

MINUTES OF A REGULAR MEETING OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, HELD IN THE BOARD ROOM OF THE HARBOR DEPARTMENT ADMINISTRATION BUILDING AT 925 HARBOR PLAZA, LONG BEACH, CALIFORNIA, ON MONDAY, MAY 24, 2004, AT 1 P.M.

Present: Commissioners: Cordero, Topsy-Elvord, Calhoun, Hancock  
Absent: " Hankla

Also present:

R. D. Steinke	Executive Director
G. Knatz	Managing Director
D. F. Wylie	Managing Director
S. B. Rubin	Managing Director
G. T. Hein	Executive Secretary
A. J. Moro	Assistant Chief Harbor Engineer
T. K. Whitesell	Director of Administration
A. W. Wong	Communications Specialist
M. J. Slavin	Director of Finance
D. L. Albrecht	Director of Information Management
K. D. Allen	Director of Maintenance
R. G. Kanter	Director of Planning
K. J. McDermott	Director of Properties
R. G. Rumfelt	Harbor Security Sergeant
D. B. Snyder	Marketing Manager
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT HANCOCK PRESIDED AS CHAIRMAN.

APPROVAL OF MINUTES.

Upon motion by Commissioner Topsy-Elvord, seconded by Commissioner Cordero and unanimously carried, the minutes of the regular meeting of May 17, 2004, were declared read and approved as read.

SERVICE PIN RECOGNITION.

The Board recognized Mr. Steve Sykora, Communications Specialist II, for his 25 years of service.

President Hancock congratulated Mr. Sykora on his years of service.

CONSENT CALENDAR – ITEMS NOS. 1-7.

Item No. 1 was removed from Consent Calendar for discussion.

**2. DUTRA DREDGING COMPANY - ACCEPTANCE OF WORK UNDER SPECIFICATION NO. HD-S2194.**

Communication from D. A. Thiessen, Chief Harbor Engineer, dated May 19, 2004, advising that Dutra Dredging Company has satisfactorily completed, as of June 4, 2003, the southeast basin dredging project, as described in Specification No. HD-S2194 and recommending that said work be accepted as complete as of that date, was presented to the Board. The recommendation was approved by the Executive Director.

**3. CWO No. 1197, SUPPLEMENT NO. 12 – FOR THE PIER E REDEVELOPMENT PROGRAM - APPROVED.**

Communication from D. A. Thiessen, Chief Harbor Engineer, dated May 12, 2004, requesting approval of CWO No.1197, Supplement No. 12, for environmental documentation and hazardous materials testing services for the Pier E redevelopment program, in the amount of \$890,000, was presented to the Board. The request was approved by the Executive Director.

**4. LOCKWOOD GREENE - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR THE SECURITY COMMAND AND CONTROL CENTER - DOCUMENT NO. HD-6818 - APPROVAL OF PROGRAM OPTION 2 FOR THE SCOPE OF WORK – CWO NO. 1260, SUPPLEMENT NO. 2 – APPROVED AND A PROJECT BUDGET.**

Communication from D. A. Thiessen, Chief Harbor Engineer, dated May 19, 2004, recommending authorization of a Contract with Lockwood Greene for the POLB Security Command and Control Center, in the amount of \$995,000, approval of Program Option 2 for the scope of work, CWO No. 1260, Supplement No. 2, in the amount of \$10,595,100, and a project budget, was presented to the Board. The recommendation was approved by the Executive Director.

**5. SPECIFICATION NO. HD-S2252 - NOTICE INVITING BIDS – PROVIDING AND INSTALLING FENCING MATERIAL.**

Communication from D. A. Thiessen, Chief Harbor Engineer, dated May 19, 2004, submitting Specification No. HD-S2252 for providing and installing fencing materials and requesting authority to advertise for bids for said work, was presented to the Board. The request was approved by the Executive Director.

**6. HARBOR REVENUE FUND – APPROVAL OF FUND TRANSFER JOURNALS AND AUTHORIZATION OF TRANSFER OF FUNDS.**

Communication from Michael J. Slavin, Director of Finance, dated May 18, 2004, submitting the following Fund Transfer Journals received from the Department of Financial Management:

<u>AMOUNT</u>	<u>DESCRIPTION</u>
\$48,300.00	City Auditors audit of the 2003 Harbor Department financial statements performed by KPMG
\$47,797.00	Information Services Bureau – data processing operations and maintenance for April 2004
404.69	Information Services Bureau – cellular phone for April 2004
221.40	Information Services Bureau – wireless communication for April 2004
106,280.01	Gas, water, and sewer for April 2004
848.17	Public Works Department – maintenance of streetlights for April 2004
18,010.79	Utility user’s tax billed for April 2004

was presented to the Board. The Fund Transfer Journals were approved by the Executive Director.

**7. WO NO. 5058, SUPPLEMENT NO. 2 – FOR THE TRUCK TRIP REDUCTION PROGRAM AND ENHANCED RAIL ACTIVITY PROGRAM - APPROVED.**

Communication from Geraldine Knatz, Managing Director, dated May 18, 2004, requesting approval of WO No. 5058, Supplement No. 2, for technical assessment of various strategies for the Truck Trip Reduction Program, in the amount of \$280,000, was presented to the Board. The request was approved by the Executive Director.

Commissioner Cordero moved, seconded by Commissioner Topsy-Elvord that the communications be received and filed and that Items Nos. 2-7 be approved as recommended. Carried by the following vote:

AYES:	Comms:	Cordero, Topsy-Elvord, Calhoun, Hancock
NOES:	“	None
ABSENT:	“	Hankla

**1. PACIFIC MARITIME SERVICES, LLC – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE INDEMNITY AGREEMENT FOR THE REFUND OF SALES TAX ON CRANES AT PIER J – DOCUMENT NO. HD-6819 AND FILING OF A CLAIM FOR THE REFUND.**

Communication from Kathryn McDermott, Director of Properties, dated May 18, 2004, requesting that the Executive Director be authorized to execute the Indemnity

Agreement for the refund of sales tax on six cranes at Pier J to Pacific Maritime Services, LLC, and approve the filing of a claim for the refund, in the amount of \$1,835,625, was presented to the Board. The recommendation was approved by the Executive Director.

In response to a question by President Hancock, Ms. McDermott stated we would be filing the claim for the refund.

Commissioner Topsy-Elvord moved, seconded by Commissioner Calhoun that the communication be received and filed, and that the Executive Director be authorized to execute said agreement and approval of the filing of a claim for the refund. Carried by the following vote:

AYES:	Comms:	Cordero, Topsy-Elvord, Calhoun, Hancock
NOES:	"	None
ABSENT:	"	Hankla

REGULAR AGENDA.

8. MICHELIN NORTH AMERICA, INC. – APPLICATION FOR A NEW FOREIGN TRADE SUB-ZONE OPERATIONS AGREEMENT FOR SITE NO. 50-2 - DOCUMENT NO. HD-6820 – RESOLUTION NO. HD-2198 - ADOPTED.

Communication from Kathryn McDermott, Director of Properties, dated May 19, 2004, recommending approval of a Foreign-Trade Zone Operating Agreement for Site No. 50-2, with Michelin North America, Inc., for property located at 1001 Doubleday, in the City of Ontario, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Commissioner Calhoun moved, seconded by Commissioner Topsy-Elvord that the communication be received and filed and that the resolution entitled, "A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR OF THE LONG BEACH HARBOR DEPARTMENT TO ENTER INTO A FOREIGN-TRADE ZONE OPERATIONS AGREEMENT WITH MICHELIN NORTH AMERICA, INC., AND MAKING CERTAIN DETERMINATIONS RELATIVE THERETO," be declared read and adopted as read. Carried by the following vote:

AYES:	Comms:	Cordero, Topsy-Elvord, Calhoun, Hancock
NOES:	"	None
ABSENT:	"	Hankla

9. BP WEST COAST PRODUCTS, LLC - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SIXTH AMENDMENT TO TANKER TERMINAL AGREEMENT – DOCUMENT NO. HD-6821 - ORDINANCE NO. HD-1915 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A SIXTH AMENDMENT TO PIER T TANKER TERMINAL AGREEMENT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND BP WEST COAST PRODUCTS, LLC, FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," was presented to the Board for its second and final reading.

Commissioner Topsy-Elvord moved, seconded by Commissioner Calhoun that said ordinance be declared read for the second time and adopted as read. Carried by the following vote:

AYES:	Comms:	Cordero, Topsy-Elvord, Calhoun, Hancock
NOES:	"	None
ABSENT:	"	Hankla

ADJOURNED.

At 1:30 p.m., Commissioner Topsy-Elvord moved, seconded by Commissioner Cordero that the meeting be adjourned sine die. Carried by the following vote:

AYES:	Comms:	Cordero, Topsy-Elvord, Calhoun, Hancock
NOES:	"	None
ABSENT:	"	Hankla

MINUTES OF A REGULAR MEETING OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, HELD IN THE BOARD ROOM OF THE HARBOR DEPARTMENT ADMINISTRATION BUILDING AT 925 HARBOR PLAZA, LONG BEACH, CALIFORNIA, ON TUESDAY, JUNE 1, 2004, AT 1 P.M.

Present:	Commissioners:	Cordero, Hankla, Topsy-Elvord, Calhoun, Hancock
Absent:	"	None

Also present:

R. D. Steinke	Executive Director
G. Knatz	Managing Director
D. F. Wylie	Managing Director
S. B. Rubin	Managing Director
G. T. Hein	Executive Secretary
D. A. Thiessen	Chief Harbor Engineer
T. K. Whitesell	Director of Administration
A. W. Wong	Communications Specialist
M. J. Slavin	Director of Finance
D. L. Albrecht	Director of Information Management
K. D. Allen	Director of Maintenance
R. G. Kanter	Director of Planning
K. J. McDermott	Director of Properties
W. C. Ellis	Interim Director of Security
J. A. Morgan	Manager of Maritime Services
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT HANCOCK PRESIDED AS CHAIRMAN.

APPROVAL OF MINUTES.

Upon motion by Commissioner Cordero, seconded by Commissioner Calhoun and unanimously carried, the minutes of the regular meeting of May 24, 2004, were declared read and approved as read.

PUBLIC COMMENTS.

Fire Chief Terry Harbour addressed the Board and stated he wanted to thank the Commissioners and all the staff for their support of the fire department. He stated his tenure is coming to an end as of June 29, 2004, after 34 years with the City.

Additionally, he stated he had come across an artifact that belongs to the Port and he was here to return a bronze commemorative plaque that read "Pier 1 the first municipal Port facility of Long Beach. The SS Iaqua was the first ship to dock here to unload 280,000 board feet of redwood lumber from Eureka, California on June 2, 1911."

President Hancock thanked Chief Harbour for the return of the plaque and wished him the best in his retirement.

**CONSENT CALENDAR – ITEMS NOS. 1-5.**

Item No. 3 was removed from Consent Calendar for discussion.

**1. CWO No. 1217, SUPPLEMENT NO. 23 – FOR CRUSHED MISCELLANEOUS BASE FOR THE PIER S MARINE TERMINAL DEVELOPMENT – APPROVED.**

Communication from D. A. Thiessen, Chief Harbor Engineer, by A. J. Moro, dated May 26, 2004, requesting approval of CWO No.1217, Supplement No. 23, for funding of the manufacturing of crushed miscellaneous base for the Pier S Marine Terminal development, in the amount of \$481,867, was presented to the Board. The request was approved by the Executive Director.

**2. CWO No. 1272, SUPPLEMENT NO. 1 – FOR ADMINISTRATION BUILDING SECURITY PERIMETER BARRIER AND A PROJECT BUDGET – APPROVED.**

Communication from D. A. Thiessen, Chief Harbor Engineer, by A. J. Moro, dated May 26, 2004, requesting approval of CWO No.1272, Supplement No. 1, for the Administration Building security perimeter barrier, in the amount of \$100,000, and a project budget, was presented to the Board. The request was approved by the Executive Director.

**4. LEVEL I HARBOR DEVELOPMENT PERMITS – RECEIVED AND FILED.**

Communication from Robert Kanter, Director of Planning, by Thomas Johnson, dated May 12, 2004, requesting that the following Level I Harbor Development Permits be received and filed:

HDP #04-035	Oxbow Carbon and Minerals – Pad 14 Enclosure
HDP #04-051	Port of Long Beach – Pier S Geo-Technical Investigation
HDP #04-056	International Seafarers Center – Emergency Water Main Repair

was presented to the Board. The request was approved by the Executive Director.

**5. FINANCIAL STATEMENTS FOR THE LONG BEACH HARBOR DEPARTMENT FOR THE MONTH ENDED APRIL 30, 2004 – RECEIVED AND FILED.**

Communication from Michael J. Slavin, Director of Finance, dated May 21, 2004, transmitting financial statements for the Long Beach Harbor Department for the month

ended April 30, 2004, was presented to the Board. The financial statements were approved by the Executive Director.

Commissioner Calhoun moved, seconded by Commissioner Topsy-Elvord that the communications be received and filed and that Items Nos. 1-2 and 4-5 be approved as recommended. Carried by the following vote:

AYES:	Comms:	Cordero,Hankla,Topsy-Elvord,Calhoun, Hancock
NOES:	"	None
ABSENT:	"	None

**3. SPECIFICATION NO. HD-S2103 - NOTICE INVITING BIDS – OCEAN BOULEVARD/TERMINAL ISLAND FREEWAY INTERCHANGE.**

Communication from D. A. Thiessen, Chief Harbor Engineer, by A. J. Moro, dated May 26, 2004, submitting Specification No. HD-S2103 for additional work for the Ocean Boulevard/Terminal Island freeway interchange and requesting authority to advertise for bids for said work, was presented to the Board. The request was approved by the Executive Director.

Commissioner Hankla suggested in light of the prior agreement, we might approach the state and suggest when the state becomes fiscally healthy again, rather than evaluating new projects for funding they go back and reimburse those agencies who had previous approval for funding.

Commissioner Topsy-Elvord moved, seconded by Commissioner Calhoun that the communication be received and filed, that Specification No. HD-S2103 be approved, and that the Executive Director be authorized to advertise for bids therefore. Carried by the following vote:

AYES:	Comms:	Cordero,Hankla,Topsy-Elvord,Calhoun, Hancock
NOES:	"	None
ABSENT:	"	None

**REGULAR AGENDA.**

**6. COAST CITRUS DISTRIBUTORS, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE LEASE FOR PROPERTY ON PIER F - DOCUMENT NO. HD-6823 - RESOLUTION NO. HD-2199 - ADOPTED.**

Communication from Kathryn McDermott, Director of Properties, dated May 26, 2004, recommending approval of a Lease with Coast Citrus Distributors, Inc., for property on Pier F, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.



Commissioner Hankla moved, seconded by Commissioner Topsy-Elvord that the communication be received and filed and that the resolution entitled "A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A LEASE BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND COAST CITRUS DISTRIBUTORS FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," be declared read and adopted as read. Carried by the following vote:

AYES:	Comms:	Cordero,Hankla,Topsy-Elvord,Calhoun, Hancock
NOES:	"	None
ABSENT:	"	None

ADJOURNED.

At 1:45 p.m., Commissioner Calhoun moved, seconded by Commissioner Hankla that the meeting be adjourned sine die. Carried by the following vote:

AYES:	Comms:	Cordero,Hankla,Topsy-Elvord,Calhoun, Hancock
NOES:	"	None
ABSENT:	"	None

**CITY OF LONG BEACH  
DEPARTMENT OF PARKS, RECREATION AND MARINE  
PARKS AND RECREATION COMMISSION MINUTES  
APRIL 15, 2004**

**I. CALL TO ORDER**

The meeting of the Parks and Recreation Commission was called to order by Chris Kozaites, Vice President, at 9:00 a.m., in the El Dorado Park West Senior Center Library. Phil Hester, Director of Parks, Recreation and Marine, took roll call and confirmed a quorum.

**Present:** Chris Kozaites, Vice President  
Raymond Chavarria  
Naomi Rainey  
Harry Saltzgaver  
Drew Satariano

**Absent:** Bea Antenore, President (excused)  
William Marmion (excused)

**Staff:** Phil Hester, Director of Parks, Recreation and Marine  
Thomas Shippey, Manager, Maintenance Operations Bureau  
Dennis Eschen, Manager, Planning and Development  
Bert Srack, Acting Manager, Community Recreation Services  
Kevin Prelgovisk, Manager, Business Operations  
David Ashman, Manager, Special Events and Filming  
Robin Black, Executive Secretary to the Director

**Guests:** Robert Lamond, Partners of Parks  
Anna Lindseth, American Red Cross Youth Services

Vice President Kozaites requested that Ms. Bert Srack introduce the El Dorado Park West staff. Ms. Srack introduced Ms. Pat Gallagher, coordinator of the El Dorado Park West Senior Center, who was instrumental in helping to design and work with the community to decorate the library and buy the furniture. She said that Ms. Gallagher has done a great job and the seniors love her.

Mr. Hester introduced Ms. Anna Mendiola, Park Development Officer, and stated that she and Dennis Eschen were also very actively involved in this project.

II. **APPROVAL OF MINUTES – MARCH 18, 2004**

**It was moved by Commissioner Chavarria and seconded by Commissioner Rainey to approve the March 18, 2004 Parks and Recreation Commission minutes. The motion carried unanimously.**

III. **SAMMY AWARD PRESENTATION – LETTY FLORES**

Mr. Hester stated that Ms. Flores has asked that the Sammy Award presentation be delayed to the next meeting. He distributed a letter from Ms. Flores that she is working on a process to make Sammy an official honorary City employee.

IV. **EMPLOYEES-OF-THE-MONTH PRESENTATIONS FOR APRIL**

Commissioner Saltzgaver announced Mr. Tom Hope as Maintenance Operations Bureau's Administrative Employee of the Month. Mr. Geoff Hall stated that Mr. Hope is a quiet employee who works with the City's GIS system, preparing technical maps and park aerial photos. He said that Mr. Hope is also one of the City's foremost experts on electric utility rates and, through his diligence, has saved the City and the Department hundreds of thousands of dollars through rate adjustments and auditing the utility bills. Mr. Hall stated that Mr. Hope would soon be taking over the new computerized work order management system, which will help staff to better prioritize work.

Commissioner Saltzgaver announced Mr. Bryce Tyler as Community Recreation Services Bureau's Field/Operations Employee of the Month. Ms. Michelle Wilson stated that Mr. Tyler is the coordinator for the central west division of the youth sports program and is completely dedicated to his job. She said that Mr. Tyler coordinates youth leagues for about 100 teams per season, which ends up being about 800 to 1,000 kids. She said that Mr. Tyler has a great rapport with the kids and the respect of the fellow coordinators, the coaches, and the supervisors.

Ms. Gladys Kaiser stated that she is also one of the supervisors representing Mr. Tyler from the central west area. She said that Mr. Tyler helps her out with Cesar Chavez, Drake, 14<sup>th</sup> Street, California Recreation, Bixby, Orizaba, Silverado, Admiral Kidd, and Martin Luther King, Jr. Parks and at the Washington Middle School.

V. **COMMISSION ACTION ITEMS**

**#04-0401**

PERSONAL SERVICES/INSTRUCTION AGREEMENTS-MONTHLY APPROVAL

**It was moved by Commissioner Chavarria and seconded by Commissioner Satariano to authorize the Community Recreation Services Bureau Manager or his or her management designee to execute the Personal Services and Instruction Agreements and amend Attachment "A" of the agreements as needed. The motion carried unanimously.**

**#04-0402**

2003 LONG BEACH PARKS AND RECREATION COMMISSION ANNUAL REPORT

Mr. Hester stated that this is a yearly report required by the City Charter. He said that staff would then make any changes required and send on to the City Council for their consideration and approval.

Commissioner Chavarria mentioned that he was left out of the attendance record, which should be corrected.

**It was moved by Commissioner Rainey and seconded by Commissioner Chavarria to approve the 2003 Parks and Recreation Commission Annual Report, with corrections, and authorize the Director to forward it to the City Council. The motion carried unanimously.**

**#04-0403**

REQUEST FOR PARKS AND RECREATION COMMISSION APPROVAL OF THE 2004 LONG BEACH BASEBALL AND SOFTBALL HALL OF FAME INDUCTEES

Mr. Hester stated that staff has been working on this for quite some time and that this idea was brought forth by some individuals who were interested in seeing the City recognize the history of baseball and softball within Long Beach. He said that in October, through the efforts of Commissioner Satariano, the concept was brought before the Parks and Recreation Commission. Mr. Hester stated that a very active advisory group was created and, with the help of Mr. Marc Gutfeld, supervisor of the adult sports office, they have solicited potential nominees into the Baseball and Softball Halls of Fame. He said that the Hall of Fame Committee went through the nominations and narrowed down the list included in the packet.

Mr. Hester stated that staff and the Committee have also been working on what the monument would look like. He said that the entrance area at Blair Field has been redone and the Baseball Hall of Fame plaques would be placed on the planters. He said that a similar type monument would be placed at Joe Rodgers Field for the Softball Hall of Fame. He stated that on Saturday, May 8, there would be an induction ceremony at Blair Field, as a part of the California State University, Long Beach baseball game that day, and invitations would be send out soon. Mr. Hester stated

that a Hall of Fame room would also be created at Blair Field, at which various pieces of memorabilia would be displayed.

**It was moved by Commissioner Rainey and seconded by Commissioner Saltzgaver to approve the inductees for the Long Beach 2004 Baseball and Softball Hall of Fame. The motion carried unanimously.**

**#04-0404**

FACILITY USE PERMIT FOR SCIENCE ENRICHMENT SERVICES, INC.

Mr. Hester stated that this program has been at El Dorado Park for three summers. He said that it is a great program and is a good partnership with the Department.

**It was moved by Commissioner Rainey and seconded by Commissioner Chavarria to authorize the Director of Parks, Recreation and Marine to execute a permit with Science Enrichment Services, Inc., to operate a science camp during summer 2004 at El Dorado Park West, Picnic Site "A." The motion carried unanimously.**

**#04-0405**

PERMIT WITH THE TRUSTEES OF CALIFORNIA STATE UNIVERSITY, LONG BEACH FOR BLAIR FIELD

**It was moved by Commissioner Rainey and seconded by Commissioner Chavarria to authorize the Director of Parks, Recreation and Marine to execute a Permit with the Trustees of California State University, Long Beach for the use of Blair Field and for revenue sharing related to advertising and souvenir sales, for a term of five years. The motion carried unanimously.**

**#04-0406**

USE PERMIT WITH THE BIXBY KNOLLS/NORTH LONG BEACH KIWANIS CLUB FOR A CARNIVAL AT HOUGHTON PARK AND REQUEST FOR FEE WAIVER

**It was moved by Commissioner Chavarria and seconded by Commissioner Rainey to authorize the Director of Parks, Recreation and Marine to execute a facility use permit with the Bixby Knolls/North Long Beach Kiwanis Club for a carnival at Houghton Park and that the \$1,400 in fees associated with the permit for this event be waived. The motion carried unanimously.**

**#04-0407**

PERMIT WITH THE LONG BEACH MUNICIPAL SOCCER ASSOCIATION FOR FOOD AND BEVERAGE SALES AT CHITTICK FIELD

Commissioner Chavarria asked if the rules and regulations of the Health Department would be required for this group. Mr. Hester responded that in order for the group to

receive their permit from the Department, they are required to receive all permits, licenses, and approval from other City departments.

**It was moved by Commissioner Chavarria and seconded by Commissioner Rainey to authorize the Director of the Parks, Recreation and Marine Department to execute a permit with the Long Beach Municipal Soccer Association allowing the sale of prepackaged food and non-alcoholic beverages at Chittick Field for a term of one year with the option to extend the permit for additional one-year periods, subject to the approval of the Director of the Parks, Recreation and Marine Department. The motion carried unanimously.**

**#04-0408**

REQUEST FOR WAIVER OF FACILITY USE FEES FOR 10<sup>TH</sup> ANNUAL CHILDREN'S DAY CELEBRATION AT EL DORADO PARK WEST

Mr. Hester stated that Ms. Summer Hansen attended the last Parks and Recreation Commission meeting and made a presentation about this event. He said that because of the short time frame before the last Commission meeting, staff requested that Ms. Hansen make a presentation and then they would prepare a staff report for review and approval at the April 15 meeting. He said that this is consistent with what has been approved in past years.

**It was moved by Commissioner Chavarria and seconded by Commissioner Satariano to approve the waiver of the picnic area and soccer field permit fees for the 10<sup>th</sup> annual Children's Day celebration on May 1, 2004. The motion carried unanimously.**

**VI. COMMITTEE STATUS REPORTS**

**A. EXECUTIVE COMMITTEE**  
President Antenore, Chair

Vice President Kozaites stated that the Committee met last week to discuss the agenda.

**B. FINANCE AND APPEALS COMMITTEE**  
Vice President Kozaites, Chair

Vice President Kozaites said that the statement was included in the packet, which shows that half the year has expired, and expenditures are at 42% and total revenue is at 47%.

C. PARK SAFETY COMMITTEE  
Commissioner Rainey, Chair

Commissioner Rainey stated that there was no meeting and that the statements are included in the packet.

D. EQUAL EMPLOYMENT OPPORTUNITY AND CUSTOMER SATISFACTION COMMITTEE  
Commissioner Satariano, Chair

Commissioner Satariano stated that the Committee did not meet.

E. CAPITAL IMPROVEMENT PROJECTS COMMITTEE  
Commissioner Marmion, Chair

Vice President Kozaites stated that Commissioner Marmion is not present and there was no meeting held.

Commissioner Saltzgaver stated that construction has begun at the Houghton Park skate park.

F. CITY SCHOOLS/JOINT COMMITTEE  
President Antenore, Chair

Mr. Hester stated that this Committee meeting has been rescheduled to May.

**VII. DIRECTOR'S REPORT TO COMMISSION**

A. DIRECTOR'S MONTHLY REPORT – MARCH 2004

Commissioner Rainey stated that the California Heights mural unveiling was an outstanding event.

Commissioner Chavarria stated that he attended the Cesar Chavez Celebration and the Cambodian New Year event and complimented staff on the great work done.

**VIII. CORRESPONDENCE**

Vice President Kozaites stated that there was no correspondence.

**IX. UNFINISHED BUSINESS**

**A. DEPARTMENT'S STRATEGIC PLAN – STANDING ITEM**

Vice President Kozaites stated that there was nothing new on this item.

**B. PRESENTATION OF FINANCIAL IMPACT OF SPECIAL EVENTS AND FILMING – DAVID ASHMAN**

Mr. Hester stated that the Office of Special Events and Filming was transferred to the Department and Mr. Dave Ashman has been the Bureau Manager for over a year and a half. He said that Mr. Ashman has been very aggressive with special events and filming and the amount of events and filming has grown tremendously. Mr. Hester mentioned that the Office of Special Events and Filming has very minimal staff and Mr. Ashman will discuss possible changes.

Mr. Ashman distributed a handout of his presentation. He said that he put together a study of the economic impact of Special Events and Filming, with the help from the Long Beach Convention and Visitors Bureau, the Grand Prix, the Gay Pride, and the Marathon. Mr. Ashman stated that this information is based on the last four years of events and filming in Long Beach. He said that this information was then given to Southern California Association of Governments (SCAG) who helped analyze the data and created a multiplier to project the economic impact of the functions. He said that the information was also taken to the University of California, Riverside and the Dean of the Graduate School of Public Administration was asked to review the information. Mr. Ashman stated that the Dean came up with approximately the same projections. Mr. Ashman then went through the graphs describing the economic impact, the production days, permits, film crew size, event attendance, and total billing.

Mr. Hester stated that there is more accuracy now in reporting the information, plus there are many more events and filming taking place. He said that Mr. Ashman is working closer with other departments to make sure that actual costs are paid for and that the City is not paying for any costs.

Mr. Ashman stated that his office is working with a company called Pulse Marketing, which is studying how to set up a model to become a revenue stream vs. just a collection agency.

Commissioner Chavarria thanked Mr. Ashman for educating event coordinators on how to coordinate special events. He also commended the small Special Events and Filming staff for working long hours.

Commissioner Satariano commended Mr. Ashman on a job well done.



Commissioner Rainey stated that "*CSI Miami*" was filmed next to her house last week and the Special Events and Filming Office was very organized and friendly to neighbors.

Vice President Kozaites echoed the comments of Commissioner Satariano and Commissioner Rainey and that the Office of Special Events and Filming are doing an outstanding job. He said that the special selection on the "*Pirates of the Caribbean*" DVD, the director talks about filming in Long Beach and that this could possibly be a revenue source on all these special clips.

## **X. NEW BUSINESS**

Vice President Kozaites stated that there was no new business.

## **XI. COMMENTS**

### **A. AUDIENCE**

Ms. Anna Lindseth, with the American Red Cross Youth Services, mentioned an event called Project Band Aid, which they have planned to be held at Silverado Park on April 30. She said that this is to be a non-violence concert hosted by youth for youth. She distributed flyers for the event.

### **B. STAFF**

Mr. Tom Shippey stated that at the March Parks and Recreation Commission meeting there was some discussion about the use of leaf blowers in the parks. He said that he had to leave the meeting early so he was unable to participate in the discussion. He stated that he put together some preliminary information on Department used blowers. Mr. Shippey said that there are approximately 15 blowers that Park staff uses and all of those do not exceed 65 decibels of noise level, as per the manufacturer, which is required by the government. He said that this is less than the 80 decibels made by piano playing. He also stated that the blowers meet all of the California standards for pollution and that they are much cleaner now than they were 10 to 15 years ago. He said according to everything he has read, the dust, etc. that is blown up is very minimal as compared to other activities, including cars on the road. He stated that the assertion that blowers are not labor saving devices is completely false. He said that blowers cut labor to a third of what would be required to do a function. Mr. Shippey said that staff stays within the time guidelines. He said that he would provide a report to the Commission at the next meeting.

Ms. Srack stated that a group of agencies who use volunteers meet monthly, and they have planned an event on Thursday, April 22, to be held at the Long

Beach Museum of Art. She said that this is to thank all the volunteers who work for all the agencies throughout the city.

C. COMMISSIONERS

There were no comments from the Commissioners.

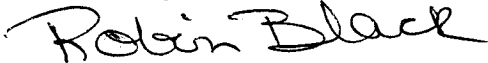
XII. NEXT MEETING

The next meeting will be held at 9:00 a.m. on Thursday, May 20, 2004, in the large conference room at the Parks, Recreation and Marine administration office, 2760 Studebaker Road, Long Beach.

XIII. ADJOURNMENT

Vice President Kozaites adjourned the meeting at 10:35 a.m.

Respectfully submitted,



Robin Black  
Executive Secretary  
to the Director

c: Phil T. Hester, Director of Parks, Recreation and Marine

**C I T Y   P L A N N I N G   C O M M I S S I O N   M I N U T E S****62****M A Y   6,   2 0 0 4**

**A study session was held at 12:00pm in the City Council Lounge to discuss the PacifiCenter Master Plan.**

The regular meeting of the City Planning Commission reconvened Thursday, May 6, 2004, at 1:34pm in the City Council Chambers, 333 W. Ocean Boulevard.

**PRESENT: COMMISSIONERS:** Charles Greenberg, Nick Sramek, Morton Stuhlbarg, Charles Winn, Matthew Jenkins

**ABSENT: COMMISSIONERS:** Lynn Moyer

**CHAIRMAN:** Charles Greenberg

**STAFF MEMBERS PRESENT:** Greg Carpenter, Zoning Officer  
Angela Reynolds, Advance Planning  
Craig Chalfant, Planner III  
Joe Recker, Planner I

**OTHERS PRESENT:** Mike Mais, Assistant City Attorney  
Dennis Eschen, Parks, Recreation and Marine  
Marcia Gold, Minutes Clerk

**P L E D G E   O F   A L L E G I A N C E**

Commissioner Sramek led the pledge of allegiance.

**M I N U T E S**

The minutes of April 1, 2004 were approved on a motion by Commissioner Winn, seconded by Commissioner Stuhlbarg and passed 4-0-1. Commissioner Sramek abstained, and Commissioner Moyer was absent.

**S W E A R I N G   O F   W I T N E S S E S****C O N S E N T   C A L E N D A R**

Item 1A was removed from the Consent Calendar at the request of Commissioner Sramek.

Items 1B and 1C of the Consent Calendar were approved as presented by staff on a motion by Commissioner Jenkins, seconded by Commissioner Stuhlberg and passed 5-0. Commissioner Moyer was absent.

**1A. Case No. 0403-15, Conditional Use Permit, CE 04-65**

Applicant: Chuck Kaudy, Cars-Net, Inc.  
Subject Site: 2800 Snowden Avenue (Council District 6)  
Description: Conditional Use Permit to allow used car tent sales at Millikan High School.

Removed to the Regular Agenda.

**1B. Case No. 0401-17, Site Plan Review, Standards Variance, ND 04-04**

Applicant: City of Long Beach, Dept. of Parks,  
Recreation & Marine, c/o The  
Luckman Partnership  
Subject Site: 1950 Lemon Avenue (Council District 6)  
Description: Request for approval of a Site Plan Review for a one-story, 3,854 sq.ft. addition to the swimming pool building at Martin Luther King Jr. Park; and Standards Variance requests related to setbacks, parking and lot coverage.

Certified Negative Declaration 04-04 and approved the Site Plan Review and Standards Variance, subject to conditions.

**1C. Case No. 0403-20, Conditional Use Permit, Standards Variance**

Applicant: City of Long Beach Community Development  
c/o David S. White  
Subject Site: 1112-1130 Locust Avenue (Council District 1)  
Description: Conditional Use Permit to allow the development of a temporary courtesy parking lot (76 spaces) on a residentially zoned parcel; and Standards Variance from the landscaping, screening and lighting requirements for parking lots.

Approved the Conditional Use Permit and Standards Variance, subject to conditions.

## REGULAR AGENDA

### 1A. Case No. 0403-15, Conditional Use Permit, CE 04-65

Applicant: Chuck Kaudy, Cars-Net, Inc.  
Subject Site: 2800 Snowden Avenue (Council District 6)  
Description: Conditional Use Permit to allow used car tent sales at Millikan High School.

Joe Recker presented the staff report recommending approval of the request, since the proposed sales event would be a fundraiser for a local school; would occur no more than two weekends per year with minimal impact on adjacent residences; and because the proposal was consistent with zoning regulations.

In response to Commissioner Sramek's concern that granting this request could be precedent-setting, Mr. Carpenter said this was the first case of its kind to come before the Commission since the change was made to the code to allow these types of temporary events.

In response to Chairman Greenberg's concerns about the parameters of the conditional use permit, Assistant City Attorney Mais reported that the code change restricted this type of event to institutional uses of a certain size, but that nothing in the code allowed the Commission to look into the deal points to confirm there was no outside profit-taking.

Yulandria Pearson, 310 E. Orangethorpe Avenue, Suite M, Placentia, 92870, Executive Vice President, Cars-Net, Inc., stated that their company marketed the events while participating car dealerships did the actual selling. Ms. Pearson noted that Cars-Net paid a participation fee to the hosting school, plus fees for each vehicle sold.

John Deats, 3600 Pacific Avenue, asked if participating dealers needed a City business license, and were required to have an addendum to their State sales permit.

Mr. Recker explained that the conditions of approval required sellers' permits with a Long Beach address for the event, and that individual dealers had to have all other applicable business licenses in place.

Commissioner Stuhlberg moved to approve the Conditional Use Permit subject to conditions. Commissioner Winn seconded the motion.

Commissioner Winn remarked that while he was in favor of new ideas to generate money for schools, he thought this one would be worth monitoring.

Commissioner Sramek agreed that it was a good idea as long as staff could get input from the school on the final results.

Chairman Greenberg added that if this event was successful, there would likely be more.

The question was called and the motion passed 5-0. Commissioner Moyer was absent.

**2. Case No. 0306-32, Local Coastal Development Permit, Site Plan Review, ND 36-03**

Applicant: City of Long Beach, Dennis Eschen,  
Dept. of Parks, Recreation and Marine  
Subject Site: 2300 E. Ocean Boulevard (Council Dist. 2)  
Description: Bluff stabilization and park improvements,  
including a skating plaza, 199-seat amphitheater,  
playground equipment and new restroom building.

Joe Recker presented the staff report recommending approval of the request, since the proposed project would facilitate the continuance of skateboarding activities in the area while minimizing destruction to the Bixby Park historical band shell; and since it was consistent with Local Coastal Plan recreational recommendations, satisfied community suggestions, and improved public access between Bixby Park and the beach.

Dennis Eschen, City of Long Beach, Parks, Recreation and Marine, 2760 Studebaker Road, described the project, which started as bluff erosion mitigation and ended up as a recreational opportunity. Mr. Eschen added that parking would be ample on the road and in the lot, and that they had involved local artists in the process, who had incorporated the iconology of the Pike in the final design.

Commissioner Jenkins observed that the project not only addressed the long-time erosion of the bluff, but would also be a tremendous asset to the community.

Elizabeth Handley, 2309 E. Ocean Blvd., said she thought this was a wonderful project but asked that the site's homeless issue

be addressed with strict monitoring, lights and security to prevent loitering in the lower area.

Mr. Eschen said that the Police Department had required lighting bright enough to illuminate the area for security purposes. He added that not only were the benches designed with bumps to discourage sleeping, they were also regrading and changing the landscaping to discourage transients.

Commissioner Winn agreed it was a great project, and he moved to approve the Site Plan Review and Local Coastal Development Permit, subject to conditions of approval. Commissioner Jenkins seconded the motion, which passed 5-0. Commissioner Moyer was absent.

### **3. Case No. 0401-09, Standards Variance, CE 04-06**

Applicant: Charles Belak-Berger  
Subject Site: 56 La Linda Drive (Council Dist. 8)  
Description: Standards Variance for construction of a two-story single-family residence with an attached two-car garage.

Craig Chalfant presented the staff report recommending approval of the requests, since the proposed residence would not have any adverse effects to the existing project site vegetation or the surrounding neighborhood, and since findings could be made to support the variance request. Mr. Chalfant also presented a site plan showing the redesign of the project around the old oak tree on the property, and explained how the conditions of approval had been adjusted to incorporate the recommendations of the arborist.

Charles Belak-Berger, 118 S. Catalina Avenue, Suite D, Redondo Beach, 90277, project architect, said that they had ended up with a complex project designed to preserve the oak tree, and that they were in agreement with the conditions of approval and the staff choice of arborist.

In response to a query from Chairman Greenberg, Mr. Belak-Berger explained that the tree covered 70% of the lot, and that about 20% of it would be trimmed for the health of the tree and to make room for the house.

Greg Applegate, 1131 Lucinda Way, Tustin, 92780, project arborist, outlined the measures planned to minimize construction impact on the tree, with less than 10% of the root zone

impacted. Mr. Applegate added that mitigation included invigorating the tree during all phases of construction, but not with as much irrigation as noted in the staff report.

Harry Pope, 45 La Linda Drive, representing the homeowners' association, stated that their primary goal was to preserve the tree, and that they did not want any of the roots impacted. Mr. Pope said they felt the lot was substandard for such a large house, and that as designed, it would negatively impact the adjacent neighbor's light and views. Mr. Pope suggested that if the project was approved, two additional conditions be added to increase the setback and vegetation along the northwest side, and to record a covenant against the lot to require that the tree be cared for by an arborist for at least 50 years.

In response to a query from Chairman Greenberg as to what kind of house could be built with the variances and restrictions the homeowners' association would support, Mr. Pope said it would end up being a triangular house of no more than 1400 square feet.

Commissioner Jenkins suggested that the homeowners' association buy the lot and donate it to the Oak Preservation Society.

John Deats, 3600 Pacific Avenue, suggested stronger conditions of approval to possibly require that the oak be replaced with a huge mature tree if it was destroyed during construction.

Mark Osborne, 202 E. Bixby Road, neighbor and architect, said he agreed that the lot was substandard overall, and that as it stood, the project did not successfully address the site, area architectural style, gateway lot location or Bixby Road streetscape.

Barbara Tidball, 3826 Westin, neighbor, expressed opposition to the project, saying she felt there was no hardship to the applicant to justify the precedent-setting variance request, and that the house as designed was incompatible with the neighborhood.

Jeff Kellogg, 212 E. Bixby Road, stated he was opposed to the project because the small setback and removal of the hedge along Bixby Road would affect the look of the neighborhood, and that he did not like ingress and egress for the lot off of that street.



Jim Lamhofer, 52 La Linda Drive, also expressed opposition to the project, citing a potentially negative impact on his property value.

Mr. Belak-Berger pointed out that there were many different kinds of homes in the neighborhood already, and that the tree made the situation unique, but they had designed around it.

Patrick Jones, 415 Torrance Blvd., Redondo Beach, 90277, lot owner, stated that they had purchased the lot because of the tree and had every intention of preserving it. Mr. Jones said they had always kept the City and homeowners' association informed during the entire design process, and always addressed objections of the residents. He noted that in the past 30 years, the tree had never been cared for at all. Mr. Jones also remarked that the hedge along Bixby Road would not be removed; just enhanced with a wrought-iron fence on the inside to prevent entrance into the tract through the hedge, and that they had no objection to increasing the setback to 6' of the property line of the nearest neighbor.

In response to a query from Chairman Greenberg, Mr. Jones said they would not object to a covenant to run with the land, giving the homeowners' association the right to maintain the tree with experts of their own. Mr. Greenberg clarified that this meant the association would have the right of access, and that whoever prescribed the tree care program would have to carry out the process.

Commissioner Winn said he felt satisfied that everything possible to save the tree was being done by the applicant, and that there was an existing hardship, but he was concerned about the size of the building on the lot.

Mr. Carpenter explained the zoning oddity that created the unusual determination of the front of the lot, noting that the lot was an existing legal non-conforming one, and that the desire to save the tree was driving the staff's recommendation and the builder's design.

Commissioner Sramek observed that the applicant had a right to build on his lot, and applauded his effort to save the tree, but he said he could not support the reduced setbacks.

Commissioner Sramek moved to deny the Standards Variance request. The motion died for lack of a second.

Chairman Greenberg noted that it would create a constitutional liability to deny the applicant reasonable use of the property, but there was no law against removing the tree, except the community, property owner and staff were trying to save it. Mr. Greenberg pointed out that this was the unique aspect of the project, and he suggested that everyone work together to come up with a way to deal with the issues while allowing the developer full legal use of his property.

Chairman Greenberg said there would have to be tough compromises on how the house would be built. Mr. Greenberg added that he did not like the 6' northwest setback, and acknowledged that the homeowners' association didn't trust an as-yet unknown homeowner to take care of the tree, yet they didn't want the responsibility either. He noted that no one would have bought such an expensive substandard lot if they weren't interested in caring for the tree. Chairman Greenberg added that the Bixby Road setback was an accident of zoning that created the need for a variance, and that the neighbors should be more interested how the house would look along La Linda than in a separation conditioned by an existing hedge and internal wrought-iron fence.

Mr. Mais suggested that the burden of tree maintenance not be put on the homeowners' association, since there were too many liability issues, but rather be conditioned that the owner of the property maintain the tree under the care of a City-selected and supervised arborist.

Commissioner Jenkins said he wanted to see a compromise incorporating the health of the tree and the reasonable use of the lot, so he moved to continue the item to the June 3 meeting, and directed staff to work with the developer and the homeowners' association to reach a compromise. Commissioner Winn seconded the motion.

Commissioner Sramek expressed concern about the reduced setbacks and street appearance, and asked if the applicant could make some changes.

Mr. Belak-Berger said they would work with staff to reduce the overall square footage of the project, increase setbacks and shave off the north corner of the house.

The question was called, and the motion passed 5-0. Commissioner Moyer was absent.

**M A T T E R S   F R O M   T H E   A U D I E N C E**

There were no matters from the audience.

**M A T T E R S   F R O M   T H E   D E P A R T M E N T   O F  
P L A N N I N G   A N D   B U I L D I N G**

Angela Reynolds discussed the community meeting at which the General Plan was presented, and she handed out a report titled, 'General Plan Update -- Land Use and Mobility Elements.'

**M A T T E R S   F R O M   T H E   P L A N N I N G  
C O M M I S S I O N**

There were no matters from the Planning Commission.

**A D J O U R N**

The meeting adjourned at 4:14pm.

Respectfully submitted,

Marcia Gold  
Minutes Clerk

MINUTES  
REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS  
LONG BEACH, CA  
MAY 20, 2004

The Board of Water Commissioners of the City of Long Beach met in the Board Room of the Administration Building, 1800 E. Wardlow Road, Long Beach, California, on May 20, 2004. The meeting was called to order at 9:15 a.m. by Acting President Hansen.

PRESENT:	Helen Z. Hansen	Commissioner
	Frank Clarke	Commissioner
	C.J. Mike Walter	Commissioner
	Donna F. Gwin	Senior Deputy City Attorney
	Kevin L. Wattier	General Manager
	Lynnette L. French	Secretary to the Board of Water Commissioners
	Diem X. Vuong	Assistant General Manager
	Matthew P. Lyons	Manager of Planning
	Paul T. Fujita	Director of Finance
	Isaac C. Pai	Manager, Engineering
	K. Eric Leung	Manager, Engineering
	Robert V. Swain	Division Engineer
	Robert Villanueva	Division Engineer
	Brenda R. Bell	Procurement & Warehouse Supervisor
	Reymundo Trejo	Capital Projects Coordinator III
	Carolyn A. Hill	Senior Secretary
	Juan F. Garza	Public Affairs Intern
ABSENT:	Bennett A. Long	Commissioner (Excused)
	Stephen T. Conley	Commissioner (Excused)

**1. PLEDGE OF ALLEGIANCE**

Kevin Wattier, General Manager, led the Board and audience in the Pledge of Allegiance.

**2. APPROVAL OF MINUTES**

May 6, 2004

Upon motion by Commissioner Walter, seconded by Commissioner Clarke, and unanimously carried, the Minutes of the Regular Meeting of May 6, 2004, were approved.

### **3. PUBLIC COMMENT**

Acting President Hansen opened the public comment period. As there were no requests to address the Board, the public comment period was closed.

### **4. PRESIDENT'S REPORT**

- **Helen Z. Hansen, Acting President, Board of Water Commissioners**

#### Appointment of Acting Secretary

Acting President Hansen appointed Commissioner Clarke as Acting Secretary for today's Board meeting.

#### Apartment Journal

Acting President Hansen called the Board's attention to the May 2004 edition of the Apartment Journal featuring May as Water Awareness Month. The magazine includes several water conservation articles on such issues as water wise landscaping and water saving devices. The magazine commends the Long Beach Water Department (LBWD) for its development and implementation of new and innovative programs designed to highlight the importance of water and water conservation.

### **5. REPORT OF THE METROPOLITAN WATER DISTRICT (MWD) BOARD MEETING ON MAY 11, 2004**

- **Helen Z. Hansen, Director**

Acting President Hansen noted that she has received a copy of the Diamond Valley Lake Master Plan Update and that this will be made available for review in the Board Library. In her capacity as the City of Long Beach MWD Director, she provided the following summary of the May 11<sup>th</sup> MWD Board Meeting:

#### Palo Verde Irrigation District

The Board authorized the execution of agreements for the Palo Verde Irrigation District (PVID) Land Management, Crop Rotation, and Water Supply Program that will allow the program to go into effect this summer. The Board originally authorized the \$94.3 million program in October 2002, setting aside about \$87 million for sign-up payments, and clearing the way for the CEO to enter into agreements with the PVID and individual PVID landholders. The program will affect no more than 29 percent of acreage, and will provide Metropolitan with up to 111,000 acre-feet of water during dry years.

### Colorado River Update

Dennis Underwood, Vice President on Colorado River Resources, reported on a 10-day Department of Interior rafting trip down the Colorado in order to facilitate discussion among Colorado River agencies and heighten media awareness of the issues. Mr. Underwood said that Metropolitan has been making a variety of points during the ongoing discussions with the agencies. For example, unlike other states, the cost of Metropolitan's investments has been borne exclusively by the ratepayers and beneficiaries.

### Skinner Plant Ozone Contract

The Board appropriated \$11.5 million and awarded an \$8.4 million contract to Ozonia North America for ozone equipment for the Oxidation Retrofit Program at the Skinner filtration plant in Winchester. This is part of a 2003 directive to switch from chlorine to ozone at Metropolitan's filtration plants, a step that complies with federal rules on disinfection byproducts and also reduces taste-and-odor concerns. In a related item, the Board also awarded a \$5.5 million contract for site preparation activities for the Skinner Expansion and Skinner Oxidation Retrofit Program.

### Chromium 6 - Topock

At the suggestion of the Water Planning, Quality and Resources Committee, the Chief Executive Officer will ask the state Department of Health Services to make the chromium 6 contamination at the Pacific Gas & Electric plant in Topock one of the state's highest priorities. This would include providing sufficient staff for site characterization and remediation, and to provide an expedited permitting process so that the necessary actions, including permanent barriers, can be taken to stop the flow of chromium 6 toward the Colorado.

### CalFed Bay-Delta Financing

The Board adopted the revised set of principles on cost allocation and financing of the CALFED Bay-Delta program. Included in the components are asking beneficiaries to pay their fair share of costs for benefits received, while using public funds to generate broad public benefits. Cost-sharing must be equitable and reflect a balanced package of benefits and funding. Entities that contribute to adverse environmental impacts should pay their fair share of mitigation costs, and beneficiaries' contributions should be cost-based, with no cost-shifting to urban users.

### Groundwater and Water Supply Grants

The Board heard reports on staff efforts to award grants involving the Innovative Supply Program, and also various groundwater storage programs involving Proposition 13 water bond funds.

### Dam Study

The Board allocated \$1.86 million for an assessment study of Metropolitan's 28 dams, which range in height from six feet to 285 feet. They range in age from 3 to 86 years old. This is the last in a series of investigations being conducted under a 2001 Infrastructure Reliability and Protection Plan.

## **6. GENERAL MANAGER'S REPORT**

- **Kevin L. Wattier, General Manager**

### Assistance League of Long Beach – CAMEO Program

The membership of CAMEO, the Professional Women's Auxiliary of the Assistance League of Long Beach, locates and places students in a variety of summer work experiences offered by local businesses and pays half of the hourly wage. Each year CAMEO selects one of the employers of Long Beach high school and community college students to honor at its annual fundraiser. This year, the LBWD was honored as the Employer of the Year in recognition of outstanding participation and support of the summer internship program over the past seven years.

During the City Council meeting of May 18<sup>th</sup>, Councilwoman Jackie Kell honored the LBWD for this achievement by presenting a Certificate of Appreciation to the Department which was accepted by Mr. Wattier.

### Solar Splash

The LBWD is sponsoring a team from Poly High School in the Solar Cup competition May 21<sup>st</sup>-23<sup>rd</sup>. The three day event, which helps promote stewardship of natural resources, is sponsored by the MWD and its member cities and water agencies. The event will be held at the Lake Skinner reservoir in Temecula and is open to the public at no charge.

### League of Women Voters

On Saturday, May 22<sup>nd</sup>, Mr. Wattier will address the Long Beach Chapter of the League of Women Voters. The presentation will include an overview of the LBWD's operations and seawater desalination program. Mr. Wattier will also update the audience with regard to water supplies in the Colorado River watershed.

## **7. LEGAL COUNSEL REPORT**

- **Donna F. Gwin, Senior Deputy City Attorney**

No report was given.

**8. CONSENT CALENDAR**

**8a. Approval of Transfer of Funds by Journal Entry Dated May 20, 2004**

Transfers No. 156 through No. 168 in the total amount of \$516,847.88 covering the Water and Sewer Revenue Funds, were submitted to the Board for approval.

**8b. Receive and File the List of Vendor Payments for April 2004**

A communication was presented to the Board from John Kruse which is on file at the Long Beach Water Department.

Action Requested:

- That the Board receive and file the list of Vendor Payments made during April 2004.

The payments were made in accordance with City and Water Department policies and have been approved by the City Auditor's office.

**8c. Approval of Adjustment to Inventories: Water and Sewer Materials 1<sup>st</sup> and 2<sup>nd</sup> Quarters Fiscal Year 2003-2004 (October 1, 2003 – March 31, 2004)**

Action Requested:

- That the Board approve adjustment of the Water and Sewer Fund for warehouse inventories of materials and supplies; the Water amount is \$-11,220.19 and the Sewer amount is \$98.60.

**8d. Approval of Retirement Order No. 6051 for Miscellaneous Equipment and a Vehicle to be Sold at Auction**

Retirement Order No. 6051, covering miscellaneous equipment and a vehicle, was distributed to the Board. Staff recommends that the items listed be removed from the Department's records and sold at auction.



It was moved by Commissioner Walter and seconded by Commissioner Clarke that the Board approve Consent Calendar Items 8a-8d. The motion was carried by the following vote:

AYES:	COMMISSIONERS:	<u>HELEN HANSEN, FRANK CLARKE,</u> <u>C.J. MIKE WALTER</u>
NOES:	COMMISSIONERS:	<u>NONE</u>
ABSENT:	COMMISSIONERS:	<u>BENNETT LONG, STEPHEN CONLEY</u>
ABSTAIN:	COMMISSIONERS:	<u>NONE</u>

## 9. LEGISLATIVE ISSUES/ACTIONS/BILLS

- **Kevin L. Wattier, General Manager**

Mr. Wattier thanked Juan Garza, Public Affairs Intern, for his endeavors to keep the Board and Water Department staff informed about water-related legislative issues. Mr. Wattier then highlighted several measures that are being monitored by the Water Department.

### Senate Bill 1272 (Ortiz)

This bill would require special district governing boards to conduct legal and ethics orientation sessions that boardmembers would be required to attend; would establish whistle-blower protections for members who make protected disclosures of improper governmental activities; defines meetings for which compensation should be paid; and that after January 1, 2005, health and welfare benefits shall be on a self-pay basis and retirement benefits will not be allowed.

### Senate Bill 1155 (Machado)

On January 28, 2004, Senator Machado introduced SB 1155 which would prohibit a public agency, including the California Bay-Delta Authority and Department of Water Resources, from cooperating or assisting any public agency for the purposes of increasing pumping from the Sacramento-San Joaquin Delta beyond authorized levels until the agency undertakes certain actions in accordance with a process that encourages public participation.

### Legislative Analyst's Office (LAO)

In a report issued May 19<sup>th</sup>, the LAO said it would be good public policy to let for-profit providers borrow a portion of the \$3.44 billion voter-approved Proposition 50 Water Fund bond monies. The LAO indicated that approximately \$90 million would be available to loan to private companies and explained that the State has made loans to such firms in the past. The report recommends the Legislature adopt a clear position on the subject rather than rely on legal opinions and state agency directives.

**10. NEW BUSINESS**

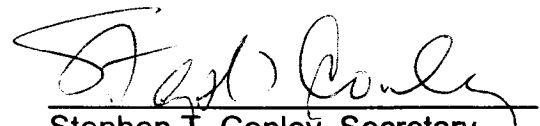
Seawater Desalination Prototype Plant

Commissioner Clarke requested clarification on the permitting process at the LBWD seawater desalination prototype plant.

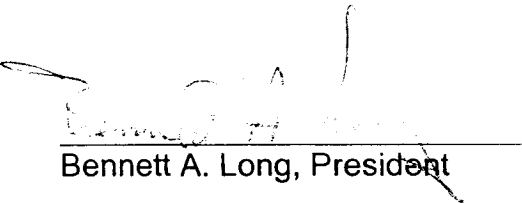
Mr. Wattier explained that the LBWD has been notified that the Los Angeles Regional Water Quality Control Board (LARWQCB) has completed its review of the LBWD's application to discharge waste at its seawater desalination prototype facility under the guidelines of the National Pollutant Discharge Elimination System. In accordance with administrative procedures, the LARWQCB will conduct a public hearing on June 10, 2004, to hear any testimony pertinent to this discharge and the proposed requirements.

**11. ADJOURNMENT**

There being no further business to come before the Board, it was moved by Commissioner Clarke, seconded by Commissioner Walter, and unanimously carried, that the meeting be adjourned at 9:50 a.m. to a Special Meeting of the Water Commission to be held on Thursday, May 27, 2004, at 11:00 a.m., in the Assembly Room of the Groundwater Treatment Plant, 2950 Redondo Avenue, in Long Beach, California.

  
\_\_\_\_\_  
Stephen T. Conley, Secretary

Attest:

  
\_\_\_\_\_  
Bennett A. Long, President