of the Ports show.

Ms. Muchado spoke.

Commissioner Sramek spoke.

President Cordero spoke.

Motion: Hankla

Second: Cordero

Motion Passes.

2. Service Agreement between the Port of Long Beach and the World Trade Center Association Los Angeles-Long Beach for the Long Beach International Trade Office. (D. Snyder)

Recommendation: Approve and refer to Board of Harbor Commissioners.

Commissioner Hankla inquired as to how the LBITO coordinates with the City of Long Beach's Economic Development Program.

Mr. Swayze, City of Long Beach Economic Development Bureau Manager, spoke.

Mr. Baugham, World Trade Center Association President, spoke.

Mr. Hearrean, World Trade Center Association Chairman, spoke.

Commissioner Walter spoke on the financial support of the LBITO.

Commissioner Hankla spoke.

Ms. Sloan, Long Beach City College, Director, Economic & Resource Development, spoke on the Center for International Trade Development at LBCC.

Mr. Baugham spoke.

Commissioner Walter spoke in favor of the program.

Commissioner Hankla spoke on our position within the LBITO.

Commissioner Sramek spoke in favor of the program.

President Cordero spoke on LBCC's involvement with the program.

Mr. Baugham spoke.

Commissioner Walter requested a six-month report on the expansion of resources.

Motion: Hankla

Second: Cordero

Motion Passes.



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## Approval of Minutes.

Upon motion by Commissioner Sramek, seconded by Commissioner Hankla and unanimously carried, the minutes of the regular meeting of November 19, 2007, were declared read and approved as read.

## Public Comments on Agenda Items.

There was no present to address the board on agenda items.

## Consent Agenda – Items Nos. 1-3

1. MANSON CONSTRUCTION COMPANY – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE, UPON SATISFACTION OF CERTAIN CONDITIONS BY CONTRACTOR, CONTRACT FOR FURNISHING WATERBORNE CONSTRUCTION EQUIPMENT UNDER SPECIFICATION NO. HD-S2321 – CITY ATTORNEY REQUESTED TO PREPARE CONTRACT – DOCUMENT NO. HD-7256.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated November 21, 2007, requesting conditional authorization of a Contract with Manson Construction Company, for furnishing waterborne construction equipment, under Specification No. HD-S2321, in the amount of \$519,800, was presented to the Board. The request was approved by the Executive Director.

2. REJECTION OF BIDS FOR PORTWIDE STORM WATER POLLUTION PREVENTION AND DUST CONTROL PROGRAM UNDER SPECIFICATION NO. HD-S2299 - AUTHORITY TO RE-ADVERTISE THE PROJECT.

Communication from Douglas Sereno, Director of Program Management, dated November 20, 2007, recommending the rejection of bids for the Portwide Storm Water Pollution Prevention and Dust Control Program under Specification No. HD-S2299, and authorization to re-advertise the project, was presented to the Board. The request was approved by the Executive Director.

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

Communication from Richard D. Cameron, Director of Environmental Planning, dated November 20, 2007, requesting that the following Level I Harbor Development Permits be received and filed:



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- HDP #07-031 Cardinal Pipeline, LP –  
Connector Pipeline Installation
- HDP #07-110 Tesoro Corporation  
Antenna and Foundation Installation
- HDP #07-117 Chemoil Marine Terminal  
Emergency Excavation and Pipeline Repair
- HDP #07-118 Mitsubishi cement  
Geotechnical Investigation

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

Commissioner Hankla moved, seconded by Commissioner Sramek that the communications be received and filed and the Items Nos. 1-3 be approved as recommended. Carried by the following vote:

<b>Ayes:</b>	Commissioners:	Sramek, Hankla, Walter, Cordero
<b>Noes:</b>	Commissioners:	None
<b>Absent:</b>	Commissioners:	Topsy-Elvord

## Regular Agenda.

### 4. RESOLUTION RESETTING THE REGULAR MEETING TIME OF MONDAY, DECEMBER 10, 2007 – RESOLUTION NO. HD-2389 - ADOPTED.

Communication from Diane K. Jacobus, Acting Executive Officer to the Board, dated November 14, 2007, recommending adoption of a resolution authorizing resetting the regular meeting time of the Monday, December 10, 2007, Board meeting to 9:00 a.m., was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Commissioner Walter moved, seconded by Commissioner Sramek 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 SUSPENDING RULE 1(B) AS SET FORTH IN HARBOR DEPARTMENT RESOLUTION NO. HD-519, AS AMENDED, RELATING TO THE MEETING SCHEDULE OF THE BOARD OF HARBOR COMMISSIONERS, AND RESETTING THE TIME OF THE REGULAR MEETING OF DECEMBER 10, 2007,” be declared read and adopted as read. Carried by the following vote:

<b>Ayes:</b>	Commissioners:	Sramek, Hankla, Walter, Cordero
<b>Noes:</b>	Commissioners:	None
<b>Absent:</b>	Commissioners:	Topsy-Elvord

### 5. RESOLUTION CANCELLING THE REGULAR MEETING OF MONDAY, December 31, 2007 – RESOLUTION NO. HD-2390 - ADOPTED.



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Communication from Diane K. Jacobus, Acting Executive Officer to the Board, dated November 16, 2007, recommending adoption of a resolution authorizing cancelling of the regular meeting of Monday, December 31, 2007, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

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 SUSPENDING RULE 1(B) AS SET FORTH IN HARBOR DEPARTMENT RESOLUTION NO. HD-519, AS AMENDED, RELATING TO THE MEETING SCHEDULE OF THE BOARD OF HARBOR COMMISSIONERS, AND CANCELLING THE REGULAR MEETING OF DECEMBER 31, 2007," be declared read and adopted as read. Carried by the following vote:

<b>Ayes:</b>	Commissioners:	Sramek, Hankla, Walter, Cordero
<b>Noes:</b>	Commissioners:	None
<b>Absent:</b>	Commissioners:	Topsy-Elvord

6. THUMS LONG BEACH COMPANY - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIFTH AMENDMENT TO LEASE FOR CORRECTION OF EXHIBIT C – FIRST READING OF ORDINANCE.

Communication from Karl Adamowicz, Acting Director of Real Estate, dated November 19, 2007, recommending approval of the Fifth Amendment to Lease with THUMS Long Beach Company for correction of Exhibit C, was presented to the Board together with the authorizing ordinance therefore. The recommendation was approved by the Executive Director.

Commissioner Sramek moved, seconded by Commissioner Hankla 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 FIFTH 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:

<b>Ayes:</b>	Commissioners:	Sramek, Hankla, Walter, Cordero
<b>Noes:</b>	Commissioners:	None
<b>Absent:</b>	Commissioners:	Topsy-Elvord

7. PHOENIX MC, INC. – OPERATIONS AGREEMENT FOR FOREIGN-TRADE SUBZONE 50-1, SITE 2 FOR A GENERAL PURPOSE ZONE WITHIN THE CALIFORNIA COMMERCE CENTER IN THE CITY OF ONTARIO – DOCUMENT NO. HD-7253 - RESOLUTION NO. HD-2391 - ADOPTED.

Communication from Karl Adamowicz, Acting Director of Real Estate, dated November 19, 2007, recommending approval of an Operations Agreement for Foreign Trade Subzone 50-1,



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Site 2, with Phoenix Mc, Inc., for a general purpose zone within the California Commerce Center in the City of Ontario, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Commissioner Hankla moved, seconded by Commissioner Sramek 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 OF THE LONG BEACH HARBOR DEPARTMENT TO ENTER INTO A FOREIGN-TRADE ZONE OPERATIONS AGREEMENT WITH PHOENIX MC, INC., AND MAKING CERTAIN DETERMINATIONS RELATIVE THERETO," be declared read and adopted as read. Carried by the following vote:

<b>Ayes:</b>	<b>Commissioners:</b>	Sramek, Hankla, Walter, Cordero
<b>Noes:</b>	<b>Commissioners:</b>	None
<b>Absent:</b>	<b>Commissioners:</b>	Topsy-Elvord

8. EASTMAN KODAK COMPANY (KODAK) – FOREIGN-TRADE SUBZONE OPERATIONS AGREEMENT, SUBZONE 50-K, SITES 1 AND 2 – DOCUMENT NO. HD-7254 - RESOLUTION NO. HD-2392 - ADOPTED.

Communication from Karl Adamowicz, Acting Director of Real Estate, dated November 20, 2007, recommending approval of a Foreign-Trade Subzone Operations Agreement for Subzone 50-K, Sites 1 and 2, with Eastman Kodak Company (Kodak), was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Commissioner Hankla moved, seconded by Commissioner Sramek 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 OF THE LONG BEACH HARBOR DEPARTMENT TO ENTER INTO A FOREIGN-TRADE SUBZONE OPERATIONS AGREEMENT WITH EASTMAN KODAK COMPANY (KODAK), AND MAKING CERTAIN DETERMINATIONS RELATIVE THERETO," be declared read and adopted as read. Carried by the following vote:

<b>Ayes:</b>	<b>Commissioners:</b>	Sramek, Hankla, Walter, Cordero
<b>Noes:</b>	<b>Commissioners:</b>	None
<b>Absent:</b>	<b>Commissioners:</b>	Topsy-Elvord

9. METROPOLITAN STEVEDORE COMPANY – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SECOND AMENDMENT TO THE SECOND AMENDED AND RESTATED PREFERENTIAL ASSIGNMENT AGREEMENT FOR A DRY BULK TERMINAL ON PIER G – DOCUMENT NO. HD-6655 B - ORDINANCE NO. HD-1999 - ADOPTED.



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ordinance entitled, “AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A SECOND AMENDMENT TO SECOND AMENDED AND RESTATED PREFERENTIAL ASSIGNMENT AGREEMENT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND METROPOLITAN STEVEDORE COMPANY FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO, was presented to the Board for its second and final reading.

<b>Ayes:</b>	Commissioners:	Sramek, Hankla, Walter, Cordero
<b>Noes:</b>	Commissioners:	None
<b>Absent:</b>	Commissioners:	Topsy-Elvord

## **New Business.**

Commissioner Walter spoke regarding his Port related trip to Sacramento.  
Commissioner Hankla and President Cordero spoke on Commissioner Walter’s travel.

Mr. Steinke spoke on a presentation he made to a third grade classroom and shared some of the thank you cards that he received from the students.

President Cordero inquired about the retirement of the Port’s Japan representative and environmental issues that are affecting China.  
Mr. Synder responded.

President Cordero introduced Greg Roche from Clean Energy.  
Mr. Roche addressed the Commission and informed them of the first LNG fueling station grand opening event on December 11, 2007.  
Commissioner Hankla mentioned that it would be nice to identify Clean Energy Trucks with specialized paint jobs.

## **Public Comments on Non-Agenda Items.**

Mr. James Ota spoke on the Clean Air Action Plan.  
President Cordero responded to one of Mr. Ota’s comments.  
Dr. Kanter and Mr. Cameron responded as well.

## **Adjourned.**

At 2:41 p.m., Commissioner Hankla moved, seconded by Commissioner Walter that the meeting be adjourned sine die. Carried by the following vote:

<b>Ayes:</b>	Commissioners:	Sramek, Hankla, Walter, Cordero
<b>Noes:</b>	Commissioners:	None
<b>Absent:</b>	Commissioners:	Topsy-Elvord