

1 AGENDA FOR A SPECIAL MEETING OF THE GOVERNING BOARD
2 OF THE INTERMODAL CONTAINER TRANSFER FACILITY
3 JOINT POWERS AUTHORITY
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10 SILVERADO PARK
11 PUBLIC MEETING
12 NOVEMBER 13th, 2012
13 6:00 P.M.
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21 Reported by:

22 Olivia Lizarraga, CSR No. 13475

23 Job No. 129953
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1 LONG BEACH, CALIFORNIA, TUESDAY, NOVEMBER 13, 2012

2 (6:07 p.m.)

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5 MR. SRAMEK: I'd like to welcome everybody here
6 tonight to the West Side, Silverado Park, for the JPA for
7 ICTF on Tuesday night, November 13th, 2012. I'd like to
8 do a roll call please, madam Secretary.

9 MADAM SECRETARY: Board Member Lytel.

10 MR. LYTTLE: Here.

11 MADAM SECRETARY: Board Member Sramek?

12 MR. SRAMEK: Here.

13 MADAM SECRETARY: Board Member Knatz?

14 MS. KNATZ: Here.

15 MADAM SECRETARY: Board Member Miscikowski?

16 MR. SRAMEK: Thank you, Madam Secretary. Just to
17 let you know, Susan Miscikowski took ill, so she won't be
18 here tonight.

19 I'd like to make an opening statement. Persons
20 in the audience may address this Board in connection with
21 any agenda item or during the public-comment period. As
22 provided by the Brown Act, the Board has limited each
23 individual speaking time to three minutes. Anyone
24 desiring to speak during the public-comment period is
25 requested to complete a speaker card and submit it to the

1 secretary prior to the start of the meeting. Okay?

2 So right now we'd like to do comments from the
3 public on non-agenda items. Is there anybody who would
4 like to make any comments on non-agenda items? Yes.

5 Mr. Cross, please give your full name.

6 MR. CROSS: My name is John Cross. I've got a quick
7 question. I know you guys are joint powers,
8 Port of LA, Port of Long Beach. There's a rail line that
9 runs behind my neighborhood, and the project that's being
10 built -- being proposed by the BNFS rail yard is going to
11 take out a rail bridge there, and that train runs behind
12 my neighborhood and schools.

13 Now, since both of you jointly own that rail
14 yard or rail line back there, how much information does
15 the Port of Long Beach have on that rail yard or rail
16 line back there behind Stevens and residential areas?
17 Does the Port of Long Beach have any information on that,
18 Port of LA, because BNSF is supposed to be taking out the
19 bridge over there?

20 MR. SRAMEK: Maybe Chris can answer that. That's
21 not part of the agenda tonight.

22 MR. CROSS: You said, "non-agenda item."

23 MR. SRAMEK: Yeah. No, no, I don't know what we can
24 answer on that.

25 MR. LYTLE: No, I don't have any information on

1 that. We can get the information.

2 MR. SRAMEK: Chris, do you want to make comments?

3 MR. CANNON: Okay. John, I just want to make sure I
4 understand your question. Are you referring to the
5 bridge that crosses Willow, slash, Sepulveda right there?

6 MR. CROSE: Yes.

7 MR. CANNON: Okay. So that is a bridge that would
8 be affected by the SCIG Project. They're going to have
9 to remove the bridge and replace it with a widened bridge
10 that's in the Environmental document. So are you
11 referring to the fact that it is a historic bridge, is
12 that my question?

13 MR. CROSS: (Inaudible) -- ask the
14 Port of Long Beach about that, since you jointly own that
15 bridge.

16 MR. CROSS: I can't -- it's in the document.

17 MS. CROSE: May I interrupt? Just so everybody in
18 the audience is clear, this is a ICTF, JPA Board meeting.
19 and I am aware there is another railroad project by the
20 other railroad, BNSF. But that is not the the subject of
21 tonight's hearing. So if you have any questions about
22 the BNSF project, that is a Port of Los Angeles and you
23 could, you know, direct the question to the
24 Port of Los Angeles, but not here.

25 MR. CROSS: But the Port of Los Angeles,

1 Port of Long Beach jointly own it.

2 MS. CROSE: I know, but this is not -- the subject
3 matter here is ICTF, and the ICTF Project will be
4 discussed later on tonight, but not the BNSF Project.

5 MR. CROSS: Okay. He said, "non-agenda items."

6 MR. SRAMEK: What I might suggest to you is that if
7 you're really interested in that, you might want to come
8 down to a Port of Long Beach Board of Harbor Commission
9 meeting and ask it there, and we can either then address
10 it there, what we know, if that's what you're asking, or
11 we can see what kind of information we can get you, can
12 or can't get you. Okay? Next.

13 MR. LOGAN: Hello, members of the Board. My name is
14 Angelo Logan with East Yard Communities for Environmental
15 Justice, and I wanted to raise an item for potentially a
16 future agenda or for consideration in studying the
17 expansion of the ICTF.

18 There has been some information that has been
19 published regarding the Santa Teresa Yard, BP Yard, in
20 New Mexico. And the way that it's been shared in
21 newspaper articles and so forth is to allow for the
22 capacity needs and expansion through the Ports of LA and
23 Long Beach (inaudible) system in general. So I think
24 that it's important to include a system-wide analysis of
25 capacity needs within the goods-movement system, not just

1 in isolation, not just within ICTF, not just within the
2 port complex, but looking at the system in whole.

3 So I would like to raise that project as
4 potential area to analyze as meeting the needs for ICTF
5 expansion. Thank you.

6 MR. SRAMEK: Okay. Thank you. Do you want to say
7 anything? Do you want to address this in any way right
8 now?

9 MR. THIESSEN: Chairman Sramek, there has been
10 discussion about the Santa Teresa Railroad Facility in
11 New Mexico. I think that's relevant to Item Number 11 on
12 the agenda, and staff is going to be given a report on
13 the preparation of the Environmental Document. And when
14 we get to that on the agenda, I think it would be
15 appropriate to have some discussion.

16 MR. SRAMEK: Thank you, Mr. Thiessen. Anybody else
17 wish to make any comments on non-agenda items? Okay.
18 We'll go to the approval of minutes. Everybody read the
19 minutes?

20 MS. CROSE: I'll move it.

21 MR. LYTLE: Second.

22 MR. SRAMEK: Okay. We have a motion and a second.
23 Anybody else wish to comment? Okay. Seeing none, we
24 have a motion and a second. All in favor of the motion
25 the say, "I."

1 MS. KNATZ: I.

2 MR. LYTTLE: I.

3 MR. SRAMEK: I. Okay. Motion passes unanimously.

4 MS. KNATZ: Mr. Chairman, I notice it's, like, a
5 verbatim transcript. It's got every "yeah" and "um" in
6 it, and I'm just -- is that -- it seemed like a different
7 format. Is that how we always work?

8 MR. SRAMEK: Yeah. It surprised me.

9 MS. KNATZ: Okay.

10 MR. SRAMEK: We're not going to do that every time,
11 are we?

12 MS. KNATZ: It seems like a lot of unnecessary
13 work.

14 MR. THIESSEN: Members of the Board, in the past we
15 have provided a legal transcript of the proceedings here
16 tonight. We have received numerous comments from members
17 of the community, and in order to capture their comments,
18 we provided that sort of service. We will not do that
19 every week, and I do agree it is a little wordy, and we
20 will annotate those in the future.

21 MR. SRAMEK: Okay. Thank you. Thanks for bringing
22 that up.

23 Okay. Item D is Election of Officers for 2012,
24 2013. Can I have the nominations?

25 MR. LYTTLE: I would nominate Cindy Miscikowski for

1 President, Chairman.

2 MS. KNATZ: And I would nominate Nick Sramek for
3 Vice Chair.

4 MR. LYTLE: Okay. Second the motion. Can we do
5 that all in one motion?

6 MR. SRAMEK: Okay. We have a motion and a second.
7 Anybody in the audience want to make any comments on
8 that? Seeing none, we have a motion and a second. All
9 in favor of the motion say, "I."

10 MR. LYTLE: I.

11 MR. SRAMEK: Motion passes unanimously. Thank you.
12 Okay. Item E, Board Reports of Executive
13 Director.

14 MR. THIESSEN: Thank you, Mr. Chairman. Members of
15 the Board, we have a number of items on the agenda
16 tonight. The first item is a request to approve the
17 acting General Counsel for the ICTF Joint Powers
18 Authority.

19 You're probably aware that Mr. Thomas Russell
20 has retired from his position at the Port of Los Angeles
21 as General Counsel. Joy Crose is Acting
22 Assistant General Counsel -- I'm sorry -- for the
23 City of Los Angeles Harbor Division, and is serving as
24 Acting General Counsel now for the Port of Los Angeles.
25 Ms. Crose is here with us today.

1 Just as a way of background, Ms. Crose has
2 worked on JPA legal matters for numerous years. She has
3 done a very thorough job for the JPA. She is familiar
4 with all aspects of the current Joint Powers Authority,
5 the existing contracts, the JPA bylaws, and our ongoing
6 EIR preparation. We're recommending that the Board
7 appoint Ms. Crose as Acting General Counsel, and, also,
8 the Board find that this activity is administrative and
9 will not result in direct or indirect physical changes to
10 the environment, as such, is not a project as defined by
11 CEQA Guideline Sections 15378.

12 MR. SRAMEK: Thank you.

13 First of all, I'd like to, just for the record,
14 thank Tom Russell for years that he put in as our
15 General Counsel here. So I really appreciate what he's
16 done. I don't know if anyone sees him. I'd like to tell
17 him that we appreciate (inaudible.)

18 MR. THIESSEN: If it pleases the Board, we could
19 write Mr. Russell a thank-you letter for his service.

20 MR. SRAMEK: Yes. Thank you. Okay. Can I have a
21 motion on appointing Ms. Crose?

22 MS. KNATZ: I'll move.

23 MR. LYTTLE: Second.

24 MR. SRAMEK: Motion and a second. Comments from the
25 public? Seeing none, I have a motion and a second. All

1 in favor of the motion say, "I."

2 MS. KNATZ: I.

3 MR. LYTTLE: I.

4 MR. SRAMEK: I. Motion passes.

5 Okay. Mr. Thiessen, next, recommendation to
6 move the meetings. Maybe you can explain a little bit
7 about what this is about and why.

8 MR. THIESSEN: Yes. Thank you, Mr. Chairman.

9 The JPA bylaws dictate that the annual
10 governing Board have a meeting on or about July 1st. It
11 has been difficult to get a quorum during the summer
12 months for all four JPA Board members. It has -- for
13 whatever reason, one person would be traveling, another
14 person on vacation. Furthermore, it is a little early in
15 the season when we start receiving the financial reports
16 from our auditors. So it has been the custom in the last
17 few years to hold JPA meetings later in the summer,
18 sometimes as late as September or October.

19 Consequently, it is the recommendation of the
20 JPA staff that we change the bylaws accordingly to modify
21 them and move the date of the annual governing board
22 meeting to October instead of on or about July 1st. An
23 amendment to the bylaws would be then prepared and
24 provided for the JPA's consideration at a future meeting.
25 This item is a recommendation to do that. We don't have

1 the bylaw minimum available tonight to vote on, but I
2 wanted to put this before the JPA Board for their
3 consideration and approval.

4 MR. SRAMEK: Okay. Did you want to also talk about
5 the finances and when we get --

6 MR. THIESSEN: Yes. Thank you. As you know, there
7 is, in the agenda tonight, subsequent items, requests for
8 approvals for various financial documents including a
9 proposed budget for subsequent years spending. The
10 auditors of the Joint Powers Authority in recent years
11 have been completing those activities sometimes in late
12 July and sometimes into August, and even into September
13 when there's documents that have been difficult to
14 finalize and complete. Not have those documents
15 completed in time for a meeting in July would be -- would
16 cause a need to shift meeting a few months later.

17 So consequently, it would be, I think, better
18 for the JPA to formally reset the board meetings in
19 October, at least one meeting a year, and that would give
20 the staff and the auditors ample time to get the
21 financial documents together, review them, and schedule a
22 meeting with the JPA Board that accommodates everybody's
23 schedule.

24 MR. SRAMEK: All right. Thank you, Mr. Thiessen.

25 Okay. If that's okay with the Board, can I

1 have a motion to amend the bylaws, please?

2 MR. LYTTLE: So moved.

3 MS. KNATZ: Second.

4 MR. SRAMEK: Okay. I have a motion and a second.

5 Anybody in the public wish to address that item? Okay.

6 Seeing none, we have a motion and a second. All in favor

7 of the motion say, "I."

8 MR. SRAMEK: I.

9 MR. LYTTLE: I.

10 MR. SRAMEK: Opposed? Okay. Motion passes

11 unanimately. Thank you.

12 Okay. Now the financial audit.

13 MR. THIESSEN: Yes. Thank you, Mr. Chairman.

14 The financial audit for the fiscal year ending
15 June 30th, 2011, is completed. The audit determined that

16 the fiscal year documents the financial positions, the

17 change in the financial position, and then cash flows are

18 presented fairly and accurately. The operating revenues

19 for the fiscal year increased 4.8 percent to \$3,999,544.

20 The volume of the containers moved through that

21 fiscal year ending June 30th was up slightly, 4 percent,

22 to 416, just a little under 417,000 containers moved.

23 It's recommended the governing board receive and file the

24 Financial Audit Report for the fiscal year ending

25 June 30th, 2011.

1 Just a couple comments about the financial
2 audit. KPMG has been doing the audit for the JPA for
3 many years now. They also provide audit services to the
4 Ports of Los Angeles, Long Beach, and the
5 City of Long Beach, and they have been reviewing the
6 books quite closely. We have available, if questions
7 about this or the next couple items come up, our
8 Chief Financial Officer, Mr. Sam Joumblot, available.

9 MR. SRAMEK: Thank you, Mr. Thiessen. Any questions
10 by Commissioners, JPA Board members?

11 MR. LYTLE: No.

12 MR. SRAMEK: Okay. Can I have a motion to --

13 MS. KNATZ: Motion.

14 MR. LYTLE: Second.

15 MR. SRAMEK: Okay. We have a motion and a second to
16 approve the audit. Anybody in the public -- from the
17 public wish to make any public comments?

18 Seeing none. Okay. We come back here. I have
19 a motion and second. All in favor of the motion say,
20 "I."

21 MS. KNATZ: I.

22 MR. LYTLE: I.

23 MR. SRAMEK: I. Motion passes unanimously. Thank
24 you. Okay. The next one is the AUP.

25 MR. THIESSEN: Yes. Thank you, Chairman Sramek.

1 The Net Facility Revenue report and AUP is
2 attached for your review and approval, and this is ending
3 period November 1st, 2011. It's a little bit different
4 than the Fiscal Year Report. This is an Annual Revenue
5 report. The KPMG, again, has reviewed the ICTF's net
6 revenue during the year, and this is a slightly different
7 calendar year.

8 There were 409,448 gross container moves,
9 generating gross revenues of \$12,283,440. This is a
10 slight decrease, 1.2 percent from 2010, over this
11 specific reporting period. The gate fees collected by
12 the ICTF less the allowable deductions result in a net
13 facility revenue of just under \$8 million, \$7,950,476.
14 As prescribed in the JPA governing documents, these
15 revenues are to be equally shared by both
16 Joint Powers Authority and the Union Pacific Railroad.
17 On November 1st, accordingly, Union Pacific transferred
18 50 percent of that amount, or \$3,975,238, to the ICTF
19 investment accounting, representing that
20 50-percent share.

21 The final draft of the Net Facility Revenue
22 report is attached. The auditors and the JPA staff are
23 in full agreement of all issues. We're recommending the
24 governing board receive and file the Net Facility Revenue
25 report for the year ending November 1st, 2011.

1 MR. SRAMEK: Okay. Thank you. Questions? Got a
2 motion, then?

3 MS. KNATZ: I'll move it.

4 MR. LYTTLE: Second.

5 MR. SRAMEK: Okay. Approving the report. Anybody
6 in the audience wish to make any comments?

7 Seeing none, bring it back here. We have a
8 motion second. All in favor of the motion say, "I."

9 MR. LYTTLE: I.

10 MR. SRAMEK: I.

11 MS. KNATZ: I.

12 MR. SRAMEK: Motion passes unanimously.

13 Okay. The Reimbursable Work Order.

14 MR. THIESSEN: Thank you, Chairperson Sramek.

15 We're recommending that the ICTF JPA governing
16 board approve and execute an amendment to the
17 Reimbursable Work Order with the Union Pacific Railroad,
18 increasing the maximum reimbursable amount from
19 \$4 million to \$5 million.

20 As you know, the JPA staff and our outside
21 consultants have been working numerous -- for numerous
22 years on preparation of the Environmental Document for
23 potential modernization of the ICTF. The
24 Union Pacific Railroad agreed to reimburse these
25 expenses, including legal costs, environmental costs, and

1 associated staff costs associated with that effort up to
2 amount of \$4 million. The expenses are now estimated to
3 cost almost \$5 million dollars. Additional \$989,000 is
4 being estimated to complete the environmental work and
5 the legal work due to delays, and additional efforts were
6 unanticipated when this original Reimbursable Work Order
7 was approved.

8 Accordingly, we're recommending the Board
9 approve and direct the Executive Director to execute an
10 amendment with that Reimbursable Work Order, increasing
11 the amount, not to exceed the amount of \$5 million. This
12 is anticipating to handle all costs associated with the
13 preparation of the draft and the Final Environmental
14 Document.

15 MR. SRAMEK: Okay. Thank you, Mr. Thiessen.

16 Okay. Questions? It's too easy on him. Okay.
17 Can I have a motion?

18 MR. LYTLE: So moved.

19 MS. KNATZ: Second.

20 MR. SRAMEK: Okay. I have a motion and second.
21 Anybody in the public wish to make any comments on this
22 item?

23 Seeing none, bring it back. For the
24 Reimbursable Work Order change, all in favor of the
25 motion say, "I."

1 MS. KNATZ: I.

2 MR. LYTTLE: I.

3 MR. SRAMEK: Okay. We have a unanimous decision.
4 Thank you.

5 Okay. The next is our budget, 2012-2013
6 budget.

7 MR. THIESSEN: Yes. Thank you, Mr. Chairman.

8 The proposed budget for 2012-2013 is
9 \$3.7 million. Of that \$3.7 million -- and, I'm sorry, I
10 should have mentioned, attached to the back of your
11 memorandum is the proposed budget. If you just flip the
12 page over, you can see the existing approved, adopted
13 2012 budget, the estimated actual expenditures, and the
14 proposed 2012-2013.

15 The majority of the costs estimated for the
16 coming year include 1.6 million -- I'm sorry,
17 \$1.69 million, primarily devoted to environmental and
18 legal costs associated with the modernization of the ICTF
19 proposed project. And this, along with previous funds
20 spent in this category, are estimated to total to about
21 \$4.9 million, and that is consistent with the previous
22 item on the Board agenda.

23 Operating expenses for the JPA are relatively
24 small, estimated to be less than \$100,000 a year. They
25 include costs for accounting fees and that sort of thing.

1 They're outlined in the proposed 2012-2013 budget. The
2 other large expenditure that is kind of a place holder
3 that we've kept from previous years is this estimated
4 \$1.9 million for the widening of Sepulveda Boulevard
5 between Alameda street and the entrance to the ICTF.
6 The City of Carson, for numerous years, kept this project
7 on their books, but they have not completed the
8 environmental reviews, and, as such, we're holding this
9 \$1.9 million as just a place holder in case that were to
10 be requested by the City of Carson.

11 So, accordingly, if you sum those totals up,
12 the estimated expenditures for 2012-2013 budget is the
13 amount of \$3,717,990, recommending that the
14 Joint Powers Authority Board approve this as the budget
15 for the coming year.

16 MR. SRAMEK: Thank you, Mr. Thiessen. I actually
17 have a question on that. Does anybody have any
18 conversations with the City of Carson about changes on
19 Sepulveda and what they're going to do with this? We're
20 holding it every year. I'm just curious if --

21 MR. THIESSEN: I have not talked to them lately. We
22 could do that and get back to the Board. Again, this --
23 every year we kind of hold this over.

24 MS. KNATZ: Does it go on forever?

25 MR. SRAMEK: Yeah, that's the question.

1 MR. THIESSEN: We're holding it as a place holder,
2 in case the project comes back to life. It seems to be
3 on the back burner with the City of Carson, and I could
4 get back to the JPA Board with an update on that.

5 MR. SRAMEK: That would be nice to just see if we
6 should hold it forever --

7 MS. KNATZ: Yeah.

8 MR. SRAMEK: -- what they're thinking.

9 MR. GONZALEZ: Excuse me. I'm with the City of
10 Carson. I'd like to make some comments.

11 MR. SRAMEK: Would you like to make some comments?
12 Sure. I'd love to know, if you have any idea. If we're
13 holding the money for you --

14 MR. GONZALEZ: For the record, I'm Zack Gonzalez, an
15 associate planner from the Planning Division.

16 I know that the Engineering Division sent a
17 letter last year for the Board staff identifying what the
18 status was. I would recommend that the Board staff
19 reference that letter for the record.

20 MR. SRAMEK: Okay. Thank you.

21 MR. THIESSEN: We'll have to find that letter.

22 MR. SRAMEK: Good. At least -- it would be nice to
23 at least have reference to letters and see what the
24 status is.

25 The other question I have is, since we're

1 hopefully nearing the end of the EIR preparation, are we
2 planning any future meetings when the EIR comes out or
3 anything, and is it covered in the budget?

4 MR THIESSEN: There are funds in the budget to
5 conduct enough meeting as necessary, for example, if we
6 release a draft EIR and need to have a public meeting.
7 Those costs are in the contingency budget.

8 MR. SRAMEK: Okay. Thank you. Any other questions?
9 Okay. Can I have a motion?

10 MS. KNATZ: Move it.

11 MR. LYTTLE: Motion second.

12 MR. SRAMEK: Okay. We have a motion and a second.
13 Anybody in the public wish to make any comments on our
14 budget? Seeing none, I have a motion and a second. All
15 in favor of the motion say, "I."

16 MS. KNATZ: I.

17 MR. LYTTLE: I.

18 MR. SRAMEK: I. Motion passes unanimously. Thank
19 you.

20 In fact, I don't know if we'll refer back to a
21 couple of these items, but especially the Reimbursable
22 Work Order, when we get to the later items about
23 environment and others, I guess, eight, nine, and ten.
24 So maybe you can refer back a little bit to the
25 Reimbursable Work Order and what all is going on. I'm

1 not asking for it now, but I just wanted to mention that,
2 you know, it all has to do with EIR preparation and
3 finalization of it.

4 Okay. Number seven, distribution of funds,
5 Mr. Thiessen.

6 MR. THIESSEN: Yes. Thank you, Mr. Chairman.

7 As is the custom each year, the net revenue
8 distribution from Union Pacific Railroad is received and
9 goes into the cash balance for the
10 Joint Powers Authority. The estimated revenue and
11 distribution of funds would leave an approximately
12 \$1.9 million balance, which is expected to be sufficient,
13 in addition to our proposed budget, to handle any
14 additional costs. This would leave approximately
15 \$4 million available for distribution to the two Ports to
16 be split at a 50/50 percent, and that would leave a
17 carry-over budget of \$2.6 million for fiscal 2012-2013.

18 Based on the expected expenditures and budget
19 that was just previously approved, leaving this balance
20 seemed appropriate, and, therefore, we are recommending
21 that the governing boards authorize distributions of
22 \$4 million to the joint ventures of Port of Los Angeles
23 and the Port of Long Beach in the amount of \$2 million
24 each.

25 MR. SRAMEK: Thank you, Mr. Thiessen. Questions?

1 MS. KNATZ: I'll move it.

2 MR. LYTTLE: Second.

3 MR. SRAMEK: Okay. Motion and second. Anybody in
4 the public wish to make any comments on the line up?
5 Seeing none, bring it back.

6 We have a motion and a second. All in favor of
7 the motion say, "I."

8 MS. KNATZ: I.

9 MR. SRAMEK: I.

10 MR. LYTTLE: I.

11 MR. SRAMEK: Motion passes unanimously.

12 Okay. What I'd really like to do is maybe just
13 tie the next three items together, and say who is doing
14 what and why we're doing it. I think that will help
15 everyone in the audience understand.

16 MS. KNATZ: Mr. Chairman, you know, it seemed to me
17 that Item 11 ought to go first before eight, nine, and
18 ten, because, I guess, I'd like to understand what the
19 status is of the EIR before we approve all these
20 contracts, especially how it relates to the railroads'
21 new schedule, so.

22 MR. SRAMEK: Okay.

23 MS. KNATZ: Does that make sense?

24 MR. LYTTLE: That's fine.

25 MR. SRAMEK: Okay. Let's do that. We'll go to

1 Item 11. We'll take it out of order, Item Number 11.
2 We'll go to Item Number 11.

3 MR. THIESSEN: Okay. Thank you, Mr. Chairman.

4 Item Number 11 is a Progress/Status Report on
5 preparation of the Environmental Impact Report of the
6 proposed modernization project.

7 Before I turn to staff and ask them to give the
8 Board an update, I would like to let the folks in the
9 audience know, we do have a Spanish-English language
10 translator available if there are members of the audience
11 who require those services. I would also ask those who
12 would like to speak on Item 11, please fill out a comment
13 card. We have them in the back of the room. I have
14 received three of those, and, perhaps, that could be done
15 now if there's anybody in the audience who hasn't filled
16 them out while the staff prepares a report, and then we
17 may get some requests for additional speakers beyond the
18 three that I have.

19 With that, just a little update, staff has been
20 working diligently with the Union Pacific Railroad and
21 their legal counsel, our legal counsel, and outside
22 counsel. We have engaged a number of consulting firms,
23 specifically Environ and E2 Manage Tech to assist us in
24 preparation fo the Environmental Impact Report. That's
25 been a very long and challenging effort. There's been a

1 lot of information requested by staff to the
2 Union Pacific Railroad, and they've been forthcoming with
3 that, but it's a very complicated and challenging
4 project.

5 Maybe I can turn the microphone at this time
6 over to Mr. Rick Cameron from JPA staff to give us an
7 update. We also have other members in the audience who,
8 if the Board needs more information, can call on.

9 MR. CAMERON: Thank you, Doug, Mr. Chair, Board
10 Members.

11 As you recall last, at the last JPA Board
12 meeting, November 2011, there was a major transition that
13 the Board considered, and that was, transitioning AQMD
14 out of a consulting role and having Environ kind of take
15 over the efforts that AQMD and the AQMD's consultants had
16 been working on previously. Since that Board meeting and
17 the Board's action of moving forward with Environ taking
18 the lead as a consultant for preparation of the document,
19 at that time there was a lot of analysis that was still
20 uncompleted for several months thereafter and into 2012,
21 working with Environ, and their subs, and the JPA team as
22 a whole.

23 We are able to get to a point of almost
24 completing that analysis. A couple of events happening
25 though, and I think that kind of is where we were with

1 regard to some of the delays that I want to highlight.
2 As you also know, there was the release of another
3 proposed railroad nearby, and JPA staff at that time had
4 an opportunity to review some of those comments that had
5 come out in that Draft Environmental Document. I think
6 there was some significant comments related to questions
7 questions about baseline, for instance, some of the
8 updates to modeling, some other significant updates to
9 data sources to be considered.

10 Because we have committed, this Board has
11 committed, and JPA staff is committed with the
12 Port of Los Angeles to ensure continuity and consistency
13 amongst those final analysis of the Draft Documents
14 related to proposed projects, they are individualized.
15 As you know, we took a lot of time to really think about
16 those comments and what it means for the proposed project
17 before us, the ICTF project and the Draft EIR that we are
18 working on.

19 We, at that point, made some recommendations
20 and consulted with the project Applicant, Union Pacific,
21 at the time, that we actually do updates consistent with
22 what the Port of Los Angeles was going to be doing with
23 the draft Environmental Document for the SCIG Project.
24 And that took a little time to really get an
25 understanding of what we're talking about, because they

1 are two individual projects. There are differences. We
2 needed to collect a (inaudible) with the Applicant to
3 proceed with making a lot of changes.

4 What that meant was, we had to go back and tear
5 apart the engine and start from scratch. That's what
6 we've been doing really since early June, and part of
7 that initial effort over the summer has been a working
8 with UP on data collection. A lot of the updated
9 information needed related to those changes, as well as
10 confirming, ground truthing some of that information, and
11 handing it over to Environ for them to get started on the
12 re-analysis.

13 And that's really where we are today. We're in
14 the process right now of updating the
15 Draft Environmental Document with all those changes we've
16 decided were important for a variety of reasons. I'll
17 conclude right there. I'd be happy to answer any other
18 questions.

19 Kind of moving forward, kind of in conclusion,
20 the goal schedule that we have to date is that we're
21 hoping to have a draft for public review in the spring.
22 We're hoping for late February, March time frame. That's
23 what the current schedule looks like. With that being
24 said, we still have to go through putting together an
25 admin draft. We haven't completed those analyses, and so

1 I kind of set spring as a goal at this point, so.

2 MS. KNATZ: Do you have all the data from the
3 railroad that you need to complete the EIR?

4 MR. CAMERON: I would say, we have about 95% of it
5 at this point in time. But with that being said, we are
6 also continuing to look at some of the data set before we
7 go through the comprehensive modeling effort.

8 As you know, Board Member, doing these analysis
9 with (inaudible) analysis, with the models, once you've
10 pressed the green button, it takes a lot to go back and
11 redo it. We really are in the process right now of, one,
12 making sure we have the right information and waiting for
13 some additional information to conclude that as well.

14 MS. KNATZ: And so I'm confused about how our
15 schedule relates to this letter, and events overtaking
16 us, and analysis being stale.

17 MR. CAMERON: We're still looking at the letter as
18 well. And in terms of -- that relates back to some of
19 the construction schedule. We just received it
20 yesterday, as did the Board and JPA staff. We haven't
21 had a chance for the JPA team to really sit down and
22 understand what that really means in terms of changes,
23 and whether that's going to be a significant delay or
24 not.

25 MR. THIESSEN: I think you're -- Chairwoman Knatz, I

1 think you're referring to the letter we received from
2 Union Pacific Railroad yesterday, regarding the schedule
3 of the facility.

4 MS. KNATZ: Yes, right.

5 MR. THIESSEN: Yeah. Each of the Board Members
6 should have a copy of that. There is a statement in
7 there indicating that construction of the railroad could
8 commence approximately 2017 -- I'm sorry, the expansion
9 or modernization of the facility. The staff is still
10 reviewing that and trying to understand what that means.
11 We need to sit down with Union Pacific Railroad and
12 understand that.

13 Like any project, if you receive approvals,
14 there is still a number of years necessary to complete
15 designs. It also includes negotiating a lease amendment.
16 There's numerous things, entitlements, that need to
17 occur. Sometimes they take years and years. So at this
18 stage, it's a little unsure how that would impact the
19 overall schedule. But, suffice to say, the team is
20 prepared to move forward and finalize the Draft EIR and
21 release it at this time.

22 MS. KNATZ: I didn't know what the current schedule
23 is as a comparison, so.

24 MR. CAMERON: The current -- notwithstanding if we
25 hadn't received this schedule, the current schedule is a

1 goal of releasable draft document, late February, early
2 March time frame. That's the current schedule we have
3 today.

4 MS. KNATZ: Did we have a schedule that included
5 start of construction?

6 MR. CAMERON: Well, that's all built within the
7 overall project description that we've been using for our
8 purposes of analysis to date.

9 MS. KNATZ: What was that date? I don't know what
10 that date is.

11 MR. CAMERON: I don't have it in front of me, but I
12 believe it was 2014.

13 MS. KNATZ: Okay.

14 MR. CAMERON: And, as you know, that is for the
15 first step, first phase of them to proceed with any type
16 of construction.

17 MS. KNATZ: Okay. Well, I'm pleased to know that I
18 have 95% of the information. And the other percent is
19 coming in, do we know when?

20 MR. CAMERON: We're continuing to work with UP on
21 that information.

22 MS. KNATZ: Okay. And do we know when it's coming
23 in?

24 MR. CAMERON: I can't answer that right now
25 directly.

1 MS. KNATZ: Because I know that you guys can deliver
2 EIRs. I've learned that the Applicant can control --
3 controls their destiny and the schedule. So I would just
4 like to know when you're, you know -- you keep giving us
5 a different schedule, and if we knew when you get all the
6 information, then you'd be able to come up with a
7 reasonable schedule.

8 MR. CAMERON: I completely understand what you're
9 saying, and I think my summary tried to highlight the
10 fact that at the last JPA Board meeting, we were hoping
11 to release a draft document April or May time frame. I
12 don't recall offhand if that's what that schedule was.
13 Obviously there's been a lot of significance changes. We
14 had to go back and regroup on this, and including UP, the
15 Applicant. They're very aware of that.

16 And it takes a lot of time to go back and
17 collect data and make sure it's the type of data that
18 we're looking for, ground truth it. We're taking that
19 extra time moving forward to provide the schedule. It has
20 been to release in the coming spring time, the draft
21 document. So that's going to provide the schedule, since
22 we've made the bigger decisions to change base line
23 years, things of that nature.

24 MR. SRAMEK: Good enough?

25 MS. KNATZ: Yeah.

1 MR. THIESSEN: Mr. Chairman, if there are no other
2 questions for JPA staff --

3 MR. CAMERON: Earlier on one of the other agenda
4 items, I think there was a deferral for staff to, I
5 guess, respond to the question about the Santa Teresa. I
6 think, just for the record, last year's JPA Board
7 meeting, just prior to that, actually during the
8 testimony, Miss Andrea Urika, (phonetic,) had also
9 presented the Santa Teresa as well as provided JPA staff
10 with a lot of information. She subsequently has
11 re-provided that information, and that is part of -- JPA
12 staff is using that right now as part of consideration of
13 what we're preparing right now in the Draft Environmental
14 Document for the proposed project.

15 So I wanted to respond back. One, it's been
16 received not once, but twice, just to kind of round up
17 the question that you have and that was posed earlier.

18 MR. SRAMEK: Okay. Thank you. I think that helps.
19 I actually have a question. And, Ms. Crose, I want to
20 make sure I'm not doing anything I shouldn't be doing.

21 Since the letter is now a public letter from
22 Union Pacific, I'd like to see if I can invite
23 Union Pacific if you'd like to make comments. You don't
24 have to make any comments on the letter or not. I'm just
25 inviting Union Pacific, too. Okay. The letter is pretty

1 self-explanatory. I don't know if you wanted to mention
2 the letter or not or wait until the people see it and
3 know it's public domain. You don't have to.

4 MR. THIESSEN: Mr. Chairman, just so the audience is
5 aware, we received a letter yesterday from
6 Union Pacific Railroad commenting about the
7 Santa Teresa Facility. The Santa Teresa Rail Project is
8 in New Mexico just outside of El Paso, Texas. It is a
9 new facility on the Sunset Route between Los Angeles,
10 Long Beach, to Texas, and it's a major improvement to
11 their network.

12 The JPA Board members received a copy of that
13 letter this evening as an information-only memo. It's
14 not in the agenda for this evening, because the Board
15 wasn't being asked to vote on it. It's an informational
16 only memo. Attached also to that memo is some
17 information about the Santa Teresa Project from the UP's
18 website, and the letter from UP giving them a relatively
19 brief description of the use and purpose of that facility
20 for Mr. Barry Michaels from the Union Pacific Railroad.

21 MR. SRAMEK: Okay. Thank you. You don't have to.
22 I'm just inviting you if you want to make any comments
23 about the letter.

24 MR. MOORE: The letter speaks for itself. I got a
25 request last week about the Santa Teresa and ICTF, and

1 that's why we're -- two items in that letter, "A," is
2 reinforcing the Board of what that project is. I'd be
3 happy to answer any questions about the Santa Teresa
4 letter, which is a totally separate project. And, of
5 course, the construction date. You'd think this
6 afternoon the ICTF may be giving our best educated guess
7 now after ten years of talking about it.

8 MS. KNATZ: I just wanted to make sure --

9 MR. SRAMEK: That's why I invited him up.

10 MS. KNATZ: -- you still are, you know, want us to
11 pursue and finish the EIR now, because we've got a number
12 of action items that relate to that. You're going to
13 provide the information, and you're the Applicant, so.

14 MR. MOORE: Absolutely. There's confusion about
15 Santa Teresa's impact. We initially said there's
16 multiple ways of running down to the Grove, LA,
17 Long Beach. That includes on dock. That includes ICTF.
18 That includes this concept out there. All of those
19 things that have to happen, or not at all. Together,
20 they're all together.

21 And there's -- just so you understand, Santa
22 Teresa has three components to it. It has the largest
23 component, the most controversial, in New Mexico, has
24 been the fueling facility, which is moved over to
25 El Paso. We need to be able to fuel our trains and move

1 them efficiently. That's the largest (inaudible.) The
2 second component is to build another ramp to replace the
3 one that's in El Paso and New Mexico.

4 And the third and final and smallest component
5 is the block (inaudible) yard where some of the traffic
6 coming from LA and Long Beach could be reassigned out
7 there and the classification yard to different
8 destinations. Absolutely, ICTF have the need to
9 modernize and (inaudible) ICTF is all part of our plan.
10 We encourage this Board to do whatever they do to get the
11 EIR report so we know how we can construct the
12 modernization phase when the time comes.

13 MS. KNATZ: Okay. I was under the impression that
14 the reason the staff weren't able to keep the EIR on
15 schedule was because they were waiting on data from the
16 railroad. That's why I wanted to hear you say you're
17 going to provide that data so that the EIR can get
18 finished, because he's got -- they can do it, but they
19 need the stuff to get it done, so.

20 MR. MOORE: Okay.

21 MS. KNATZ: I didn't know whether this changed your
22 schedule, when you're going to provide that information.
23 Sounds like it's not, and it's forthcoming.

24 MR. SRAMEK: Okay.

25 MR. MOORE: Any other questions?

1 MR. SRAMEK: That's great. That helps a little bit.
2 Is that it from the staff?

3 MR. CAMERON: I mean, I know what Dr. Knatz is
4 saying, and I appreciate that, and I would just reinforce
5 the fact that it has been a process between UP and the
6 JPA team. As you know, once we get into looking at data
7 sets and things like that, we think we got it, and then
8 there's questions that we go back and we want confirmed.
9 And, if anything, I'd rather have that than just assume
10 we got it right, and then we go off and uncover problems
11 down the road.

12 So in defense of UP, to actually have it would
13 have been very good. Obviously, we'd love to have all of
14 it. There are some tough questions, and questions we've
15 ask them as well, and they're working diligently. They
16 understand what this means for the schedule as well.
17 We're all working hard on it.

18 MR. SRAMEK: Okay.

19 MR. THIESSEN: Thank you, Mr. Cameron, Members of
20 the Board, you should have at least four speaker cards
21 that we've received. Before you get started with that,
22 we have a little bit lighter than normal turnout for our
23 JPA Board meeting tonight. Some people were wondering if
24 that was because the Lakers game is on TV.

25 I did want to emphasize, we did a very

1 extensive outreach for tonight's meeting, and I have a
2 copy of the document I can forward to you. There was
3 different web postings, e-mail blasts, newspaper
4 publications. So we think the word got out to the
5 citizens, and, of course, all the documents that were on
6 the Board agenda are posted on the JPA website and
7 available for citizen review. So we have, as I mentioned
8 earlier, a translator available if anybody in the
9 audience needs one.

10 Mr. Chairman, you have four speaker cards
11 before you.

12 MR. SRAMEK: Okay. Thank you, Mr. Thiessen. We
13 will now go to public comments. Wally baker?

14 MR. BAKER: Thank you, very much. Good evening. My
15 name is Wally Baker. I'm president of Jobs First
16 Alliance, and for the last couple years, we have worked
17 on Beat the Canal and other competitive issues not just
18 in the port, but in the community and with government and
19 business and labor. And, of course, I just wanted to say
20 something tonight about how important this ICTF facility
21 is, how important it is to move forward.

22 I really appreciate the comments I'm hearing,
23 because it sounds like you want to get this thing through
24 the process, too. And we know the whole process does
25 take time, but moving the EIR as fast as possible is very

1 important, and we certainly know that this project, as is
2 proposed, will ultimately lead to better health, more
3 jobs, and improve our port and fit into not just Union
4 Pacific's big complex, but into the Port of LA, Long
5 Beach, and the entire region of its movements.

6 So this project, ICTF, is very critical, and we
7 ask you to keep moving it forward as fast as you can.
8 Thank you very much.

9 MR. SRAMEK: Thank you, Mr. Baker. Okay.
10 Tommy Faavae. Boy, you're looking good, Tommy.

11 MR. FAAVAE: I try to dress nice.

12 MR. SRAMEK: You think we're going to have some
13 problems here tonight?

14 MR. FAAVAE: Maybe. Tommy Faavae. Thank you,
15 Board Members, for giving me the opportunity to speak in
16 front of you tonight. I just wanted to say that I
17 wholeheartedly support ICTF's modernization project soon
18 to come up, and we look forward to both Ports working
19 together.

20 Railroad infrastructure is really needed in
21 both Ports. And when it comes to the modernization
22 project, it will create good construction jobs, it would
23 create good harmony in these type of projects, and I feel
24 that this should be moved forward aggressively,
25 hopefully, so all of our IBW Local 11, including the

1 building trades, wholeheartedly support the ICTF
2 modernization project. Thank you.

3 MR. SRAMEK: Thank you, Tommy. Okay. Next is
4 John Cross.

5 MR. CROSS: Yes. My name is John Cross. I'm the
6 current president of the West Long Beach Neighborhood
7 Association. We have our meetings here the fourth
8 Thursday of each month. This is my community, and we're
9 adamantly opposed to the expansion of the ICTF terminal.

10 We have lived next door to this terminal since
11 1986 when it was built. And since 1986, the scope of the
12 operation has changed dramatically. And we are suffering
13 from it. At night you cannot sleep because you hear the
14 beep, beep, beep. You hear the trains slamming together,
15 and they're blowing their horns more than ever now. And
16 it's not only that, health of our community.

17 They say it's going to be a clean rail yard.
18 They've more than doubled the capacity of the trucks
19 going in and out of the facility. Even if they're clean
20 trucks, that's still a lot of pollution going in there,
21 in our neighborhoods, and in our community.

22 Right across this street here, the senior
23 housing, Gold Star Manor, right behind that is low income
24 housing, HUD housing. Just down the street
25 Stevens Middle School. Just up the street is

1 Hudson School. That does not count all the residents
2 that live there. I'm less than a quarter of a mile from
3 ICTF terminal. The rail yards have not been good
4 neighbors since they laid their first spike in the
5 ground.

6 Director Knatz, you're right. They control.
7 You're the one that should be controlling. You should
8 demand from them what you want. That's what scares the
9 hell out of us. What's going to happen ten years from
10 now when you guys are not here? You'll be retired or
11 doing something else, and a new director comes on.
12 They've got a 30-or-40-year lease.

13 And if the projected growth that you guys are
14 expecting from the Port don't come, do you think it's
15 going to make any changes coming along? No. They'll
16 just step back and say, "Okay. We'll shut down. What
17 are you going to do with it?" You're not going to shut
18 them down. Once they're up and operational, they're not
19 going to shut down.

20 That's why we stress on the SKIG Project, as
21 well as this one. Do not let this one expand. Make them
22 clean it up. It's the dirtiest rail yard in the country.
23 No matter what conditional uses you put on them, they're
24 not going to follow them 10 years down the road, 15 years
25 down the road, because they have a 50-year contract.

1 They're not going to follow what you put in there,
2 because nobody is going to enforce it. They'll say,
3 "interstate commerce."

4 Now, I want to see all these union guys
5 working, but where (inaudible) the port wherever, they're
6 going to get it. And this program, Beat the Canal,
7 you're not going to beat the canal because the Chinese
8 government's going to control the canal. You'll say,
9 "all discretionary (inaudible) in that canal." Put that
10 in the record. I know it's on the record now. I'll
11 check with you in 10 years, and we'll see.

12 MR. SRAMEK: Thank you, Mr. Cross. Next is
13 Tony Rivera.

14 MR. RIVERA: Good evening. My name is Tony from the
15 West Side Counsel. We just opposed to this project. And
16 one of the situations that we have is kind of weird,
17 because Carson should be sitting representing at this
18 Board here. It should be, somehow, because they have a
19 lot at stake on this from day one. It's a bummer that
20 they're not involved.

21 The second thing is, this projects on the rail,
22 we have -- West Side, we're going to be inundated with
23 traffic. This project and the other project, we are
24 basically anticipating to get shut down. One of the
25 things I would like to see on the EIR is the domestic

1 move. It's been an increase in domestic move. I think
2 Union Pacific declared in some of these reports.

3 We need to see for a fact how much local, not
4 international moves, harbor to the rail, and the rail to
5 the harbor. I'm talking about the local moves. I see a
6 lot of trucks that goes from the UP all the way to city
7 of Industry or other locations, and that's going to tell
8 us different numbers. We need to have the truth so we
9 can work.

10 We like the rail, but at this point we don't
11 want to be -- we don't like it, because the way they're
12 coming in, and past record. They need to clean up. They
13 need to do work with the neighborhood. They really need
14 to get healthy, and they need to get it done.

15 In regards to the other projects, this is going
16 to be a nightmare for all the Long Beach businesses, like
17 the way it's been for years -- the flooding on Sepulveda
18 and with the 47. You think they care? No, the cars have
19 to go another way. The residents pay the price. And I
20 don't know if it does because of their yards. Their yard
21 is big. The water that concentrates goes. I don't know
22 if that's the problem, but they don't do anything. They
23 don't do anything to try to mitigate next to the yard.
24 That's the problem.

25 So that tells you that they're not

1 neighborhood-oriented. And we're concerned about the
2 business. They're going to shut every bit of business
3 that exists on the West Side. We would like to see more
4 proactive work, traffic to be concentrated with the
5 projects, and tell us what's going to get you to know the
6 project, and how it's going to be, and maybe we have to
7 move. Let the rail run the whole place. Thank you.

8 MR. SRAMEK: Thank you, Mr. Rivera. Is there
9 anybody else who entered a comment card who would like to
10 make a comment on this item? Seeing none. Are there any
11 other comments up here?

12 MR. LYTTLE: So moved.

13 MR. SRAMEK: Second. All in favor of the motion
14 say, "I."

15 MS. KNATZ: I.

16 MR SRAMEK: I.

17 MR. LYTTLE: I.

18 MR. SRAMEK: Okay. Motion passes.

19 Okay. Go back to Items Eight, Nine, and 10.
20 Mr. Thiessen, kind of put that all in context, the three
21 items.

22 MR. THIESSEN: Thank you, Mr. Chairman. I'll try to
23 wrap them together. We do need to vote each
24 individually, but I will just give an overview on all
25 three. Eight, Nine, 10, are agreements necessary for the

1 JPA staff to continue work on the Environmental Document.
2 There are three agreements.

3 Item Number Eight is for a third party
4 independent EIR review. Item Number Nine is a proposal
5 to amend the contract with Environ International.
6 Environ performing the bulk of the preparation of the
7 Draft Environmental Document. And then Item Number 10 is
8 a proposed amendment to a contract with E2 Manage Tech.

9 E2 Manage Tech is providing project management
10 services for JPA staff, everything from review of and
11 managing the administrative invoicing work, providing
12 project management and technical input on the preparation
13 of the document, and helping the JPA to produce all the
14 documents even before you here tonight.

15 So the first item, Item Number Eight, is a
16 little bit unusual. You may remember at last year's JPA
17 Board meeting. There was a discussion and a question
18 about independent third party review of the Environmental
19 document. Some of the members of the JPA Board raised a
20 question about the consultants working on this project
21 who also happen to be working on other
22 Port of Los Angeles projects.

23 And there was a desire to have a third party,
24 totally independent consultant, who could perform quality
25 review and oversight in assistance to the JPA staff. The

1 firm that was selected is Ascent Environmental, Inc.
2 Ascent passed three criteria to convince the JPA staff
3 they were the appropriate team for this effort.

4 First of all, they possessed the necessary
5 technical expertise to provide us third party independent
6 review. Also, they currently do not work for either of
7 the Ports, or the railroad, or any of the other
8 consulting firms on this project, so they're totally
9 independent. They're going to look at this from the
10 outside, and not have any previous bias or any potential
11 conflicts of interest.

12 Ascent Environmental is located in Sacramento,
13 California. They participated in a request for
14 expressions of interest for this project back in
15 September. The review identified three potential firms
16 who could do this. The JPA staff reviewed those three
17 firms, and the technical firm selected Ascent
18 Environmental to perform this third party independent
19 review.

20 This particular contract was entered into the
21 in the amount of \$100,000, which is within the JPA Board
22 Executive Director authority. A copy of their agreement
23 is attached to this item. This is a recommendation. The
24 JPA Board received and filed this contract with Ascent.
25 Mr. Cameron and other members of the JPA staff are

1 available if you have any other additional questions
2 about this independent third party.

3 MR. SRAMEK: I thought that was great. Any
4 questions? I thought that, you know, gives everybody an
5 idea of, you know, if we ought to bring in a totally
6 independent company to oversee the EIR and really do a
7 double check on it. So, appreciate that. Any other
8 questions?

9 Anybody in the audience wish to comment on
10 Item Number Eight? Okay. Seeing none, can I have a
11 motion?

12 MR. LYTTLE: So moved.

13 MS. KNATZ: Second.

14 MR. SRAMEK: A motion and a second. All in favor of
15 the motion say, "I."

16 MR. LYTTLE: I.

17 MR. SRAMEK: I. Motion passes unanimously. Thank
18 you. Item Number 9?

19 MS. KNATZ: I'll move it.

20 MR. LYTTLE: Second.

21 MR. SRAMEK: I have a motion and a second. Anybody
22 in the audience wish to comment on Item Number Nine,
23 Environ doing the EIR preparation? Seeing none, can I
24 have a motion and a second? And all in favor of the
25 motion say, "I."

1 MS. KNATZ: I.

2 MR. LYTTLE: I.

3 MR. SRAMEK: I. Motion passes unanimously. Thank
4 you.

5 Item Number 10?

6 MS. KNATZ: Move it.

7 MR. LYTTLE: Second.

8 MR. SRAMEK: Okay. We have a motion and a second
9 for E2 Manage Tech for project management support.

10 Anyone in the audience wish to comment? Seeing none, can
11 I have a motion and a second? All in favor of the motion
12 say, "I."

13 MR. LYTTLE: I.

14 MS. KNATZ: I.

15 MR. SRAMEK: It's still early. It seems like it's
16 late. Okay.

17 Motion passes unanimously. Thank you. Okay.

18 Any other comments by the Board members? Okay.

19 MS. KNATZ: Adjourn.

20 MS. SRAMEK: We have a motion to adjourn.

21 MR. LYTTLE: We are so adjourned.

22 (Hearing is concluded at 7:11 p.m.)

23

24

25

1 REPORTER'S CERTIFICATE

2 STATE OF CALIFORNIA)
3 COUNTY OF LOS ANGELES) ss.

4
5 I, Olivia Lizarraga, C.S.R. No. 13475, a Certified
6 Shorthand Reporter for the State of California, do hereby
7 certify;

8 That the deponent named in the foregoing deposition,
9 prior to being examined, was by me first duly sworn to
10 tell the truth, the whole truth, and nothing but the
11 truth;

12 That said deposition was taken before me at the time
13 and place therein stated and was thereafter transcribed
14 into print under my direction and supervision, and I
15 hereby certify the foregoing deposition is a full, true,
16 and correct transcription of my shorthand notes so taken.

17 I further certify that I am not of counsel nor
18 attorney for either of the parties hereto or in any way
19 interested in the event of this case and that I am not
20 related to either of the parties hereto.

21
22 Witness my hand, this 26th day of November, 2012.
23
24

25 OLIVIA LIZARRAGA, C.S.R. No. 13475

CERTIFIED COPY CERTIFICATE

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I, Olivia Lizarraga, Certified Shorthand Reporter, No. 13475, hereby certify that the attached deposition is a correct and certified copy of the deposition deponent therein named in the foregoing deposition, taken before me at the time and place therein stated.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Covina, California this 26th day of November, 2012.

OLIVIA LIZARRAGA, C.S.R. No 13475