

**MINUTES**  
*Of*  
**The HARBOR COMMUNITY BENEFIT FOUNDATION**  
**January 19, 2012**

**Location:** 638 South Beacon Street, Room 452, San Pedro, CA 90731

**Time Started:** 10:11 AM

**Present:** Chair Sean Hecht, Vice Chair Michele Prichard, Director Peter Peyton, Director Kathleen Woodfield (4)

**Absent:** Treasurer Silvia Prieto, Secretary Jesse Marquez, Director Jim Sadd (3)

**STAFF:** Mary Silverstein, Executive Director

Mission Infrastructure - Mark Vargas, Consultant Staff; Arturo Alvarez, Consultant Staff

**COUNSEL:** Serena Lin, Public Counsel, Interim General 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 on comments from the public. There were no comments from the public.

**ITEM NO. 2 BOARD MEMBER REMARKS**

Chair S. Hecht called on comments from the Board. There were no comments from the Board.

**ITEM NO. 3 REVIEW AND APPROVAL OF THE MINUTES FOR HCBF MEETINGS DATED AUGUST 11, 2011; SEPTEMBER 6, 2011; OCTOBER 12, 2011 (SPECIAL MEETING); OCTOBER 18, 2011; NOVEMBER 1, 2011; NOVEMBER 9, 2011 (SPECIAL MEETING)**

**Motion** to accept the minutes as presented; motion by P. Peyton, seconded by M. Prichard, and carried with the following vote:

Ayes: Unanimous. (4)

**ITEM NO. 4 REVIEW AND APPROVAL OF THE MINUTES FOR THE HCBF MEETING DATED DECEMBER 1, 2011**

**Motion** to accept the minutes with corrections; motion by P. Peyton, seconded by M. Prichard, and carried with the following vote:

Ayes: Unanimous. (4)

**ITEM NO. 5 RATIFICATION OF A RESOLUTION TO ESTABLISH AND GRANT AUTHORITY TO THE CORPORATION'S NEW EXECUTIVE DIRECTOR**

Chair S. Hecht removed Item No. 5 from the agenda.

**ITEM 6A REPORT ON THE CURRENT AND PROJECTED FUND BALANCE OF THE PORT COMMUNITY MITIGATION TRUST FUND**

Chair Sean Hecht gave a brief overview regarding the transfer of funds from the Port Community Mitigation Trust Fund (PCMTF) to the trustee, California Community Foundation. He noted a more detailed presentation of the projected future fund balance would be made at a subsequent Board meeting to allow for attendance and participation of more Board Directors.

**ITEM 6B DISCUSSION AND REVIEW OF PORT APPROVED TRANSITION BUDGET FOR PERIOD OF NOVEMBER 2011 – MARCH 2012**

Executive Director Mary Silverstein presented a detailed report to the Board reviewing the Port-approved transition budget, consisting of HCBF expenditures incurred through December 2011 and first quarter projections in 2012, through March 2012.

**ITEM 6C DISCUSSION, REVIEW AND APPROVAL OF PROPOSED HCBF ANNUAL OPERATING BUDGET FOR 2012**

Executive Director Mary Silverstein gave a report to the Board on the proposed HCBF 2012 Annual Operating Budget, with a discussion of the funding categories from the transition budget for 3 months ending March 2012, and funding requirements for the 9 month period of April 2012 to December 2012.

**Motion** to accept the transition budget for the period ending March 30, 2012 and to adopt the 9 month operating budget for the period of April 2012 to December 2012, as amended, motion by M. Prichard, seconded by P. Peyton, and carried with the following vote:

Ayes: Unanimous. (4)

**Motion** to approve and adopt the annual operating budget in the amount of \$540,000, as amended, to include fund development; as the HCBF Annual Operating Budget for Calendar Year 2012; motion by P. Peyton, seconded by M. Prichard, and carried with the following vote:

Ayes: Unanimous. (4)

**ITEM 6D** DISCUSSION AND APPROVAL OF REQUEST TO THE BOARD OF HARBOR COMMISSIONERS (BOHC) TO APPROVE THE ANNUAL OPERATING BUDGET AND RELEASE FUNDS FOR OPERATIONS OF THE HCBF IN ACCORDANCE WITH THE OPERATING AGREEMENT OF THE TRAPAC MOU

Executive Director Mary Silverstein gave a report to the Board on this item, with a draft memorandum to the Board of Harbor Commissioners (BOHC) containing 1) a report of the transition budget, including funds expended through December 2011 and operating funds projected for first quarter 2012; and 2) the HCBF annual operating budget for the calendar year ending December 2012, with a request to release funds from the PCMTF to HCBF, for the 9 month period of April 2012 to December 2012.

**Motion** to approve the Annual Operating Budget for Calendar Year 2012 and to authorize the Executive Director to obtain approval from the BOHC to transfer operating funds to the Port Community Mitigation Fund (PCMTF), held in trust by the California Community Foundation, for the Annual Operating Budget for Calendar Year 2012; motion by M. Prichard, seconded by P. Peyton, and carried with the following vote:

Ayes: Unanimous. (4)

**ITEM NO. 7** REVIEW AND APPROVAL OF AWARDEES FOR 2012 HEALTH GRANT PROGRAM

Executive Director Mary Silverstein reported the ad hoc committee met, and preliminary recommendations had been considered, but since site visits are in progress, staff recommendations for grant awardees will be withheld until the visits are completed and the committee reconvenes.

S. Hecht continued Item No. 7.

**ITEM NO. 8** REVIEW AND APPROVAL OF IMPLEMENTATION OF PROJECT D FROM EXHIBIT A OF TRAPAC MOU – JOB TRAINING AND LOCAL HIRE POLICY

Chair S. Hecht removed Item No. 8 from the agenda.

**ITEM NO. 9** REVIEW AND APPROVAL OF CONTRACTOR FOR PERFORMANCE OF NOISE ASSESSMENT

Staff Consultant Mark Vargas gave a staff report on contractor proposals submitted, the evaluation and selection process, panel deliberation and input. Staff recommended award of the contract to Landrum & Brown. Board members stated their concerns with the breadth/reach of the noise assessment.

Fred Greve from Landrum & Brown responded to questions from the Board and agreed to refine the scope of work.

**Motion** to approve selection of Landrum & Brown, as the preferred contractor, to perform the noise assessment and to direct staff, with the assistance of Board members, to work with the contractor to

develop a draft contract and to revise the scope of work; motion by P. Peyton, seconded by K. Woodfield, and carried with the following vote:

Ayes: Unanimous. (4)

**ITEM NO. 10 REVIEW AND APPROVAL OF THE CONTRACT FOR SHORT-TERM LAND USE STUDY, AND AUTHORIZATION OF STAFF TO PRESENT SAID CONTRACT TO THE BOARD OF HARBOR COMMISSIONERS FOR ITS APPROVAL**

Staff Consultant Mark Vargas gave a report to the Board on this item, explaining that the Contract and Scope of Work have neither been finalized nor distributed to the board for review or approval. Some Board members expressed their concerns. Counsel S. Lin talked to the Board generally on the status of the form of contract and the BOHC approval process. No action was requested by the Board on this agenda item.

(Director M. Prichard was excused and left the meeting.)

**ITEM NO. 11 STAFF REMARKS**

Executive Director (ED), Mary Silverstein, reported on an informal gathering with the TraPac Appellants at the new HCBF offices on January 11. Attendees included Board members Kathleen Woodfield and Jesse Marquez; staff consultants Mark Vargas and Arturo Alvarez; Adrian Martinez, Frank O'Brien, Martin Schlageter, Gisele Fong, Dr. John Miller, and Chuck Hart.

The ED also reported she and Board Director Peter Peyton attended the Mayor's press conference at the port on January 4, celebrating the Port of Los Angeles Clean Truck Program.


**ITEM NO. 12 ADJOURNMENT**

**Motion** to adjourn; motion by P. Peyton, seconded by K. Woodfield, and carried with the following vote:

Ayes: Unanimous. (3)

Chair S. Hecht closed the meeting at 1:18 PM

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



Jesse N. Marquez, Secretary



Date