



## Board of Harbor Commissioner Minutes

Minutes of the Board of Harbor Commissioners of the City of Long Beach regular meeting, held in the Board Room of the Harbor Department Interim Administration Building at 4801 Airport Plaza Drive, Long Beach, California, on November 14, 2016 at 6:00 pm

Present: Commissioners: Dines, Egoscue, Bynum  
Absent: Commissioners: Drummond, Guzmán  
Vice President Bynum chaired the meeting

### I. NEW BUSINESS

Motion: Approve Consent Items #1-2 & 4-6. Item #3 was withdrawn.

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

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

### Consent Agenda

1. HD-16-661 Approval of Minutes - October 24, 2016. (Commission - S. Ortiz)  
[Legislation Text](#)  
[BHC Minutes 102416.pdf](#)
2. HD-16-680 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](#)  
[20161114\\_MAP](#)
3. \*\*\*WITHDRAWN\*\*\* HD-16-681 Authorize the Interim Chief Executive to Approve Second Amendment to Contract with Bentley Systems Inc. for a time extension only to December 31, 2018, for on-call computer aided design support services.  
(Information Management - N. Maiko)

4. HD-16-677 Approve Second Amendment to Contract with Parsons Brinckerhoff for a time extension only to November 1, 2017, to provide consulting services for the Port's Land Use Study. (Master Planning - M. Plezia) (DOCUMENT NO. HD-8480B)  
[Legislation Text](#)  
[PB\\_2nd Amd\\_HD-8480 \(#A15-00552\) Partially Executed](#)
5. HD-16-660 Authorize the Interim Chief Executive to execute the Third Amendment to Contract with CH2M Hill Engineers, Inc., for a time extension only to December 31, 2017, for the Fireboat Station No. 15 Project. (Program Management - D. Sereno) (DOCUMENT NO. HD-7853C)  
[Legislation Text](#)  
[Project Vicinity Map](#)  
[3rd Amendment to CH2M Contract HD-7853 Signed.pdf](#)
6. HD-16-676 Authorize the Interim Chief Executive to execute the Third Amendment to Contract with CH2M Hill Engineers, Inc. to extend the term of the contract from October 14, 2016 to December 31, 2017 for Fireboat Station No. 20 Project. (Engineering Design - J. Chun) (DOCUMENT NO. HD-7855C)  
[Legislation Text](#)  
[CH2M Hill Engineers, Inc. Contract.pdf](#)  
[Project Vicinity Map.pdf](#)

## **[Regular Agenda](#)**

7. HD-16-683 Approve \$518,250 in sponsorship requests for fiscal year 2017 first call and approve a change to the Sponsorship Program Policy and Guidelines specifying that events, activities and programs must take place 60 days after the application call closing date. (Communications -N. Rodriguez).  
[Legislation Text](#)  
[Sponsorship Policy Guidelines November 2016 .pdf](#)  
[FY 17 First call summary.pdf](#)

Commissioner Dines made a motion to approve \$518,250 in sponsorship requests for fiscal year 2017 first call and return to the Board at a later date discussion and approval of the amended Sponsorship Program Policy and Guidelines, seconded by Egoscue, carried by the following vote:

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

8. HD-16-656 Approve the Interim Chief Executive be authorized to pay California Association of Port Authority dues in the amount of \$34,326.50 for September 1, 2016 through November 30, 2016. (Executive - D. Kenagy)

[Legislation Text](#)

[CAPA Attachments](#)

Motion: Approve recommendation.

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

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

9. HD-16-666 Approve additional appropriation for Nixon Peabody in the amount of \$400,000 for specialized assistance on harbor matters. (Attorney - C. Gale)

[Legislation Text](#)

Motion: Approve recommendation.

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

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

10. HD-16-662 Approve Second Reading and adoption of Ordinance authorizing and approving the execution and delivery of an Amended and Restated Alameda Corridor Use and Operating Agreement by and among the Ports, the Railroads and Alameda Corridor Transportation Authority, and authorizing such other actions as are necessary or desirable in connection with the same. (Executive - D. Thiessen) (ORDINANCE NO. HD-2251)

[Legislation Text](#)

[Ordinance](#)

[Amended and Restated Alameda Corridor Use and Operating Agreement Final 9.13.16.pdf](#)

[Redlined UOA \(Final Draft 9-19\).pdf](#)

Angelo Logan addressed the Board.

Motion: Approve recommendation.

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

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

- 11.** HD-16-671 Adopt Resolution and Approve First Reading of Ordinance to amend Port of Long Beach Tariff No. 4, Item 262 by extending the Dockage Reduction Incentive for Compliance with the Voluntary Vessel Speed Reduction Program until December 31, 2017. (Business Development - D. Snyder) (RESOLUTION NO. HD-2863)

[Legislation Text](#)

[Ordinance for Tariff Item 262](#)

[Resolution for Tariff Item 262](#)

[Proposed Tariff Language for Item 262 Extension to 2017](#)

Thomas Jelenic addressed the Board.

Motion: Approve recommendation.

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

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

- 12.** HD-16-627 Authorize the Interim Chief Executive to execute a Contract with VeRail Technologies, Inc. to develop and demonstrate a near-zero emissions locomotive; Approve co-funding in the amount of \$300,000; enter into the thirty-second amendment to the Clean Air Action Plan Master Cost Share Agreement in the amount of \$600,000 (\$300,000 each port) with the Port of Los Angeles; and approve Expense Work Order HA5224. (Environmental Planning - H. Tomley) (DOCUMENT NO. HD-8705) (DOCUMENT NO. HD-7173Ff)

[Legislation Text](#)

[10-31-16 Revised Agreement - Verail Technologies Inc..pdf](#)

[2\\_POLA-POLB\\_Cost Share\\_VeRail TAP\\_AT](#)

[3\\_VeRail\\_POLB\\_Funding\\_Request\\_Form](#)

Motion: Approve recommendation.

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

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

- 13.** HD-16-669 Approve Second Amendment to Memorandum of Agreement with the U.S. Army Corps of Engineers to fund an Army Corps Regulatory Project Manager position, not exceed a total of \$630,000 for a 3-year period, dedicated to prioritizing Port projects, under the Water Resources Development Act, Section 214.

(Environmental Planning - H. Tomley) (DOCUMENT NO. HD-8105B)

[Legislation Text](#)

[WRDA\\_MOA\\_2nd\\_Amend](#)

Motion: Approve recommendation.

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

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

- 14.** HD-16-678 Authorize the Interim Chief Executive to Approve Second Amendment to Contract with Sierra Cybernetics in the amount of \$400,000 and extend the term to May 31, 2018, for On-Call IT Services. (Information Management - N. Maiko)  
(DOCUMENT NO. HD-8341B)

[Legislation Text](#)

[Sierra Cybernetics Contract Amendment](#)

Motion: Approve recommendation.

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

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

- 15.** HD-16-675 Ratify Change Order No. 43, authorized by the Interim Chief Executive, in the lump sum amount of \$23,869.33; authorize the Interim Chief Executive to execute Change Order No. 45 in the credit amount of (\$1,300,000) and authorize the Interim Chief Executive to execute Change Order No. 46 in the credit amount of (\$55,935) and restore the Interim Chief Executive's authority for Change Orders to \$200,000 for the Gerald Desmond Bridge Replacement project; Shimmick/FCC/Impregilo JV. (Executive - D. Kenagy)

[Legislation Text](#)

[Change Order No. 43](#)

[Change Order No. 45](#)

[Change Order No. 46](#)

Motion: Approve recommendation.

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

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

- 16.** HD-16-667 Ratify Change Order No. 82, authorized by the Interim Chief Executive in the amount of \$68,541; authorize the Interim Chief Executive to execute Change Order No. 83 in the credit amount of (\$245,837.80) and restore the Interim Chief Executive's Change Order authority to \$200,000 for the Middle Harbor - Pier E Terminal Container Yard / Intermodal Railyard Phase 1; Herzog / Reyes, a Joint Venture.  
(Construction Management - S. Plezia)

[Legislation Text](#)

[Change Order No. 82](#)

[Change Order No. 83](#)

Motion: Approve recommendation.

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

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

- 17.** HD-16-655 Authorize the Interim Chief Executive to Advertise for Bids Marine Maintenance Dock Facilities at Berth D48 under Specification HD-S2540.  
(Program Management - D. Sereno)

[Legislation Text](#)

[Project Vicinity Map](#)

[Notice Inviting Bids](#)

Motion: Approve recommendation.

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

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

- 18.** HD-16-665 Authorize Spending in the amount of \$650,000 to perform repairs and approve a Baseline Budget of \$850,000 for the Interim Harbor Scenic Drive Pavement Rehabilitation Project. (Program Management - D. Sereno)

[Legislation Text](#)

[Project Vicinity Map](#)

Motion: Approve recommendation.

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

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

- 19.** HD-16-658 Authorize the Interim Chief Executive to execute Change Order No. 1 in the lump sum deductive amount of (\$1,964,187) for Specification HD-S2525, Long Beach Civic Center Port Headquarters and Affiliated Facilities.

(Program Management - D. Sereno)

[Legislation Text](#)

[Change Order No 1](#)

Motion: Approve recommendation.

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

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

- 20.** HD-16-648 Authorize the Interim Chief Executive to execute Contracts with David Evans and Associates, Inc., Fugro Pelagos, Inc., and Gahagan & Bryant Associates, Inc. in the amount of \$300,000 each for a term of three years for on-call hydrographic surveying professional services. (Survey - R. Seidel) (DOCUMENT NO. HD-8706) (DOCUMENT NO. HD-8707) (DOCUMENT NO. HD-8708)

[Legislation Text](#)

[David Evans Contract Signed by Firm](#)

[Fugro Contract Signed by Firm](#)

[Gahagan and Bryant Contract Signed by Firm](#)

Motion: Approve recommendation.

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

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

- 21.** HD-16-670 Authorize the Interim Chief Executive to execute Contracts with FPL and Associates, Inc., KOA Corporation, Michael Baker International, and Stantec Consulting Services, Inc., each in the amount of \$400,000 for three-year terms for on-call professional traffic engineering services. (Engineering Design - J. Chun) (DOCUMENT NO. HD-8709) (DOCUMENT NO. HD-8710) (DOCUMENT NO. HD-8711) (DOCUMENT NO. HD-8712)

[Legislation Text](#)

[FPL and Associates, Inc. Contract.pdf](#)

[KOA Corporation Contract.pdf](#)

[Michael Baker International, Inc. Contract.pdf](#)

[Stantec Consulting Services, Inc. Contract.pdf](#)

Motion: Approve recommendation.

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

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

- 22.** HD-16-673 Authorize the Interim Chief Executive to execute Contracts with AECOM, Moffatt & Nichol, and P2S Engineering, in the amount of \$500,000 each for a term of three years, and with Delta Systems Engineering, Inc., in the amount of \$300,000 for a term of three years for on-call professional electrical and mechanical engineering services. (Engineering Design - J. Chun) (DOCUMENT NO. HD-8713) (DOCUMENT NO. HD-8714) (DOCUMENT NO. HD-8715) (DOCUMENT NO. HD-8716)

[Legislation Text](#)

[AECOM Technical Services, Inc. Contract.pdf](#)

[Delta Systems Engineering, Inc. Contract.pdf](#)

[Moffatt & Nichol Contract.pdf](#)

[P2S Engineering, Inc. Contract.pdf](#)

Motion: Approve recommendation.

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

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

- 23.** HD-16-674 Authorize the Interim Chief Executive to execute the Third Amendment to Contract with KOA Corporation in the amount of \$279,486 and extend the term of the contract to December 31, 2018; authorize spending in the amount of \$1,067,658; and approve a Baseline Project Budget of \$9,548,750 for the South Waterfront/Pier J Bike and Pedestrian Path Project. (Engineering Design - J. Chun)

[Legislation Text](#)

[KOA Corp Contract.pdf](#)

[Project Vicinity Map.PierJ Bike Path.pdf](#)

Motion: Approve recommendation.

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

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



24. \*\*\*WITHDRAWN\*\*\* HD-16-679 Approve the Harbor Department Salary Resolution for FY 2017. (Human Resources - M. Huebner)

## **SUPPLEMENTAL**

25. HD-16-690 Authorize the Interim Chief Executive to execute Settlement Agreement with Ames Construction Company in the lump sum amount of \$5,600,000; authorize \$2,868,533 in project spending; approve a current budget of \$96,244,570 and approve final acceptance of track realignment at Ocean Blvd. and Pier F Ave. Support Tracks.  
(Construction Management - S. Plezia) (DOCUMENT NO. HD-8717 )

[Legislation Text](#)

[Settlement Agreement](#)

Motion: Approve recommendation.

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

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

26. HD-16-700 Approval of Appointments of Albert Moro to the position of Acting Capital Programs Executive, Benton Calmes to the position of Manager, Contract Compliance, and Tanya Payne to the position of Assistant Administrative Analyst II.  
(Human Resources - M. Huebner)

[Legislation Text](#)

Motion: Approve recommendation.

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

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

## **II. 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.

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

## **IV. ANNOUNCEMENTS**

Commissioner Egoscue reported on her trip to New Orleans for the AAPA Annual Convention.

Commissioner Dines reported on his recent Trade Mission to Asia with President Guzmán and Commissioner Drummond.

## **V. CLOSED SESSION**

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

1CS. HD-16-682 Closed session pursuant to paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code regarding Foss Maritime Company vs. City of Long Beach, Los Angeles County Superior Court, Case No. NC060843.

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

2CS. HD-16-685 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 (one case involving Ames Construction, Inc.).

### **PUBLIC EMPLOYEE APPOINTMENT**

3CS. HD-16-698 Closed session pursuant to Section 54957 of the Government Code to consider the appointment of Acting Director of Communications.

## **Adjournment**