

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 25, 2005, AT 1 P.M.

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

Also present:

R. D. Steinke	Executive Director
G. Knatz	Managing Director
S. B. Rubin	Managing Director
T. Teofilo	Managing Director
G. T. Hein	Executive Officer to the Board
D. A. Thiessen	Chief Harbor Engineer
T. K. Whitesell	Director of Administration
H. C. Morris	Director of Communications
M. J. Slavin	Chief Financial Officer
D. L. Albrecht	Director of Information Management
W. D. Bower	Acting Director of Maintenance
L. L. Cottrill	Manager of Master Planning
K. J. McDermott	Director of Properties
C. Perrone	Director of Security
D. B. Snyder	Director of Trade & Maritime Services
C. A. Kemp	Director of Community Relations
C. M. Gale	Deputy City Attorney

PRESIDENT TOPSY-ELVORD PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Upon motion by Commissioner Walter, seconded by Commissioner Hankla and unanimously carried, the minutes of the regular meeting of July 18, 2005, were declared read and approved as read.

INTRODUCTION.

Dr. Geraldine Knatz introduced Mr. Stephen Flynn, senior fellow at the Council of Foreign Relations. She stated he had been instrumental in getting the commerce and the container security initiative kicked off. Dr. Knatz added that Mr. Flynn, along with Dr. Jerry Schubel, of the Aquarium of the Pacific, and herself, serve on the Marine Board of the National Academies; and that Mr. Flynn is in Long Beach to speak at the Aquarium on his book, America the Vulnerable.

Mr. Flynn addressed the Board and stated if you have a very efficient system, like the Port of Long Beach, it can ultimately improve the security environment.

President Topsy-Elvord thanked Mr. Flynn for his comments.

CONSENT CALENDAR – ITEMS NOS. 1-6.

1. LASALLE NATIONAL LEASING CORPORATION - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE ESTOPPEL AND CONSENT IN CONNECTION WITH LEASE AND LICENSE AGREEMENT WITH CHEMOIL CORPORATION ON PIER F - DOCUMENT NO. HD-6952.

Communication from Kathryn McDermott, Director of Properties, dated July 19, 2005, recommending approval of an Estoppel and Consent with LaSalle National Leasing Corporation in connection with the Lease and License Agreement with Chemoil Corporation on Pier F and authorize the Executive Director to execute, was presented to the Board. The recommendation was approved by the Acting Executive Director.

2. SPECIFICATION NO. HD-S2290 - APPROVED AND NOTICE INVITING BIDS AUTHORIZED – RENTAL OF CONSTRUCTION EQUIPMENT AND OTHER RELATED SERVICES.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated July 20, 2005, submitting Specification No. HD-S2290 for rental of construction equipment and other related services and requesting authority to advertise for bids for said work, was presented to the Board. The request was approved by the Acting Executive Director.

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

Communication from Robert Kanter, Director of Planning, dated July 20, 2005, requesting that the following Level I Harbor Development Permits be received and filed:

HDP #04-129	Foss Maritime – Guard Timber Repair
HDP #05-053	Port of Long Beach – Building Demolition
HDP #05-054	Port of Long Beach – Ocean Boulevard Bridge Rehabilitation
HDP #05-055	Port of Long Beach – Pico Avenue Rehabilitation
HDP #05-060	Tidelands Oil Production Company – Emergency Pipeline Repair

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

4. YOSHIKO ELIZABETH RANKIN – APPOINTMENT.

Communication from Toni K. Whitesell, Director of Administration, dated July 19, 2005, requesting approval of the appointment of Yoshiko Elizabeth Rankin to the position of Clerk Typist II, at Range/Step 350/7, effective July 30, 2005, was presented to the Board. The request was approved by the Acting Executive Director.

5. RANDY RICH – APPOINTMENT.

Communication from Toni K. Whitesell, Director of Administration, dated July 20, 2005, requesting approval of the appointment of Randy Rich to the position of Director of Maintenance, at \$106,000 annually, effective August 8, 2005, was presented to the Board. The request was approved by the Acting Executive Director.

6. EMODAL.COM, LLC AND INTERNATIONAL ASSET SYSTEMS LIMITED - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR DEVELOPMENT OF A VIRTUAL CONTAINER YARD - CITY ATTORNEY REQUESTED TO PREPARE CONTRACT - DOCUMENT NO. HD-6953 - WO NO. 5058, SUPPLEMENT NO. 4 - APPROVED.

Communication from Geraldine Knatz, Managing Director, dated July 18, 2005, recommending authorization of a Contract with eModal.com, LLC, and International Asset Systems Limited for development of a virtual container yard, and approval of WO No. 5058, Supplement No. 4, both in the amount of \$1,200,000, was presented to the Board. The recommendation was approved by the Acting Executive Director.

Commissioner Hankla moved, seconded by Commissioner Walter that the communications be received and filed and that Items Nos. 1-6 be approved as recommended. Carried by the following vote:

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

REGULAR AGENDA.

7. PORT OF LONG BEACH TARIFF NO. 4 – IMPLEMENT ADDITIONAL LANGUAGE TO AMEND THE FREE TIME CALCULATION AND ADD A SECURITY EXAMINATION EXCEPTION – ORDINANCE NO. HD-1941 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AMENDING ORDINANCE

NO. HD-1357, DESIGNATED TARIFF NO. 4, BY AMENDING ITEM NO. 402," was presented to the Board for its second and final reading.

Commissioner Hancock moved, seconded by Commissioner Hankla that the ordinance be declared read for the second time and adopted as read. Carried by the following vote:

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

8. PIPELINE LICENSE FORM - UPDATE THE FORM FOR PIPELINE LICENSES AND DELEGATE THE AUTHORITY TO THE EXECUTIVE DIRECTOR TO EXECUTE PIPELINE LICENSES - ORDINANCE NO. HD-1942 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH RELATING TO THE ISSUANCE OF PIPELINE LICENSES FOR USE OF CITY PROPERTY WITHIN JURISDICTION OF THE BOARD OF HARBOR COMMISSIONERS AND REPEALING ORDINANCE NO. HD-1366," was presented to the Board for its second and final reading.

Commissioner Walter moved, seconded by Commissioner Hankla that said ordinance be declared read for the second time and adopted as read. Carried by the following vote:

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

9. CITY OF HUNTINGTON PARK – RECIPROCAL GRANT DEEDS AND ASSIGNMENT FOR PROPERTY ALONG THE ALAMEDA CORRIDOR – DOCUMENT NO. HD-6954 - ORDINANCE NO. HD-1943 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE RECIPROCAL GRANT DEEDS AND ASSIGNMENTS BY AND AMONG CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY, CITY OF LOS ANGELES, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS AND CITY OF HUNTINGTON PARK, AND MAKING A DETERMINATION RELATING THERETO," was presented to the Board for its second and final reading.

Commissioner Hankla moved, seconded by Commissioner Hancock that said ordinance be declared read for the second time and adopted as read. Carried by the following vote:

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

#### COMMISSIONER COMMENTS.

Commissioner Hancock recognized Eric Johnson, writer for the Press Telegram, and wished him the best in his new position with American Shipper.

#### ANNOUNCEMENTS.

Mr. Gus Hein announced that the Port of Long Beach has won, for the second year in a row, the Harbor Cup Golf Tournament.

Mr. Doug Thiessen introduced Mr. Jim Santa Ana and Mr. Kerry Stewart who were instrumental in the victory over the Port of Los Angeles in the Harbor Cup Golf Tournament.

Mr. Hein announced that Vice Mayor Kell, Vice President Hankla, Commissioner Cordero, and Commissioner Walter attended the press conference for the PierPass Program on Saturday.

Mr. Tom Teofilo gave an update on the PierPass Program and stated the information received is that the Saturday volume was about 20-40% of a normal day shift volume.

Mr. Carl Kemp gave an overview update of recent significant progress on TEA21. He stated all indications from Washington, DC, indicate that the conference committee is very close to concluding work on the bill and that the bill should be heard on the House and Senate floors by the end of this week.

Ms. Heather Morris presented a video clip, produced by Channel 8, of the Peak Season Event, sponsored by the Port of Long Beach. She stated the video clip is currently being aired on Channel 8.

Mr. Steinke stated the Governor will be doing a press release/conference to announce a joint command control center that the US Coast Guard is opening in San Diego and he will also announce a grant program where the 11 deep water ports of California will each receive some grant funding from the State Homeland Security Office.

**ADJOURNED.**

**At 2:20 p.m., Commissioner Walter moved, seconded by Commissioner Cordero that the meeting be adjourned sine die. Carried by the following vote:**

<b>AYES:</b>	<b>Commrs:</b>	<b>Walter, Hancock, Cordero, Hankla, Topsy-Elvord</b>
<b>NOES:</b>	<b>"</b>	<b>None</b>
<b>ABSENT:</b>	<b>"</b>	<b>None</b>

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS**  
**LONG BEACH, CALIFORNIA**  
**JULY 7, 2005**

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 7, 2005. The meeting was called to order at 9:15 a.m. by Acting President Conley.

<b>PRESENT:</b>	<b>Stephen T. Conley</b>	<b>Commissioner</b>
	<b>Frank Clarke</b>	<b>Commissioner</b>
	<b>William B. Townsend</b>	<b>Commissioner</b>
	<b>Donna F. Gwin</b>	<b>Senior Deputy City Attorney</b>
	<b>Diem X. Vuong</b>	<b>Assistant General Manager</b>
	<b>Lynnette L. French</b>	<b>Secretary to the Board of Water Commissioners</b>
	<b>Ryan J. Alsop</b>	<b>Manager, Government &amp; Public Affairs</b>
	<b>Matthew P. Lyons</b>	<b>Manager, Planning/Water Conservation</b>
	<b>Robert C. Cheng</b>	<b>Director of Operations</b>
	<b>Paul T. Fujita</b>	<b>Director of Finance</b>
	<b>Isaac C. Pai</b>	<b>Director of Engineering</b>
	<b>K. Eric Leung</b>	<b>Manager, Water Resources</b>
	<b>Robert V. Swain</b>	<b>Division Engineer</b>
	<b>Reymundo Trejo</b>	<b>Civil Engineer</b>
	<b>Juan F. Garza</b>	<b>Administrative Analyst I</b>
	<b>Melissa L. Keyes</b>	<b>Administrative Projects Coordinator</b>
	<b>Carolyn A. Hill</b>	<b>Senior Secretary</b>
	<b>Kara A. Medrano</b>	<b>Public Affairs Intern</b>
<b>ABSENT:</b>	<b>Helen Z. Hansen</b>	<b>Commissioner (Excused)</b>

**PLEDGE OF ALLEGIANCE**

William B. Townsend, Board of Water Commissioner, led the Board and audience in the Pledge of Allegiance.

Acting President Conley invited the Board and audience to observe a moment of silence in memory of those who lost their lives during the July 7<sup>th</sup> bombings in London, England.

**APPROVAL OF MINUTES**

June 16, 2005

Upon motion by Commissioner Clarke, seconded by Commissioner Townsend, and unanimously carried, the Minutes of the Regular Meeting of June 16, 2005, were approved.

**3. PUBLIC COMMENT**

Acting President Conley opened the public comment period. As there were no requests to address the Board, the public comment period was closed.

**4. PRESIDENT'S REPORT**

- **Stephen T. Conley, Vice-President, Board of Water Commissioners**

No report was given.

**5. ONE-DAY TOUR OF SOUTHERN CALIFORNIA WATER FACILITIES**

- **Stephen T. Conley, Vice-President, Board of Water Commissioners**

This item was held over for discussion during the Committee of the Whole meeting on Thursday, July 14, 2005.

**6. GENERAL MANAGER'S REPORT**

- **Diem X. Vuong, Assistant General Manager**

Seawater Desalination

Mr. Vuong explained that the proposed seawater desalination agreements between the Metropolitan Water District (MWD) and five of its member agencies, including the Long Beach Water Department (LBWD), are scheduled to go before the MWD Board of Directors for formal action on Tuesday, July 12, 2005. If approved, the agreements will provide a \$250 per acre-foot subsidy for the production of desalinated seawater.

**7. LEGAL COUNSEL REPORT**

- **Donna F. Gwin, Senior Deputy City Attorney**

No report was given.

**8. CONSENT CALENDAR**

**8a. Approval of Transfer of Funds by Journal Entry Dated July 7, 2005**

Transfers No. 195 through No. 211 in the total amount of \$1,487,406.53 covering the Water and Sewer Revenue Funds, were submitted to the Board for approval.



**8b. Receive and File the List of Vendor Payments for the Month of May 2005**

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

Action Requested:

- That the Board receive and file the list of vendor payments made during the month of May 2005.

The payments were made in accordance with City and Water Department policies and reviewed and approved by the City Auditor's office.

**8c. Request Authorization for the General Manager to Execute the First Amendment to Agreement No. WD-2650 with Goodwill Industries of Long Beach and South Bay**

A communication was presented to the Board from Matthew Lyons which is on file at the Long Beach Water Department.

Action Requested:

- That the Board authorize the General Manager to execute the First Amendment to Agreement No. WD-2650 with Goodwill Industries of Long Beach and South Bay for the administration of the Ultra Low-Flush Toilet and High Efficiency Clothes Washer Rebate Programs, providing for a one-year extension of the agreement.

There is no additional impact outside of budgeted revenues and expenditures for Fiscal Year 2004-2005.

Board Action – Consent Calendar

It was moved by Commissioner Clarke and seconded by Commissioner Townsend that the Board approve Consent Calendar items 8a-8c. The motion was carried by the following vote:

AYES:	COMMISSIONERS:	<u>STEPHEN CONLEY, FRANK CLARKE,</u> <u>WILLIAM TOWNSEND</u>
NOES:	COMMISSIONERS:	<u>NONE</u>
ABSENT:	COMMISSIONERS:	<u>HELEN HANSEN</u>
ABSTAIN:	COMMISSIONERS:	<u>NONE</u>

**9. LEGISLATIVE ISSUES/ACTIONS/BILLS**

- **Ryan J. Alsop, Manager, Government and Public Affairs**

State Budget

Mr. Alsop reported that the California State budget will go before the legislature on Thursday, July 7<sup>th</sup>. If approved, the approximately \$116 billion spending plan will mark the earliest state budget in five years.

Water Conservation

The LBWD is completing work on the Long Beach Conjunctive Use Project, an innovative and environmentally responsive water storage project that will allow the LBWD to maximize its use of the groundwater basin beneath the city of Long Beach. On Thursday, July 14<sup>th</sup>, the LBWD will hold a ceremony to commemorate the planned construction of another significant regional conjunctive use project with the city of Lakewood and the MWD. This \$3.1 million project, which is 100 percent funded through State of California Proposition 13 bond money, will allow storage of up to 3,600 acre-feet of imported water during wet hydrologic years for use in terms of dry years.

**10. NEW BUSINESS**

Security

Commissioner Clarke asked to be briefed about the Water Department's security measures in view of the July 7<sup>th</sup> terrorist attacks in London, England. Mr. Vuong explained that the Water Department is following the guidelines as mandated by the Office of Homeland Security for heightened vigilance in critical infrastructure sectors. Mr. Vuong also discussed the extra security precautions that the Water Department has implemented as a result of the current situation.

Excused Absence. Commissioner Clarke

It was moved by Commissioner Townsend, seconded by Commissioner Clarke, and unanimously carried, that Commissioner Clarke be excused from the Board Meeting of Thursday, July 21, 2005.

It was noted that Commissioner Conley has also been excused from the Board Meeting of Thursday, July 21, 2005, and, therefore, the meeting on that day will be canceled due to the lack of a quorum. The next Regular Meeting will be scheduled on Thursday, July 28, 2005.

**11. ADJOURNMENT**

There being no further business to come before the Board, it was moved by Commissioner Clarke, seconded by Commissioner Townsend, and unanimously carried, that the meeting be adjourned at 9:50 a.m. to the next Regular Meeting of the Water Commission to be held on Thursday, July 28, 2005, at 9:15 a.m., in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California.

  
Frank Clarke, Secretary

Attest:

  
Helen Z. Hansen, President