

APPROVED 2012.01.19

**MINUTES**  
*Of*  
**The HARBOR COMMUNITY BENEFIT FOUNDATION**  
**August 11, 2011**

Location: 638 South Beacon Street, San Pedro, CA 90731

Time Started: 10:12 AM

**Present:** Chair Sean Hecht, Vice-Chair Michele Prichard, Treasurer Silvia Prieto, Secretary Jesse Marquez, Director Peter Peyton, Director Kathleen Woodfield, Director Jim Sadd (7)

**Absent:** None

**STAFF:** Mission Infrastructure - Mark Vargas, Project Manager (Interim Executive Director, HCBF); Arturo Alvarez, Project Associate (Board Administrative Assistant)

**COUNSEL:** Serena Lin, Public Counsel

**CHAIR SEAN HECHT PRESIDED**

**ITEM NO. 1 OPENING STATEMENT – AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD ON NON-AGENDA ITEMS**

Chair S. Hecht called for comments from the public. The following persons commented:

- Mr. Leo Rossi, Solar Power Proposal
- Mr. Robert Clark, APL Shipping Lines
- Anthony Lumino, Chevron Representative

**ITEM NO. 2 RESOLUTION TO APPROVE THE PROVISION OF DIRECTORS' AND OFFICERS' (D&O) COVERAGE AND EMPLOYEE PRACTICES COVERAGE TO DIRECTORS, OFFICERS, EMPLOYEES, AND OTHER AGENTS**

Board Administrative Assistant Arturo Alvarez gave a staff report to the board.

**Motion** to approve resolution; motion by M. Prichard, seconded by K. Woodfield, and carried with the following vote:

Ayes: Unanimous. (7)

**ITEM NO. 3** STAFF REPORT: SELECTION OF PREFERRED CONTRACTOR FOR THE TRAPAC SHORT TERM STUDY

Interim Executive Director Mark Vargas gave an introduction to the board about the process of selecting the contractor. The following persons offered comments:

- Mr. Adrian Martinez, Attorney, Natural Resources Defense Council
- Mr. Frank O'Brien, Executive Director, Harbor Watts Economic Development Corp.
- Dr. Jon Haveman, Consultant, Bay Area Council Economic Institute

Board members presented questions to Dr. Haveman, noted their concerns, and provided comments and recommendations to staff regarding this matter.

**Motion** to limit study's scope by excluding Health Component (page 4, and first part on page 5 of the original Request for Proposals), but to retain any aspects of the community survey regarding perceived health impacts; motion by J. Sadd, seconded by K. Woodfield, and carried with the following vote:

Ayes: Unanimous. (7)

On the basis of Board comments, Counsel Lin offered the following motion for Board consideration:

*WHEREAS, Section VI.A. of the TraPac MOU and the Operating Agreement of the TraPac MOU require a short-term land use study;*

*WHEREAS, the HCBF Board shall separately approve a study regarding health impacts as contemplated by Section VI.A. of the TraPac MOU and the Operating Agreement of the TraPac MOU;*

*WHEREAS, an RFP for this short-term land use study has been prepared by NRDC and the TraPac Appellants;*

*WHEREAS, the TraPac MOU provides that this Board may augment the existing funds of \$300,000 that are currently allocated by the MOU for short-term impacts studies on health and land use in Wilmington and San Pedro;*

*NOW, THEREFORE, BE IT RESOLVED that this Board approves PCMTF funds to be used for a short-term land use study as contemplated by Section VI.A. of the TraPac MOU in the amount of no more than \$300,000. This short-term land use study shall be consistent with the RFP as amended by this Board to excise from the RFP the Health Component of the off-port study of the TraPac MOU. Staff is requested to take all necessary actions to prepare a contract for the study to be conducted by the Bay Area Council Economic Institute. Said contract shall be brought to this Board for further consideration. Staff is directed to take all necessary actions to work with the Port to release the funds necessary to implement this short-term land use study as expeditiously as possible.*

**Motion** to approve resolution; motion by S. Prieto, seconded by J. Sadd, and carried with the following vote:

Ayes: Unanimous. (7)

**Motion** to create an RFP to solicit a contractor for the Health Impact Study to be conducted as expeditiously as possible; motion by J. Sadd, seconded by J. Marquez, and carried with the following vote:

Ayes: Unanimous. (7)

**ITEM NO. 5** REPORT BY THE EXECUTIVE DIRECTOR SEARCH ADVISORY COMMITTEE

Interim Executive Director Mark Vargas gave a staff report to the Board. Board members provided input to staff regarding selection criteria for the Executive Director.

**ITEM NO. 6** REPORT BY THE OFFICE LOCATION SEARCH ADVISORY COMMITTEE

Board Administrative Assistant Arturo Alvarez gave a staff report to the Board regarding the status of the execution of a lease agreement with Beacon Square.

**Motion** to authorize staff to execute a lease if approved by both legal counsel and the Office Space Search Committee; motion by M. Prichard, seconded by J. Sadd, and carried with the following vote:

Ayes: Unanimous. (7)

**ITEM NO. 7** REPORT BY THE FINANCE ADVISORY COMMITTEE

**Motion** to substitute Director Hecht for Director Sadd on the Finance Advisory Committee; motion by K. Woodfield, seconded by M. Prichard, and carried with the following vote:

Ayes: Unanimous. (7)

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**ITEM NO. 8** STAFF REPORT: REQUEST FOR QUALIFICATIONS FOR NOISE IMPACT STUDY

Interim Executive Director Mark Vargas gave a report on the status of the RFQ. Board members discussed the RFQ and provided input and suggestions to staff regarding the language of the RFQ and the expected deliverables.

**Motion** to authorize staff to release RFQ for Phase 1 of Project A from Exhibit A of TraPac MOU with authority to make amendments based on suggestions offered by the Board; motion by J. Sadd, seconded by M. Prichard, and carried with the following vote:

Ayes: Unanimous. (7)

**Motion** to remove Item Numbers 4, 9, and 10 from the agenda; motion by J. Sadd, seconded by J. Marquez, and carried with the following vote:

Ayes: Unanimous. (7)

**ITEM NO. 4** REPORT BY THE STRATEGIC PLANNING ADVISORY COMMITTEE

**ITEM NO. 9** STAFF REPORT: IMPLEMENTATION OF PROJECT C FROM EXHIBIT A OF TRAPAC MOU – HEALTH GRANTS

**ITEM NO. 10** STAFF REPORT: IMPLEMENTATION OF PROJECT D FROM EXHIBIT A OF TRAPAC MOU – JOB TRAINING

**ITEM NO. 11** STAFF REMARKS

There were no staff remarks.

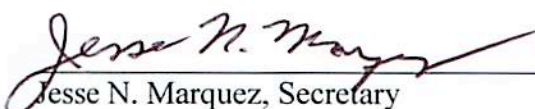
**ITEM NO. 12** ADJOURNMENT

**Motion** to adjourn; motion by J. Sadd, seconded by J. Marquez, and carried with the following vote:

Ayes: Unanimous. (7)

Chair S. Hecht closed the meeting at 1:44 PM

*I hereby certify that these minutes have been approved.*

  
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Jesse N. Marquez, Secretary

1-19-2012  
Date