

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, APRIL 26, 2004, AT 1 P.M.

Present:	Commissioners:	Cordero, Topsy-Elvord, Calhoun
Absent:	"	Hankla, Hancock* (*On Port Business)

Also present:

D. F. Wylie	Managing Director
S. B. Rubin	Managing Director
D. A. Thiessen	Chief Harbor Engineer
T. K. Whitesell	Director of Administration
A. W. Wong	Communications Specialist
M. J. Slavin	Director of Finance
D. L. Albrecht	Director of Information Management
K. D. Allen	Director of Maintenance
R. G. Kanter	Director of Planning
K. J. McDermott	Director of Properties
O. Covington	Chief Port Security Officer
D. B. Snyder	Marketing Manager
D. T. Holzhaus	Principal Deputy City Attorney

VICE PRESIDENT CALHOUN PRESIDED AS CHAIRMAN.

APPROVAL OF MINUTES.

Upon motion by Commissioner Topsy-Elvord, seconded by Commissioner Cordero and unanimously carried, the minutes of the regular meeting of April 19, 2004, were declared read and approved as read.

PUBLIC COMMENTS.

Mr. Miguel Lopez, Port Division Representative from the International Brotherhood of Teamsters, addressed the Board and submitted a resolution to ensure the benefits from fuel surcharges are passed on to the appropriate parties. He stated the truck drivers currently working within the terminals of the Ports of Long Beach and Los Angeles are not unionized and the majority are owner operators. Additionally, Mr. Lopez stated if the drivers were unionized this would provide better pay and training for them.

Mr. Brian Kiley addressed the Board and spoke in regard to the fees, taxes, and insurance costs that are imposed on the truckers.

Ms. Bella DeSoto addressed the Board and stated she has been meeting with the truckers as an activist at large and some of their concerns are 12 hours work daily, with no fixed work schedule, no medical insurance or workers compensation protection. She suggested an alliance with the Port of Los Angeles to be proactive.

CONSENT CALENDAR – ITEMS NOS. 1-9.

1. ABHE AND SVOBODA, INC. – EXECUTIVE DIRECTOR AUTHORIZED TO APPROVE CHANGE ORDER NO. 1 FOR REDUCING THE PROFESSIONAL LIABILITY INSURANCE LIMIT FOR THE GERALD DESMOND BRIDGE SPALLING NETS UNDER SPECIFICATION NO. HD-S2195 AND REDUCTION OF CONTRACT AMOUNT.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated April 21, 2004, recommending authorization of issuance of Change Order No. 1, for reducing the professional liability insurance limit from \$5,000,000 to \$1,000,000, in the construction Contract with Abhe and Svoboda, Inc., for the Gerald Desmond Bridge spalling nets under Specification No. HD-S2195 and reduce the contract amount to \$827,770, was presented to the Board. The request was approved by the Acting Executive Director.

2. CWO NO. 1217, SUPPLEMENT NO. 22 – RELOCATION OF OILFIELD FACILITIES ON THE WEST SIDE OF PIER S - APPROVED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated April 21, 2004, requesting approval of CWO No.1217, Supplement No. 22, for relocation of remaining oilfield facilities on the west side of Pier S, in the amount of \$100,000, was presented to the Board. The request was approved by the Acting Executive Director.

3. TRAYLOR PACIFIC – EXECUTIVE DIRECTOR AUTHORIZED TO RATIFY CHANGE ORDER NO. 1 - APPROVE ADVANCE CHANGE ORDER AUTHORITY FOR THE PIER G BULK TERMINAL UNDER SPECIFICATION NO. HD-S2153 AND EWO NO. 5060, SUPPLEMENT NO. 1.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated April 21, 2004, recommending ratification of Change Order No. 1, in the credit amount of \$13,319.71, with Traylor Pacific; approval of advance Change Order authority in the amount of \$350,000; for the wharf deck crack repair on the Pier G Bulk Terminal under Specification No. HD-S2153; and approval of EWO No. 5060, Supplement No. 1, in the amount of \$264,000, was presented to the Board. The request was approved by the Acting Executive Director.

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

Communication from Robert Kanter, Director of Planning, by Larry Cottrill, dated April 21, 2004, requesting that the following Level I Harbor Development Permits be received and filed:

HDP #04-029 SSA Terminals – Gate Safety Improvements

HDP #04-039 Oil Operators – Pipeline Repair

HDP #04-040 Port of Long Beach – Pier Echo Geo-Technical Investigation

HDP #04-046 Jacobsen Pilot Service, Inc. – Modular Building and Building Upgrade

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

5. HARBOR REVENUE FUND – APPROVAL OF FUND TRANSFER JOURNALS AND AUTHORIZATION OF TRANSFER OF FUNDS.

Communication from Michael J. Slavin, Director of Finance, dated April 21, 2004, submitting the following Fund Transfer Journals received from the Department of Financial Management:

<u>AMOUNT</u>	<u>DESCRIPTION</u>
\$47,797.00	Information Services Bureau – data processing operations and maintenance for March 2004
641.05	Information Services Bureau – cellular phone for March 2004
115,523.40	Gas, water, and sewer for March 2004
1,254.18	Health Department – vector control & laboratory charges for March 2004
210.00	Messenger service for 1 st and 2 nd quarter of fiscal year 2004
2,147.88	Reprographics for March 2004
3,062.20	Planning and Building permits for March 2004
224.00	Fingerprinting for January and February 2004
2,540.58	Utility user's tax billed for March 2004

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

6. FINANCIAL REPORTS FOR THE INTERMODAL CONTAINER TRANSFER FACILITY JOINT POWERS AUTHORITY FOR YEAR ENDED 2003 – RECEIVED AND FILED.

Communication from Michael J. Slavin, Director of Finance, dated April 21, 2004, requesting the audited financial reports for the Intermodal Container Transfer Facility Joint Powers Authority for the year ended 2003, be received and filed, was presented to the Board. The financial statements were approved by the Acting Executive Director.

7. SHU CHONG P. WONG – DARRELL L. GLENN - APPOINTMENTS.

Communication from Toni K. Whitesell, Director of Administration, dated April 20, 2004, requesting approval of the appointments of the following individuals:

<u>Appointment</u>	<u>Classification</u>	<u>Range & Step</u>	<u>Effective Date</u>
Shu Chong P. Wong	Clerk Typist II	350/4	4/27/04
Darrell L. Glenn	Senior Engineering Technician II	577/7	4/27/04

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

8. CARL E. FIFER – BOARD ACTION OF APRIL 5, 2004, RESCINDED – APPROVAL OF SUBSTITUTE TRANSACTION.

Communication from Toni K. Whitesell, Director of Administration, dated April 21, 2004, requesting that the Board action of April 5, 2004, be rescinded and substitute transaction for approval of the appointment of Carl E. Fifer to the position of Building Maintenance Engineer, at Range/Step 540/6, effective April 6, 2004, was presented to the Board. The request was approved by the Acting Executive Director.

9. SPECIFICATION NO. HD-S2246 - NOTICE INVITING BIDS – FURNISHING FUEL STATION UPGRADE SERVICES AT THE HARBOR DEPARTMENT MAINTENANCE YARD.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated April 15, 2004, submitting Specification No. HD-S2246 for furnishing fuel station upgrade services at the Harbor Department maintenance yard and requesting authority to advertise for bids for said work, was presented to the Board. The request was approved by the Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Cordero that the communications be received and filed and that Items Nos. 1-9 be approved as recommended. Carried by the following vote:

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

REGULAR AGENDA.

10. FOREIGN TRADE ZONES BOARD – APPLICATION FOR A SUBZONE FOR FOREIGN TRADE SUBZONE 50 WITH HSN FULFILLMENT, LLC – RESOLUTION NO. HD-2195 - APPROVED.

Communication from Kathryn McDermott, Director of Properties, dated April 21, 2004, recommending approval of the application for a subzone for Foreign Trade Subzone 50, with HSN Fulfillment, LLC, for its facility at 13423 Santa Ana Avenue in Fontana, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Acting Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Cordero that the communication be received and filed and that the resolution entitled, "A RESOLUTION OF THE BOARD OF HARBOR COMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING SUBMISSION OF A SUBZONE APPLICATION FOR HSN FULFILLMENT, LLC, IN FOREIGN-TRADE ZONE NO. 50 TO THE FOREIGN-TRADE ZONES BOARD OF THE UNITED STATES DEPARTMENT OF COMMERCE, AND MAKING A DETERMINATION RELATING THERETO," be declared read and adopted as read. Carried by the following vote:

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

ADJOURNED.

At 3:20 p.m., Commissioner Topsy-Elvord moved, seconded by Commissioner Cordero that the meeting be adjourned sine die. Carried by the following vote:

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