



Special Meeting of the Governing Board of the Intermodal Container Transfer Facility Joint Powers Authority Minutes

Minutes of the Special Meeting of the Governing Board of the Intermodal Container Transfer Facility Joint Powers Authority, held at the Silverado Park Social Hall, Long Beach, California, on Wednesday, November 9, 2016 at 6:00 p.m. Transcript and video of this meeting are available at <http://ictf-jpa.org/>

Present: Board Members: Drummond, Seroka, Arian (alternate for Patricia Castellanos), Christensen (alternate for Duane Kenagy)
Absent: Board Members: None

Also present:

D. Thiessen Executive Director of the ICTF JPA
C. Cannon Port of Los Angeles
J. Sidley General Counsel of the ICTF JPA
E. Flores Executive Secretary of the ICTF JPA
M. Bleavins Treasurer of the ICTF JPA

Public Speakers:

W. Amaya East Yard Communities for Environmental Justice
J.V. Andasan East Yard Communities for Environmental Justice
R. Bagalauis East Yard Communities for Environmental Justice
J. Calaisan East Yard Communities for Environmental Justice
M. Mireles LBACA
R. Rhoads East Yard Communities for Environmental Justice

Election of Officers – Item B

Executive Director Thiessen recommended that the Board elect a Chairperson.

Drummond was nominated as Chair. It was seconded, and moved that the nominations be closed. Seconded, carried by the following vote:

Ayes: Board Members: Arian, Christensen, Drummond, Seroka
Noes: Board Members: None

Executive Director Thiessen recommended that the Board elect a Vice Chair.

Patricia Castellanos was nominated to be Vice Chair. Drummond seconded, and the motion was carried by the following vote:

Ayes:	Board Members:	Arian, Christensen, Drummond, Seroka
Noes:	Board Members:	None

Note: Election of Secretary and Treasurer were conducted during discussion of Item E. Results of these officer elections are presented under Item E.

Receive and File of Minutes – February 2, 2016 – Item C

Executive Director Thiessen recommended the board approve the minutes of the JPA meeting on February 2, 2016.

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

Ayes:	Board Members:	Arian, Christensen, Drummond, Seroka
Noes:	Board Members:	None

Motion passed and the minutes were approved.

Comments from the Public on Non-Agenda Items – Item D

Executive Director Thiessen, asked if there was anyone that wished to discuss non-agenda items and that they state their name for the record prior to speaking.

Ms. Renee Castro of Century Villages at Cabrillo introduced herself and thanked the Board for taking the time to have this meeting. She stated that she was looking forward to working with the JPA to ensure the air quality of local residents was protected.

Board Reports of Executive Director – Item E

Agenda Items

I. Financial Audit for Fiscal Year Ended June 30, 2015

Executive Director Thiessen stated the financial audit for the fiscal year ending June 30, 2015 had been completed. The audit determined that the financial audit fairly and accurately documented the financial positions, the change in the financial position, and the cash flows of the ICTF JPA. The operating revenues for the fiscal year increased 31.3% to \$5,703,421. The net assets increased 16.1% to \$11,693,000 million over the reporting period.

The volume of containers that moved through the fiscal year ending June 30, 2015 was down 7% to 404,152.

Executive Director Thiessen recommended that the governing Board receive and file the Financial Audit Report for the fiscal year ending June 30, 2015.

Arian requested an explanation of why there was a decreased number of containers. Executive Director Thiessen stated that he believed this decrease was resultant of a shift to use to on-dock rail. Mr. Thiessen asked if there was anyone with the Union Pacific Railroad who would like to speak about that. Mr. Andy Perez introduced himself as the Director of Port Affairs for Union Pacific Railroad. He affirmed that the decrease was attributable to the continued use of on-dock rails. He also stated that there has been a general decrease in the volume of international high-value cargo coming through the ICTF.

Drummond motioned, Arian seconded, carried by the following vote:

Ayes:	Board Members:	Arian, Christensen, Drummond, Seroka
Noes:	Board Members:	None

Following the Financial Audit statements Executive Director Thiessen asked the Board to readdress Item B – Election of Officers.

Executive Director Thiessen recommended that the Board elect a Secretary.

Ms. Elena Flores was nominated to be Secretary. Drummond motioned, Arian seconded, carried by the following vote:

Ayes:	Board Members:	Arian, Christensen, Drummond, Seroka
Noes:	Board Members:	None

Executive Director Thiessen recommended that the Board elect a Treasurer.

Ms. Marla Bleavins was nominated to be Treasurer. Arian motioned, Drummond seconded, carried by the following vote:

Ayes:	Board Members:	Arian, Christensen, Drummond, Seroka
Noes:	Board Members:	None

II. Net Facility Revenue Report and AUP

Executive Director Thiessen discussed an Annual Revenue Report for the period ending November 1, 2015. There were 382,328 gross container moves generating gross revenues of \$11,469,000, a decrease of 13.6% from 2014 over the specific reporting period. The gate fees collected by the ICTF, less the allowable deductions, result in a net facility revenue of \$12,298,000. These revenues are to be equally shared by both Joint Powers Authority and the Union Pacific Railroad.

The auditors and the JPA staff are in full agreement of all issues.

Executive Director Thiessen recommended the governing Board receive and file the Net Facility Revenue Report for the year ending November 1, 2015.

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

Ayes:	Board Members:	Arian, Christensen, Drummond, Seroka
Noes:	Board Members:	None

III. Financial Audit

Executive Director Thiessen stated the financial audit for the fiscal year ending June 30, 2016 had been completed. The audit determined that the financial audit fairly and accurately documents the financial positions, the change in the financial position, and the cash flows of the ICTF JPA. The operating revenues for the fiscal year decreased 9.9% to \$5,100,000. The net assets decreased 7.88% to \$10,781,000 million over the reporting period.

The volume of containers that moved through the fiscal year ending June 30th, 2016 was down 13.1% to 351,000.

Executive Director Thiessen recommended that the governing Board receive and file the Financial Audit Report for the fiscal year ending June 30th, 2016.

Drummond moved and introduced the phrase, “The Board finds the activities—the administrative activity that will not result in direct or indirect physical changes in the environment, and as such is not a project as defined by the CEQA guidelines Section 15378”, Arian seconded, carried by the following vote:

Ayes:	Board Members:	Arian, Christensen, Drummond, Seroka
Noes:	Board Members:	None

IV. 2016 – 2017 Budget

Executive Director Thiessen stated the proposed 2016-2017 operations budget is just under \$500,000. The operating cost is \$497,279. These cost are reimbursable by Union Pacific Railroad for the Joint Powers Authority. These cost are utilized for various items, including audit fees, financial fees, expenses, miscellaneous expenses and in preparation of an environmental impact report for proposed modernization of the ICTF. The largest portion of the budget, which is the second page of the agenda Item number 4 is \$2.250 M. This number has been placed in the agenda for many subsequent years as the City of Carson expected cost for the widening of Sepulveda Boulevard. The recommended budget amount for the fiscal year is \$2,875,942.

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

Ayes:	Board Members:	Arian, Christensen, Drummond, Seroka
Noes:	Board Members:	None

V. Distribution of Funds

Executive Director Thiessen told the Board that the cash balance in the JPA account at the end of the fiscal 2016 year is \$9 MM. Executive Director Thiessen recommended a distribution from the reserves to both Ports of approximately \$4 MM, \$2 MM to each Port, to be carried over into the 2016-2017 fiscal year.

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

Ayes:	Board Members:	Arian, Christensen, Drummond, Seroka
Noes:	Board Members:	None

VI. Progress/Status Report on the Preparation of the Environmental Impact Report

Mr. Cannon from the Port of Los Angeles was present and provided an update on the preparation of the environmental impact report.

Mr. Cannon said that the preparation of the environmental impact report for the ICTF modernization project remains on hold, pending resolution of other outstanding matters.

Executive Director Thiessen told the board that there was a number of speaker cards that have been filled out regarding item number six. Executive director called each speaker by name to the podium.

Mr. Julius Calicason spoke to the board and stressed the importance of the environmental impact report be assessable and available to Tagalog and Spanish speakers and most importantly, including the community of Westside Long Beach. Also, to include the residents when it comes to decision making. Mr. Thiessen thanked Mr. Calicason.

Ms. Whitney Amaya was concerned with the pollution associated with the refineries and trucks moving through the area. Ms. Amaya is interested in the proposed routes of the trucks, because of the schools in the area. Ms. Amaya also expressed interested in the steps or measures the board will be taking to make sure they are not contributing to greenhouse gas emissions.

Mr. Jan Victor Andawson, introduced himself as a community organizer in west Long Beach with the East Yard communities for Environmental Justice. He has lived in west Long Beach and currently resides in Carson. He encouraged the ICTF JPA to engage

the communities and residents living near the ICTF since they are the ones that have the most direct experience with impacts of the railyard. “In essence what I am saying is, we are organized, we want to work with you, we will be engaged regardless and we will defend our health and our communities for cleaner air and environment where we all live, work, play and pray”.

Mr. Cannon addressed Mr. Andawson that if in the future there any questions about the process leading up to a meeting he is welcome to reach out.

Mr. Robert Bagalawis, also a resident of Westside Long Beach addressed the issue of contamination in our air. Mr. Bagalawis expressed his concern about the health of all Long Beach residents and his hope that the Board holds Union Pacific accountable to have meaningful community engagement that includes all of Long Beach, Willington and Carson residents. He reiterated his demands are tough; cleaner air and with the environmental impact report and the proposed project will work towards better air quality.

Mr. Roman Rhodes, a student at Cabrillo High School shared with the Board that he is on the water polo team and that he has to breathe in “all that stuff” during practice. Just like other sports teams. He expressed, “a bunch of kids who live in this area have asthma so this pollution is really affecting us.” He has noticed that at times when you look at the pool that there will be a little layer of “stuff” on top of the water.

Mr. Maribel Mirellas, has a five-year-old son with asthma. He implored the Board to do a ‘good’ study about the pollution and affects and to take the community into account. He took issue with previous reports released by the Port of Long Beach and emphasized that the Port is the biggest source of pollution in the area. He reminded the Board that the kids who are here, are the future.

Mr. Cannon thanked the members of the public that came to the meeting and engaged in the process. He encouraged anyone with questions to reach out.

Mr. Arian echoed Mr. Cannon’s comments and shared his experience from 44 years as a longshoreman and the colleagues he has lost to cancer. He encouraged the public at the meeting to continue to showing up and expressing their view.

Mr. Drummond commented that this was the 11th year of the Clean Air Action Plan. He acknowledged that tremendous strides have been made and that the Ports and not hesitating to do a whole lot more. As a lifelong resident of Long Beach, he observed that downtown Long Beach is getting better and stated that “We just have to keep hammering to make sure it gets even better.”

VII. Request to Extend Contracts for Three Years for Four Separate Consultants

Executive Director Thiessen introduced four contract amendments and recommended that the Board approve three year time extensions for each of them. The amendments

were recommended for the agreements with Ramboll Environ US Corporation (Ramboll Environ), Ascent Environmental (Ascent), Sohagi Law Group (Sohagi), and E2 ManageTech, Inc. (E2). Environ and Ascent have been working on the Environmental Impact Report, which is currently on hold. E2 provides project management support for the JPA. Sohagi is the outside legal counsel. A number of the contracts would expire in 2017, potentially prior to the next JPA meeting. Mr. Thiessen expressed that adequate funds remain in all of the contracts. The time extensions would preserve the contracts should there be a change in status of the environmental impact report.

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

Ayes:	Board Members:	Arian, Christensen, Drummond, Seroka
Noes:	Board Members:	None

This concludes the regular agenda for the Joint Powers.

Mr. Christensen, acknowledged that Mr. Thiessen had announced his retirement and was likely attending over his final meeting and thanked him for his nine years of services to the ICTF JPA. Mr. Thiessen thanked the team of Port of Los Angeles and Port of Long Beach staff and consultants that help to run the JPA.

Adjournment

Drummond moved to adjourn, Arian seconded, carried by the following vote:

Ayes:	Board Members:	Arian, Christensen, Drummond, Seroka
Noes:	Board Members:	None

The meeting adjourned at 6:44 p.m.