

PORT OF LOS ANGELES COMMUNITY ADVISORY COMMITTEE

Port of Los Angeles
425 S. Palos Verdes Street
San Pedro, California
EMERGENCY MEETING OF THE
(PCAC) STEERING COMMITTEE

Minutes
July 29, 2009

ATTENDEES

STEERING COMMITTEE MEMBERS:

June Burlingame Smith, PCAC Co-Chair
Donna Ethington, Co-Chair, Water Quality Subcommittee
Richard Havenick, Chair, Air Quality Subcommittee
Kenneth Melendez, Chair, Wilmington Waterfront Development Subcommittee
Dr. John Miller, Chair, EIR/Aesthetic Mitigation Subcommittee
Carrie Scoville, Chair, Light Aesthetics and Noise Subcommittee
Kathleen Woodfield, Co-Chair, Air Quality Subcommittee

PORT STAFF

Harry Hunold

PUBLIC PARTICIPANTS

Lou Baglietto
Leticia Melendez
Richard Pawlowski

ADDITIONAL PCAC PARTICIPANTS

Pat Nave
Bill Orton, Senator Roderick Wright's Office

LOCATION: Banning's Landing, 100 E. Water Street, Wilmington, CA 90744

- A. Call to Order: 6:05 PM – June Burlingame Smith, PCAC Co-Chair
- B. Sign-In Introductions
- C. Agenda was approved
- D. Public Comment:
Kenneth Melendez reported that Councilwoman Janice Hahn, along with her colleagues in City Council, approved an agreement that will remove the last remaining obstacle to the Wilmington Waterfront Development project. Councilwoman Hahn has helped to broker an agreement that will allow for Valero to relocate their tanks to an adjacent facility, which the company will lease from the DWP. The removal of the tanks will free up the final land parcel for a contiguous Wilmington Waterfront. Then the construction of a land bridge can move forward as well as the plans for the raised park space that will connect to Avalon Boulevard.

- E. Discussion of New Structure for PCAC Subcommittees as Indicated in the Letter from Dr. Geraldine Knatz, Dated, April 8, 2009.
PCAC Co-Chair, June Burlingame Smith met with Dr. Knatz the week before this meeting, at which time she stated that the PCAC had some ideas on how to accommodate the reduction in staff support. Since then, Dr. Knatz implemented the plan as detailed in her letter dated April 8, 2009. The Committee is concerned that the Air Quality Subcommittee no longer has staff support.

Richard Havenick emphasized the need to continue the AQ Subcommittee meetings, particularly now, with the imminent release of the Clean Air Action Plan (CAAP) Update / Health Risk Assessment (HRA) / Emission Reduction Standards. He requested that the August 5th AQ Subcommittee meeting be held and staffed in lieu of staffing the August PCAC meeting that had been cancelled. This would not incur any extra overtime that had not already been allocated for the PCAC. If this does not occur, he offered to hold AQ Subcommittee meetings in his office where he could provide a speaker phone for the inclusion of the South Coast Air Quality Management District (SCAQMD) and the California Air Resources Board (CARB).

Ms. Burlingame Smith reminded the Steering Committee that the PCAC had passed a motion back in February 2007 (Motion #71), that reflected the PCAC's stance on the reconstruction of the PCAC. Unfortunately, that motion had never been addressed by the Port nor by the Board. The motion is attached at the end of this document.

The Committee had the following comments and concerns regarding the new changes to the PCAC Subcommittee structure as implemented in the letter dated April 8, 2009:

- Ms. Burlingame Smith stated that this directive was coming from Dr. Knatz, and technically, she did not have the authority to direct the activity/structure of PCAC. PCAC was still a Standing Committee of the Board of Harbor Commissioners. The PCAC takes its direction from the Board.
- The Committee could not come to a consensus on the number of meetings to hold per month. They found that four subcommittee meetings per month was unacceptable.
- Certain members of the Committee felt that the issue was not necessarily about overtime, but that it was an effort to pull resources from the PCAC (teleconferencing capabilities, secretarial services, meeting locations...)
- This is an effort to silence the PCAC, which will destroy the relationship / communication that has been built between the Port and the community.
- The feeling is that the Air Quality Subcommittee pays a price for getting to close to certain issues, or for submitting certain types of comments on environmental documents.
- The PCAC needs to craft a work plan for the coming year, and base its meeting schedule on that plan.

- The PCAC should decide which Committees continue to meet and to what extent. Not the Port.
- The PCAC should try to work out these issues with Port staff before taking it to the President of the Board, as she is new to the Board and is still working to come up to speed on Board issues. When we do meet with her, we should provide her with a copy of our work plan for the next year or two.
- The EIR Subcommittee was originally established and charged with the review of past, present, and future EIRs, a cumbersome task in itself without the added weight of dealing with environmental subcommittee issues.
- Ms. Burlingame Smith has requested a meeting with the new BHC President, Cindy Miscikowski. There is no date set at this time.

Ms. Burlingame Smith stated that she would like to have some input from the Steering Committee for this meeting.

The Committee discussed the following ideas for accommodating the needs of the Port to limit staff participation in Subcommittee meetings:

- Hold Subcommittee meetings during regular business hours (9 am to 5 pm) This may however hamper the level of participation from the PCAC members who do not have flexible work schedules.
- Filter and work out issues that would come from the unsupported Subcommittees through the Steering Committee, or through other staffed Subcommittees.
- Stagger, Coordinate, and Combine the Subcommittees
- Hold meetings on bi-monthly, quarterly basis, or as needed
- The Water Quality Subcommittee has participated in the Water Resource Action Plan (WRAP) Committee in lieu of holding WQ Subcommittee meetings. Future meetings will only be necessary for updates on the WRAP.
- Designate the Air Quality Subcommittee as the Environmental Subcommittee to handle LAN, traffic, and water issues
- Hold working group meetings to discuss and resolve issues / then take recommendations to various staffed Subcommittees so that they can go to the full PCAC.
- Combine the Wilmington Waterfront Development Subcommittee and the San Pedro Coordinated Plan Subcommittee. This is not an option at this time, but may be viable in the future when the major issues have been resolved on the two waterfront plans.

The PCAC is willing to look at the structure of their committees, to establish an appropriate work plan that will accommodate the Port and its overtime issues as well as the ongoing efforts of the subcommittees to address unresolved environmental issues. PCAC does not accept the present structure as designated by the Executive Director. PCAC has been an essential part of improving the communication between the Port and the community, and needs to continue to move forward in the same manner. We understand the effects of the economic downturn, and wish to work cooperatively with the Port to revisit and

resolve staffing issues. The Committee has asked Co-Chair, June Burlingame Smith to work with the Port and the Board on these issues.

- F. Discussion of Dates of Future Meetings
This agenda item was not discussed at this time.
- G. Adjournment: 7:30 p.m.

Signature on File

June Burlingame Smith, PCAC Co-Chair
Port of Los Angeles Port Community Advisory Committee

Signature on File

Debra Babcock-Doherty, PCAC Executive Assistant

Attachment: PCAC Motion #71

The Air Quality Subcommittee adopted the original motion January 3, 2007 with 4 Ayes, 0 Nays and 1 Abstention. They adopted the amended motion below February 7, 2007. Motion was moved by Janet Gunter, second by Jody James, and adopted with 4 Ayes, 0 Nays, and 0 Abstentions.

The San Pedro Coordinated Plan Subcommittee endorsed this motion on February 14, 2007. It was moved by Janet Gunter, Second by Kathleen Woodfield and carried with 3 Ayes, 0 Nays, and 0 Abstentions.

MOTION:

PCAC recommends that the Board of Harbor Commissioners

1. Maintain existing membership and balance as originally established with the following two exceptions:
 - a. Remove organizations that choose not to participate in PCAC functions on a regular basis (i.e., member or alternate who does /did not attend three PCAC meetings over twelve month period); and,
 - b. Provide opportunity for interested entities to be considered by complete PCAC for membership.
2. Appoint one commissioner to act as a liaison to PCAC to assure the orderly flow of information from the Board to PCAC and from PCAC to the Board.
3. Act on PCAC action items, recommendations, and appointments of new representatives within 30 days of the respective action, recommendation, or appointment reaching the Board.
4. Change the bylaw for voting to require a simple majority vote for a Motion to carry in accordance with Robert's Rules.
5. Authorize the continued staff and consultant support for the PCAC/PCAC subcommittees and, where Conflict of Interest prevents City Attorney assistance or participation, ensure the funding of an independent counsel/attorney for service to PCAC as requested by majority vote of PCAC, *in accordance with City Attorney policies*.
6. Continue to place the PCAC monthly report on the regular agenda of the BOHC with presentations scheduled for PCAC actions / recommendations when forwarded by PCAC and again as applicable if forwarded subsequently with Port Staff Report.
7. Maintain existing Subcommittee structure.
8. Require votes be taken to establish the Chair of PCAC and the Chairs of Subcommittees and immediately recognize the results of the voting.
9. Require that actions filed by subcommittees require a quorum in attendance for a vote to be taken.
10. Require continued compliance with the Brown Act and ensure meetings are open to Public.