



## 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 12, 2016, at 6:00 pm

Present: Commissioners: Dines, Drummond, Egoscue, Bynum, Guzmán

Absent: Commissioners:

President Guzmán chaired the meeting

### I. REPORTS

- 1R.** Receive and file the presentation on the Port of Long Beach's Draft Climate Change Adaptation and Coastal Resiliency Plan. (Environmental Planning - H. Tomley)  
[Legislation Text](#)  
[20160912\\_Presentation\\_Draft\\_Climate\\_Adaptation\\_and\\_Coastal\\_Resiliency\\_Plan](#)  
[Draft CRP Executive Summary](#)

Motion: Receive and file.

Drummond moved, seconded by Dines, carried by the following vote:

Ayes:	Commissioners:	Dines, Drummond, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	None

## II. NEW BUSINESS

Motion: Approve Consent Items #1-5.

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

Ayes:	Commissioners:	Dines, Drummond, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	None

### Consent Agenda

1. HD-16-542 Approval of Minutes - August 22, 2016 and September 6, 2016.  
(Commission - S. Ortiz)  
[Legislation Text](#)  
[BHC Minutes 82216](#)  
[BHC Special Meeting Minutes 090616](#)
2. HD-16-522 Authorize Third Amendment to Contract with All American Asphalt for a time extension only to November 29, 2016, for On-Call Asphalt Paving, Striping and Other Related Services. (Construction Management - S. Plezia) (DOCUMENT NO. HD-8346C)  
[Legislation Text](#)  
[Third Amendment to Contract HD-8346](#)
3. HD-16-497 Authorize the Chief Executive Officer to execute the Second Amendment to Contact with Mark Thomas & Company, Inc. for a time extension only to April 30, 2018 for on-call civil engineering services. (Engineering Design - J. Chun)  
(DOCUMENT NO. HD-8098B)  
[Legislation Text](#)  
[Mark Thomas Co. - HD-8098 - Amendment 2 \(signed by firm\)](#)
4. HD-16-524 Authorize the Chief Executive Officer to execute the Third Amendment to Contracts with Hill International Inc., KPFF Consulting Engineers, Inc. and O'Connor Construction Management, Inc. for a time extension only for on-call cost estimating services. (Project Controls -D. Pierson) (DOCUMENT NO. HD-7876C)  
(DOCUMENT NO. HD-7875C) (DOCUMENT NO. HD-7873C)  
[Legislation Text](#)  
[Hill HD-7875C](#)  
[O'Connor HD-7873C](#)  
[KPFF HD-7876C](#)

5. HD-16-529 Receive and file Level I Harbor Development Permits and corresponding determinations that the permits are categorically or statutorily exempt pursuant to the California Environmental Quality Act. (Environmental Planning - H. Tomley)

[Legislation Text](#)

[20160912\\_MAP](#)

## **Regular Agenda**

6. HD-16-532 Approve the renewal of service Contracts for FY2017 with the five existing Port of Long Beach Overseas Representatives: Lutz Ehrhardt (Europe) in the amount not to exceed \$50,000, H.C. Jeong, Sebang Express Co., Ltd. (South Korea) in the amount not to exceed \$50,000, Edward Yau, United Transportation (HK) Ltd, (Greater China) in the amount not to exceed \$150,000, John Ingster, Strang International Pty. Ltd. (Australia) in the amount not to exceed \$50,000, and Kazuhiko Futagawa (Japan) in the amount not to exceed \$70,000, for business development representation. (Business Development - D. Snyder)

[Legislation Text](#)

[Edward Yau \(United Transportation - China\) Signed Contract\(DOCUMENT NO. HD-8676\)](#)

[H.C. Jeong \(Sebang Express - Korea\) Signed Contract\(DOCUMENT NO. HD-8675\)](#)

[John Ingster \(Strang International - Australia\) Signed Contract \(DOCUMENT NO. HD-8677\)](#)

[Kazuhiko Futagawa \(Japan\) Signed Contract\(DOCUMENT NO. HD-8678\)](#)

[Lutz Ehrhardt \(Europe\) Signed Contract \(DOCUMENT NO. HD-8674\)](#)

Motion: Approve recommendation.

Dines moved, seconded by Drummond, carried by the following vote:

Ayes:	Commissioners:	Dines, Drummond, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	None

7. HD-16-539 Authorize the Chief Executive Officer to approve a Contract with Technology Integration Group to provide managed printer services in an amount not to exceed \$705,000 for a period of three years, ending September 30, 2019. (Information Management - N. Maiko) (DOCUMENT NO. HD-8679)

[Legislation Text](#)

[PC Specialist Consult Contract](#)

Motion: Approve recommendation.

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

Ayes:	Commissioners:	Dines, Drummond, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	None

8. HD-16-531 Approve a Reimbursable Work Order in the amount of \$475,000 with Southern California Edison for costs associated with preparation of an Environmental Impact Report for the SCE Transmission Tower Replacement Project.

(Environmental Planning - H. Tomley)

[Legislation Text](#)

[20160912\\_SCE\\_Reimbursable\\_Work\\_Order](#)

Motion: Approve recommendation.

Dines moved, seconded by Drummond, carried by the following vote:

Ayes:	Commissioners:	Dines, Drummond, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	None

9. HD-16-527 Authorize the Chief Executive Officer to Advertise for Bids the 2014 Roadway Rehabilitation Program under Specification HD-S2532. (Program Management - D. Sereno)

[Legislation Text](#)

[Notice Inviting Bids](#)

[Project Vicinity Map](#)

Motion: Approve recommendation.

Drummond moved, seconded by Dines, carried by the following vote:

Ayes:	Commissioners:	Dines, Drummond, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	None

10. HD-16-533 Authorize the Chief Executive Officer to sign a General Release and Assignment tendered by Lexon Insurance Company in exchange for the sum of \$61,840.07 as settlement of the Port's claim for damages arising from the "Design-Build Agreement for Joint Command and Control Center Infrastructure Enhancements for the Port of Long Beach Security Division". (Security - R. Parsons) (DOCUMENT NO. HD-8680)

[Legislation Text](#)

[General Release - Lexon.pdf](#)

Motion: Approve recommendation.

Dines moved, seconded by Drummond, carried by the following vote:

Ayes:	Commissioners:	Dines, Drummond, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	None

- 11.** HD-16-540 Adopt Resolution approving and authorizing the Chief Executive Officer to execute an Amended and Restated Revocable Permit with Pacific Crane Maintenance Company, L.P., for a rental renegotiation, and determination that action is Categorically Exempt pursuant to the California Environmental Quality Act.

(Real Estate - K. Adamowicz) (DOCUMENT NO. HD-8681)

(RESOLUTION NO. HD-2859)

[Legislation Text](#)

[Amended & Restated RP HD-6575](#)

[Resolution - Amended & Restated RP HD-6575](#)

[Vicinity Map](#)

Motion: Adopt Resolution.

Drummond moved, seconded by Dines, carried by the following vote:

Ayes:	Commissioners:	Dines, Drummond, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	None

- 12.** HD-16-541 Adopt Resolutions approving a Pipeline License and Revocable Permit with Petro-Diamond Terminal Company for a new 12" pipeline and accompanying manifold, and existing pipelines, and make the determination that this action is Categorically Exempt pursuant to the California Environmental Quality Act. (Real Estate - K. Adamowicz) (DOCUMENT NO. HD-8682) (DOCUMENT NO. HD-8683) (RESOLUTION NO. HD-2860) (RESOLUTION NO. HD-2861)

[Legislation Text](#)

[Petro-Diamond Pipeline License Agreement](#)

[Petro-Diamond Revocable Permit for Manifold Site](#)

[Pipeline License Resolution](#)

[Manifold Site Revocable Permit Resolution](#)

[Vicinity Map - Pipeline License](#)

[Vicinity Map - Manifold Site](#)

Motion: Adopt Resolutions.

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

Ayes:	Commissioners:	Dines, Drummond, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	None

- 13.** HD-16-544 Approve Ad Hoc Committee Assignments for 2016-2017: Alameda Corridor JPA - Rich Dines, representative and Lori Ann Guzmán, alternate; Gateway Cities Council of Governments - Tracy Egoscue, representative and Doug Drummond, alternate; Intermodal Container Transfer Facility JPA - Doug Drummond, representative and Lou Anne Bynum, alternate; Southern California Leadership Council - Lori Ann Guzmán, representative and Lou Anne Bynum, alternate; Los Angeles Area Chamber of Commerce – Lou Anne Bynum, representative and Tracy Egoscue, alternate. (Commission - L. Guzmán)  
[Legislation Text](#)

Motion: Approve recommendation.

Dines moved, seconded by Drummond, carried by the following vote:

Ayes:	Commissioners:	Dines, Drummond, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	None

#### **SUPPLEMENTAL**

- 14.** HD-16-549 Approval of Appointments Dominic Pugliese to the position of Administrative Intern, Aulden Thomas to the position of Administrative Intern, Ariel Pepper to the position of Administrative Intern - NC, Robert Brothers to the position of Special Services Officer II - NC, Evelyn Vazquez to the position of Special Services Officer II - NC, Edward Lorente to the position of Special Services Officer II - NC, Bryant Wooten to the position of Special Services Officer II - NC, Sheetal Talwar to the position of Senior Accountant, Tom Becker to the position of Intermodal Operations Coordinator, and Don Kwok to the position of Assistant Director - Finance. (Human Resources - M. Huebner)  
[Legislation Text](#)

Motion: Approve recommendation.

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

Ayes:	Commissioners:	Dines, Drummond, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	None

- 15.** HD-16-555 Approve the proposal by President Guzmán, pursuant to Articles IV.A and V.A of the By-Laws, to establish a Special Purpose Committee consisting of Commissioner Egoscue and Commissioner Drummond to conduct a search process for the permanent Chief Executive. (Commission - L. Guzmán)

[Legislation Text](#)

Motion: Approve recommendation.

Rich Dines moved, seconded by Lou Anne Bynum, carried by the following vote:

Ayes:	Commissioners:	Dines, Drummond, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	None

- 16.** HD-16-556 Identification of representatives to negotiate terms of employment of Interim Chief Executive or Chief Executive, if necessary. (Commission - L. Guzmán)

[Legislation Text](#)

Motion: Approve recommendation.

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

Ayes:	Commissioners:	Dines, Drummond, Egoscue, Bynum, Guzmán
Noes:	Commissioners:	None
Absent:	Commissioners:	None

### **III. 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 Egoscue reported on her attendance at the Gateway Cities Council of Governments meeting on September 7, 2016.

Commissioner Dines reported on his attendance at the Alameda Corridor Transportation Authority meeting on September 8, 2016.

### **IV. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

### **V. ANNOUNCEMENTS**

## **VI. CLOSED SESSION**

### **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

- 1CS. HD-16-535 Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (3) of subdivision (e) of Section 54956.9 of the Government Code (one case regarding the construction of new fireboats by Foss Maritime Company).
- 2CS. HD-16-551 Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (2) of subdivision (e) of Section 54956.9 of the Government Code (two cases regarding the leasehold interests at Pier D, Berths 048-54 involving leaseholds held by Foss Maritime Company and Crescent Warehouse Company, Ltd.) (and paragraph (3) of subdivision (e) of Section 54956.9 of the Government Code also applies to regards Foss Maritime Company).
- 3CS. HD-16-536 Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (3) of subdivision (e) of Section 54956.9 of the Government Code (one case regarding the construction of the Track Realignment and Ocean Blvd. and Pier F Ave. Support Tracks Project by Ames Construction, Inc.)
- 4CS. HD-16-552 Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 of the Government Code (one case).

### **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

- 5CS. HD-16-545 Closed session pursuant to Section 54956.8 of the Government Code for conference with real property negotiator Jon Slangerup to discuss price and terms of payment for the Pier J Pacific Container Terminal. The negotiating party is Pacific Maritime Services, LLC.
- 6CS. HD-16-546 Closed session pursuant to Section 54956.8 of the Government Code for conference with real property negotiator Jon Slangerup to discuss price and terms of payment for the Pier T Container Terminal. The negotiating party is Total Terminals International, LLC.
- 7CS. HD-16-550 Closed session pursuant to Section 54956.8 of the Government Code for conference with real property negotiator Karl Adamowicz to discuss a potential amendment to that certain Lease between the City of Long Beach and Pacific Towboat & Salvage Co. (Harbor Department Document No. HD-6834) with respect to Lessee's use of Berth D35 and adjacent property. The negotiating party is Foss Maritime Company, the successor to Pacific Towboat Salvage Co.



## **PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT**

8CS. HD-16-557 Closed session pursuant to Section 54957 of the Government Code to consider the appointment and employment of Interim Chief Executive or Chief Executive.

## **CONFERENCE WITH LABOR NEGOTIATORS**

9CS. HD-16-558 Closed session pursuant to Section 54957.6 of the Government Code to negotiate with unrepresented Interim Chief Executive or Chief Executive. Negotiators will be identified before going into closed session.

## **Adjournment**

President Guzmán adjourned the meeting in memory of the victims of 9/11 and in support of emergency responders at approximately 11:00 pm.