



Board of Harbor Commissioner Minutes

Minutes of the Board of Harbor Commissioners regular meeting of the City of Long Beach, held in the Board Room of the Harbor Department Interim Administration Building at 4801 Airport Plaza Drive, Long Beach, California, on September 11, 2017, at 6:00 pm.

Present: Commissioners: Colonna, Lowenthal, Guzmán, Bynum
 Absent: Commissioners: Egoscue
 President Bynum chaired the meeting.

President Bynum observed 9/11 with a moment of silence.

I. PUBLIC COMMENTS ON NON-AGENDA ITEMS

The following individuals addressed the Board regarding the Clean Air Action Plan:

1. Kevin Maggay	20. Siegfried Calaquior
2. Ashley White	21. Jesse Marquez
3. Carin Martin	22. Dwight Hanson
4. Matthew Veintimilla	23. Sahar Kamali
5. Jake Filiparich	24. Sholeh Boushen
6. Danni Wang	25. Sierrah Teramura
7. Greg Roche	26. Elisa Giacomán
8. Xochitl Rosales	27. Hortencia Leon
9. Antonio Aguilar	28. Thomas Jelenic
10. Anais Medina Diaz	29. Jessica Alvarenga
11. Norma Rodriguez	30. Brianna Lawrence
12. Ted Kim	31. Veronica Salas
13. Alan Martinez	32. Julio Angulano
14. Mandy Xu	33. Monica Can
15. Delia Alvarado	34. Mike Gatto
16. Rob Neitzke	
17. Andy Jang	
18. Erick Morah	
19. Dave Pilareik	

II. UNFINISHED BUSINESS

1UB. HD-17-549 Authorize the Executive Director to execute the Funds-In Agreement FIA-16-184 with the National Renewable Energy Laboratory in the amount of \$1,000,000 for a term of three years. (Environmental Planning - H. Tomley) (DOCUMENT NO. HD-8811)

[Legislation Text](#)

[Funds-In Agreement with NREL \(FIA-16-1824\)](#)

Commissioner Guzmán made a motion to direct staff to provide regular updates to the Board regarding all projects or tasks being carried out under the Energy Initiative, Seconded by Commissioner Lowenthal, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

Commissioner Lowenthal made a motion to Authorize the Executive Director to execute the Funds-In Agreement FIA-16-184 with the National Renewable Energy Laboratory in the amount of \$1,000,000 for a term of three years, Seconded by Commissioner Guzmán, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

III. NEW BUSINESS

Motion: Approve Consent Items #1 & 2. Items 3& 4 were pulled by Commissioner Colonna for discussion.

Egoscue moved, seconded by Colonna, carried by the following vote:

Ayes:	Commissioners:	Colonna, Egoscue, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Lowenthal, Guzmán

Consent Agenda

1. HD-17-566 Approval of Minutes - August 24, 2017. (Commission - S. Ortiz)

[Legislation Text](#)

[082417 BHC Minutes](#)

2. HD-17-557 Authorize the Executive Director to Advertise for Bids Berth G215 Bollard Replacement under Specification HD-S2565. (Program Management - T. Baldwin)
[Legislation Text](#)
[Project Vicinity Map](#)
[Notice to Bidder](#)
3. HD-17-571 Approve First Amendment to Contracts with Akin Gump Strauss Hauer & Feld, LLP and Carpi & Clay, Inc., extending the term to September 30, 2018, to provide Washington, D.C. based lobbying services for the Port of Long Beach. (Government Relations - S. Ashley) (DOCUMENT NO. HD-8474A) (DOCUMENT NO. HD-8475A)
[Legislation Text](#)
[08-01-17 AKIN GUMP 1ST AMD Signed](#)
[08-01-17 CARPI CLAY 1ST AMD Signed](#)

Motion: Approve recommendation.

Colonna moved, seconded by Lowenthal, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

4. HD-17-572 Approve First Amendment to Contract with Joe A. Gonsalves & Son extending the term to September 30, 2018, to provide Sacramento-based lobbying services for the Port of Long Beach. (Government Relations - S. Ashley) (DOCUMENT NO. HD-8473A)
[Legislation Text](#)
[08-01-17 JOE GONSALVES 1ST AMD Signed](#)

Motion: Approve recommendation.

Colonna moved, seconded by Lowenthal, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

Regular Agenda

5. HD-17-573 Adopt Resolution approving the FY 2018 Transfer to the Tidelands Operating Fund. (Finance - M. Lee) (RESOLUTION NO. HD-2896)

[Legislation Text](#)

[2018 Tidelands Transfer Attachments I-II](#)

Motion: Adopt Resolution.

Guzmán moved, seconded by Colonna, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

6. HD-17-569 Approve the FY2018 professional services Contracts with the four existing Port of Long Beach Overseas Representatives: Lutz Ehrhardt (Europe) in the amount not to exceed \$50,000, Kazuhiko Futagawa (Japan) in the amount not to exceed \$70,000, Edward Yau, United Transportation (HK) Ltd, (Greater China) in the amount not to exceed \$150,000, and Andrew Strang, Strang International Pty. Ltd. (Australia) in the amount not to exceed \$50,000, for business development representation. (Business Development - D. Snyder) (DOCUMENT NO. HD-8812) (DOCUMENT NO. HD-8813) (DOCUMENT NO. HD-8814) (DOCUMENT NO. HD-8815)

[Legislation Text](#)

[Signed contract fy18 - Australia](#)

[Signed contract fy18 - Europe](#)

[Signed contract fy18 - Greater China](#)

[Signed contract fy18 - Japan](#)

Motion: Approve recommendation.

Guzman moved, seconded by Colonna, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

7. HD-17-568 Authorize the Executive Director to execute Contracts with AMEC Foster Wheeler Environment & Infrastructure, Inc., CH2M HILL Engineers, Inc., Jacobs Engineering, Inc., KPFF Consulting Engineers, and Owen Group, Inc., each in the amount of \$1,000,000, each for a three-year term for On-Call Professional Design Review Services. (Engineering Design - J. Chun) (DOCUMENT NO. HD-8816) (DOCUMENT NO. HD-8817) (DOCUMENT NO. HD-8818) (DOCUMENT NO. HD-8819) (DOCUMENT NO. HD-8820)

[Legislation Text](#)

[AMEC Foster Wheeler, Inc](#)

[CH2M Hill](#)

[Jacob's Engineering](#)

[KPFF, Inc](#)

[Owen Group, Inc](#)

Motion: Approve recommendation.

Lowenthal moved, seconded by Guzmán, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

8. HD-17-552 Authorize spending in the amount of \$3 million and approve a Baseline Project Budget of \$3 million for Pier J South Berths J260-J264 Maintenance Dredging. (Program Management - T. Baldwin)

[Legislation Text](#)

[Site Map](#)

Motion: Approve recommendation.

Colonna moved, seconded by Lowenthal, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

9. HD-17-577 Approve First Reading of Ordinance approving the proposed modifications to Tariff No. 4, Item Nos. 737, 904 and 906 (Aircraft Landing and Takeoff). (Security - R. Parsons)

[Legislation Text](#)

[06-13-17 ORDINANCE](#)

[08-31-17 Drone Tariff Amendment](#)

Motion: Approve First Reading of Ordinance.

Colonna moved, seconded by Lowenthal, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

- 10.** HD-17-575 Approve First Reading of Ordinance approving the Seventh Amendment to Lease between the City of Long Beach and SA Recycling, LLC for a change in use in the lease, make the determination that action is Categorically Exempt pursuant to the California Environmental Quality Act. (Real Estate - K. Adamowicz) (DOCUMENT NO. HD-5095G)
[Legislation Text](#)
[SA Recycling - Seventh Amendment to Lease HD-5095](#)
[SA Recycling - Ordinance for Seventh Amendment to Lease HD-5095](#)
[SA Recycling - Vicinity Map](#)

Motion: Approve First Reading of Ordinance.

Guzmán moved, seconded by Colonna, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

- 11.** HD-17-564 Approve Second Reading and Adoption of Ordinance approving the Fourth Amendment to Preferential Assignment Agreement between the City of Long Beach and SSA Terminals, LLC for the five year rent and insurance renegotiation and make the determination that this action is Categorically Exempt pursuant to the California Environmental Quality Act. (Real Estate - K. Adamowicz) (ORDINANCE NO. HD-2264)
[Legislation Text](#)
[SSA Terminals - Fourth Amendment to PAA HD-6725](#)
[SSA Terminals - Ordinance for Fourth Amendment to PAA HD-6725](#)
[SSA Terminals - Vicinity Map](#)

Motion: Approve Second Reading and Adoption.

Guzmán moved, seconded by Lowenthal, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

SUPPLEMENTAL

12. HD-17-588 Approve Ad Hoc Committee Assignment for 2017-2018: Los Angeles Area Chamber of Commerce - Lou Anne Bynum, Representative, Tracy Egoscue, Alternate. (Commission - L. Bynum)

[Legislation Text](#)

Motion: Approve recommendation.

Lowenthal moved, seconded by Colonna, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

13. HD-17-586 Approve the appointments of Phillip Lee to the position of Port Planner I and Amelia Loya to the position of Administrative Intern-Non Career. (Human Resources - S. Lewis)

[Legislation Text](#)

Motion: Approve recommendation.

Colonna moved, seconded by Guzmán carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

14. HD-17-583 Approve an Access Agreement and First Amendment to Temporary Construction Staging Area Easement Deed with Long Beach Generation LLC in connection with the Gerald Desmond Bridge Replacement Project. (Real Estate - K. Adamowicz) (DOCUMENT NO. HD-8178A) (DOCUMENT NO. HD-8822)

[Legislation Text](#)

[NRG - First Amendment to Temporary Construction Easement Agreement](#)

[NRG- Access Agreement](#)

[NRG - Vicinity Map](#)

Motion: Approve recommendation.

Guzman moved, seconded by Colonna, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

15. HD-17-578 Authorize the Executive Director to reject all bids received and re-advertise Specification HD-S2571A for the Mobile Camera Systems Project. (Security - R. Parsons)
[Legislation Text](#)

Motion: Approve recommendation.

Lowenthal moved, seconded by Colonna, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

16. ~~***WITHDRAWN***HD-17-584 Authorize Executive Director to execute a Settlement Agreement and Mutual Release in the Los Angeles Superior Court Case No. BC547255 between the Port of Long Beach and Manson/Connolly, JV, Manson Construction Co., Connolly Pacific Co., Condon Johnson & Associates, Inc., and Earth Mechanics, Inc, in the total amount paid to the Port of \$5,500,000. (Program Management - T. Baldwin)~~
17. HD-17-559 Authorize the Executive Director to approve the Foss Maritime Company Settlement - Pier D, Berths 48-49 Warehouse, in the amount of \$750,000.
(DOCUMENT NO. HD-8821)
(Risk Management - R. Baratta)
[Legislation Text](#)
[Foss Settlement Attachment 2017](#)

Motion: Approve recommendation.

Guzmán moved, seconded by Colonna, carried by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Guzmán, Bynum
Noes:	Commissioners:	None
Absent:	Commissioners:	Egoscue

IV. REPORTS FROM EX OFFICIO APPOINTEES

Reports, if any, from board members serving on external board, commissions and committees requiring representation of the board pursuant to Article V.B of the Bylaws, including the Intermodal Container Transfer Facility, the Alameda Corridor Transportation Authority, the Interstate 710 Project Committee, Gateway Cities Council of Governments, Southern California Leadership Council and the Los Angeles Area Chamber of Commerce.

Commissioner Guzmán reported on her attendance at the Gateway Cities Council of Governments meeting on September 6, 2017.

V. ANNOUNCEMENTS

Commissioners Guzmán, Lowenthal and Colonna reported on their attendance on the Asia Trade Mission to Hong Kong and Taipei.

VI. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

1CS. HD-17-582 Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 of the Government Code (one case).

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

2CS. HD-17-589 Closed session pursuant to Section 54956.8 of the Government Code for conference with real property negotiator Karl Adamowicz to discuss price and terms of payment in connection with a potential sale of a 5.6 acre parcel located at the southeast corner of Golden Avenue and West Broadway, Long Beach with negotiating parties Toll Bros., Inc. and The Waterford Group, Inc.

3CS. HD-17-590 Closed session pursuant to Section 54956.8 of the Government Code for conference with real property negotiator Karl Adamowicz to discuss price and terms of payment in connection with Lease HD-7837 regarding that certain property located at Pier B, Berths 82-83, Long Beach, California. The negotiating party is Toyota Motors Sales, U.S.A., Inc., a California corporation.

Adjournment

President Bynum adjourned the meeting at approximately 9:25 pm.