

**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, OCTOBER 16, 2006, AT 9 A.M.**

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

**Also present:**

R. D. Steinke	Executive Director
C. Lytle	Managing Director
G. T. Hein	Executive Officer to the Board
A. J. Moro	Assistant Chief Harbor Engineer
T. K. Whitesell	Director of Administration
H. C. Morris	Director of Communications
S. Joumblat	Acting Chief Financial Officer
D. L. Albrecht	Director of Information Management
R. Rich	Director of Maintenance
K. M. Cartwright	Manager of Transportation Planning
K. J. McDermott	Director of Properties
C. Wynne	Administrative Analyst
D. B. Snyder	Director of Trade & Maritime Services
J. Garza	Government Affairs Analyst
R. S. Baratta	Director of Risk Management
D. T. Holzhaus	Principal Deputy City Attorney

**PRESIDENT HANKLA PRESIDED AS CHAIRPERSON.**

**APPROVAL OF MINUTES.**

Upon motion by Commissioner Walter, seconded by Commissioner Hancock and unanimously carried, the minutes of the regular meeting of October 9, 2006, were declared read and approved as read.

**PUBLIC COMMENTS.**

There was no one present to address the Board.

**CONSENT CALENDAR – ITEMS NOS. 1-2.**

Item No. 2 was removed from Consent Calendar for discussion.

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

Communication from Sam Joumblat, Acting Chief Financial Officer, dated October 11, 2006, submitting the following Fund Transfer Journals received from the Department of Financial Management:

<u>AMOUNT</u>	<u>DESCRIPTION</u>
\$801,816.84	Employee Benefits and Insurance Funds – transfer of the September 2006 cost of employees’ fringe benefits
311.36	Information Services Bureau – wireless communication for September 2006
134,587.63	Gas, Water, and Sewer for September 2006
4,566.83	Health Department – vector control & laboratory charges for August and September 2006
3,209.53	Planning and Building Permits for August 2006
320.00	Fingerprinting for July and August 2006
100,000.00	City Attorney Department – costs for ACTA related matters from October 2005 to September 2006
900.00	Health Department – reimbursement for Employee Assistance Program Service from October 2005 through September 2006
159.03	Utility user’s tax billed for September 2006
20,000.00	Technology Services – reimbursement for funding of the publication “The Wave” for fiscal period 2006
6,150.00	Police Department – charges for use of Police Pistol Range for 41 officers from October 1, 2005 - September 30, 2006

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

Commissioner Cordero moved, seconded by Commissioner Hancock that the communication be received and filed and that Item No. 1 be approved as recommended. Carried by the following vote:

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

**2. SIEGEL AND GALE, LLC - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR PORT BRANDING SERVICES - DOCUMENT NO. HD-7096.**

Communication from Heather Morris, Director of Communications, dated October 11, 2006, recommending authorization of a Contract with Siegel and Gale, LLC, for Port branding services, in the amount of \$408,355, was presented to the Board. The recommendation was approved by the Executive Director.

In response to a question by Commissioner Walter, Ms. Morris stated the contract will establish a new brand for the Port that will be recognized not only locally but globally.

President Hankla stated the Port has gone through a transformation and the branding will re-identify the Port and its commitment to the environment with the community and our customers.

Commissioner Walter moved, seconded by Commissioner Cordero that the communication be received and filed, that the Executive Director be authorized to execute said contract. Carried by the following vote:

AYES:	Commrs:	Walter, Hancock, Cordero, Hankla
NOES:	"	None
ABSENT:	"	Topsy-Elvord

**REGULAR AGENDA.**

**3. STAPLETON TECHNOLOGIES, INC. – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE LEASE FOR WAREHOUSE SPACE LOCATED AT 1354 WEST 12<sup>TH</sup> STREET – DOCUMENT NO. HD-7097 - RESOLUTION NO. HD-2323 - ADOPTED.**

Communication from Kathryn McDermott, Director of Properties, dated October 11, 2006, recommending approval of a Lease with Stapleton Technologies, Inc., for property located at 1354 West 12<sup>th</sup> Street, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Commissioner Cordero moved, seconded by Commissioner Hancock 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 STAPLETON TECHNOLOGIES, INC., 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:	Commrs:	Walter,Hancock,Cordero,Hankla
NOES:	"	None
ABSENT:	"	Topsy-Elvord

**4. QUEEN'S SEAPORT DEVELOPMENT, INC. - EXECUTIVE DIRECTOR  
AUTHORIZED TO EXECUTE SECOND AMENDMENT TO SUBMERGED LAND  
AND WATER AREA LEASE – FIRST READING OF ORDINANCE.**

Communication from Kathryn McDermott, Director of Properties, dated October 11, 2006, recommending approval of the Second Amendment to Lease with Queen's Seaport Development, Inc., for a passenger cruise terminal east of the dome on Pier H, which includes both land and water areas, was presented to the Board together with the authorizing ordinance therefore. The recommendation was approved by the Executive Director.

Commissioner Cordero moved, seconded by Commissioner Hancock that the communication be received and filed and that the ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A SECOND AMENDMENT TO SUBMERGED LAND AND WATER AREA LEASE BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND QUEEN'S SEAPORT DEVELOPMENT, INC., FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," be declared read for the first time and laid over for its second and final reading. Carried by the following vote:

AYES:	Commrs:	Walter,Hancock,Cordero,Hankla
NOES:	"	None
ABSENT:	"	Topsy-Elvord

**NEW BUSINESS.**

Ms. Morris stated the Port of Long Beach had received five awards at the recent Savvy Awards competition, sponsored by the City-County Communications and Marketing Association (3CMA). She stated the Savvy Awards salute skilled and effective city/county/agency professionals who have creatively planned and carried out successful innovations.

She stated the awards received were for the Re:Port newsletter, Julio's New Ride, the 2005 Annual Report, the Silver Circle Award for the 1<sup>st</sup> Annual Green Port Open House, and the Ray Bancroft award for overall excellence in Communications.

Ms. Morris recognized the Communications staff, Mr. Macias, Mr. Wong, Ms. Moilanen, Mr. Pope, and Ms. Shipman.

President Hankla congratulated Ms. Morris and the entire Communications staff on the awards.

Commissioner Walter thanked Ms. McDermott for the information she provided on the major terminal negotiations.

Commissioner Walter commented on the thank you appreciation letter from the Volunteer Center for South Bay/Harbor/Long Beach for the Ports' donation to the 2006 Operation Teddy Bear Program, which provided backpacks full of school supplies to 5,600 first grade children in our local schools.

Commissioner Walter congratulated Mr. Joumblat on the collection of a large outstanding over-due receivable.

President Hankla congratulated Mr. Steinke on receiving the Good Scout of the Year Award presented by the Long Beach Area Council Boy Scouts of America in recognition of his public service in the community.

ADJOURNED.

At 9:50 a.m., Commissioner Walter moved, seconded by Commissioner Hancock that the meeting be adjourned sine die. Carried by the following vote:

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

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, OCTOBER 23, 2006, AT 1 P.M.

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

Also present:

K. J. Eldridge	Acting Executive Director
S. B. Rubin	Managing Director
C. Lytle	Managing Director
G. T. Hein	Executive Officer to the Board
D. A. Thiessen	Chief Harbor Engineer
T. K. Whitesell	Director of Administration
H. C. Morris	Director of Communications
S. Joumblat	Acting Chief Financial Officer
D. L. Albrecht	Director of Information Management
R. Rich	Director of Maintenance
R. G. Kanter	Director of Planning
K. J. McDermott	Director of Properties
C. Wynne	Administrative Analyst
J. A. Morgan	Manager of Maritime Services
C. A. Kemp	Director of Government Affairs
R. S. Baratta	Director of Risk Management
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT HANKLA PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Upon motion by Commissioner Topsy-Elvord, seconded by Commissioner Walter and unanimously carried, the minutes of the regular meeting of October 16, 2006, were declared read and approved as read.

PUBLIC COMMENTS.

There was no one present to address the Board.

CONSENT CALENDAR – ITEMS NOS. 1-4.

1. CWO NO. 1265 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated October 18, 2006, submitting the following project for closing action:

		<u>BHC Approval</u>	<u>Expenditures</u>
CWO No. 1265	Pico Avenue Landscaping Phase 5	\$1,047,900	\$1,226,464

and requesting that the expenditures made to said project be approved and that it be closed to all future charges, was presented to the Board. The request was approved by the Executive Director.

2. CALTRANS PROGRAM SUPPLEMENT AGREEMENT NO. 062-M - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE AGREEMENT FOR REIMBURSEMENT OF FEDERAL GRANT FUNDS FOR THE ATMIS PROJECT COSTS - DOCUMENT NO. HD-7098.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated October 18, 2006, requesting approval of the Program Supplement Agreement with Caltrans for the reimbursement of federal grant funds for the ATMIS Project, in the amount of \$413,659, was presented to the Board. The recommendation was approved by the Executive Director.

3. PORT OF LONG BEACH - PORT OF LOS ANGELES - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SUPPLEMENTAL AGREEMENT TO THE COST SHARING AGREEMENT FOR PORT INCIDENT MANAGEMENT SYSTEM – DOCUMENT NO. HD-5849M.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated October 18, 2006, requesting approval of a Supplemental Agreement to the Cost Sharing Agreement with the Port of Los Angeles for the Port Incident Management System, 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, dated October 16, 2006, requesting that the following Level I Harbor Development Permits be received and filed:

HDP #06-107	THUMS Long Beach Company – Pipeline Survey
HDP #06-109	Port of Long Beach – Pier G Lease Repairs
HDP #06-111	ARCO/BP Pipelines – Pipeline Survey

HDP #06-114 G-P Gypsum – Fire Sprinkler Monitoring System Installation

HDP #06-115 Weyerhaeuser – Industrial Saw Installation

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

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

AYES:	Commrs:	Topsy-Elvord, Walter, Hancock, Cordero, Hankla
NOES:	“	None
ABSENT:	“	None

**REGULAR AGENDA.**

**5. RESOLUTION CANCELLING THE REGULAR MEETING OF MONDAY, NOVEMBER 6, 2006 – RESOLUTION NO. HD-2324 - ADOPTED.**

Communication from Gustav T. Hein, Executive Officer to the Board, dated October 19, 2006, recommending adoption of a resolution authorizing the cancellation of the regular meeting of November 6, 2006, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Commissioner Walter 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 SUSPENDING RULE 1(B) AS SET FORTH IN HARBOR DEPARTMENT RESOLUTION NO. HD-519, AS AMENDED, RELATING TO THE MEETING SCHEDULE OF THE BOARD OF HARBOR COMMISSIONERS, AND CANCELLING THE REGULAR MEETING OF NOVEMBER 6, 2006,” be declared read and adopted as read. Carried by the following vote:

AYES:	Commrs:	Topsy-Elvord, Walter, Hancock, Cordero, Hankla
NOES:	“	None
ABSENT:	“	None

**6. NEXTEL OF CALIFORNIA, INC. – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO LICENSE AGREEMENT TO INSTALL A TEMPORARY COMMUNICATIONS FACILITY WITHIN THE TTI TERMINAL – DOCUMENT NO. HD-6843A - RESOLUTION NO. HD-2325 - ADOPTED.**



Communication from Kathryn McDermott, Director of Properties, dated October 16, 2006, recommending approval of the First Amendment to License Agreement with Nextel of California, Inc., to install a temporary communications facility within the TTI Terminal, extending the license to August 19, 2007, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Walter 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 FIRST AMENDMENT TO LICENSE BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND NEXTEL OF CALIFORNIA, INC., 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:	Topsy-Elvord, Walter, Hancock, Cordero, Hankla
NOES:	"	None
ABSENT:	"	None

**7. ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY – EXECUTIVE DIRECTOR AUTHORIZED TO APPROVE AN ASSIGNMENT OF PERMITS AND QUITCLAIM OF EASEMENT – FIRST READING OF ORDINANCE.**

Communication from Kathryn McDermott, Director of Properties, dated October 17, 2006, recommending approval of an assignment of Permits and Quitclaim of Easement with Alameda Corridor Transportation Authority for the utility corridor, was presented to the Board together with the authorizing ordinance therefore. The recommendation was approved by the Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Walter that the communication be received and filed and that the ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN ASSIGNMENT OF PERMITS AND QUITCLAIM OF EASEMENT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY, AND MAKING A DETERMINATION RELATING THERETO," be declared read for the first time and laid over for its second and final reading. Carried by the following vote:

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

8. QUEEN'S SEAPORT DEVELOPMENT, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SECOND AMENDMENT TO SUBMERGED LAND AND WATER AREA LEASE – DOCUMENT NO. HD-6433B – ORDINANCE NO. HD-1971 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A SECOND AMENDMENT TO SUBMERGED LAND AND WATER AREA LEASE BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND QUEEN'S SEAPORT DEVELOPMENT, INC., 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 Hancock that said ordinance be declared read for the second time and adopted as read. Carried by the following vote:

AYES:	Commrs:	Topsy-Elvord,Walter,Hancock,Cordero,Hankla
NOES:	"	None
ABSENT:	"	None

NEW BUSINESS.

Admiral Eldridge presented to the Board an award for the best effort to improve communications with the public for our Green Port Open House.

Commissioner Hankla congratulated Heather Morris, Director of Communications, and her staff on receiving the "Working Together to Serve" award from the City of Long Beach.

Jill Morgan, Manager of Maritime Services, announced to the Board an 87.29% Green Flag compliance. Ms. Morgan also recognized the efforts of Mr. Rafael Gonzalez, an intern from California State University, Long Beach, for his outreach efforts regarding our Green Flag Program.

CLOSED SESSION.

At 3:00 p.m., President Hankla recessed the Board meeting to hold a closed session:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (one case).

At 3:45 p.m., the meeting was again called to order by President Hankla.

ADJOURNED.

At 3:50 p.m., Commissioner Cordero moved, seconded by Commissioner Walter that the meeting be adjourned sine die. Carried by the following vote:

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

**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****A U G U S T   1 7 ,   2 0 0 6**

The regular meeting of the City Planning Commission and public hearing convened on August 17, 2006, at 1:30pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, CA.

**PRESENT:   COMMISSIONERS:** Matthew Jenkins, Leslie Gentile,  
Mitchell Rouse, Charles Winn

**ABSENT:   EXCUSED:** Charles Greenberg, Morton Stuhlbarg,  
Nick Sramek

**CHAIRMAN:** Matthew Jenkins

**STAFF MEMBERS PRESENT:** Suzanne Frick, Director  
Greg Carpenter, Planning Manager  
Carolyn Bihn, Zoning Officer  
Angela Reynolds, Advance Planning  
Lemuel Hawkins, Planner  
Derek Burnham, Planner

**OTHERS PRESENT:** Mike Mais, Deputy City Attorney  
Dave Roseman, City Traffic Engineer  
Barbi Clark, Redevelopment Agency  
Marcia Gold, Minutes Clerk

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

The pledge of allegiance was led by Commissioner Rouse.

**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**

The Consent Calendar was approved as presented by staff on a motion by Commissioner Winn, seconded by Commissioner Rouse and passed 4-0. Commissioners Greenberg, Stuhlbarg and Sramek were absent.

**1A. Case No. 0605-29, Conditional Use Permit, CE 06-101**

Applicant: Orange Rocket, LLC c/o Melinda Byrd  
Subject Site: 6640 Cherry Avenue (Council District 9)  
Description: Conditional Use Permit to allow the operation of a 1,610 sq.ft. check cashing/payday advance business in an existing retail center.

Continued to the September 7, 2006 meeting.

**R E G U L A R   A G E N D A**

**2. Case No. 0308-11, Site Plan Review, Conditional Use Permit, Parcel Map, Local Coastal Development Permit, Standards Variance, EIR 10-04**

Applicant: Greenberg Farrow c/o Vasanthi Ramanathan  
Subject Site: 400 Studebaker Road (Council District 3)  
Description: Certification of Environmental Impact Report (EIR) (State Clearinghouse No. 2004031093); adoption of a Resolution certifying the FEIR; adoption of a Resolution with a Statement of Overriding Considerations; approval of Site Plan Review; Conditional Use Permit; Tentative Parcel Map No. 067384; Local Coastal Development Permit, and two Standards Variances to construct a 140,000 sq.ft. home improvement and garden center, a 6,000 sq.ft. restaurant, and two retail/commercial buildings totaling 12,000 sq.ft., with 752 parking spaces; a subdivision of the project site in order to create a separate lot for above-ground storage tank(s); an exception from code requirements to allow three driveways that exceed the maximum allowable width; and an exception from requirements in PD-1 (Southeast Area Planned Development Improvement Plan) to provide less than 30 percent required open space.

Angela Reynolds gave a slide presentation detailing the project location, CEQA history and significant unavoidable impacts. Carolyn Bihn continued the presentation listing project components, entitlements, the site plan, elevations and building design, and the benefits of the proposed project vs. unavoidable adverse impacts. Ms. Bihn stressed that the project would remediate a contaminated site, while incorporating green building elements, contributing to maintenance and repair of Loynes Drive, and expanding a nearby open space resource into a publicly accessible area.

Maryce White, Home Depot representative, outlined their extensive community outreach efforts and response to comments received, including the addition of the retail component and high end design, plus the planned upgrading of the sewer system and roadway improvements to deal with traffic impacts.

Professor Joseph Magadino, Regional Economist, CSULB, outlined his analysis of the economic boost created by the Home Depot project which he felt would increase jobs and build up the General Fund.

Jan Dahl, Universal Park Estates representative, expressed opposition to the project, citing unsafe streets and intersections due to any increase in area traffic.

Jim Breslauer, 5984 Spinnaker Drive, stated support for the project, saying the streets were already unsafe and that Home Depot had committed millions to upgrading them. Mr. Breslauer added that the project would rid the area of a blighted site and benefit all area communities.

Don Mills, 6320 Vista Street, opposed the project, saying he felt the project's top jobs might go to out-of-area employees.

Art Bullard, 110 Mira Mar Avenue, commercial real estate broker, expressed support for the project, saying he felt it would be a revenue generator and that the opposition was giving the City a reputation for being unfriendly towards business.

Vitaly Lee, 690 N. Studebaker Road, representing adjacent energy plant AES Alamitos, asked that if their emergency response plans had to change, the cost be borne by Home Depot; and that the 10' wrought iron fence between the two properties was insufficient and should be conditioned instead to be a 12' masonry wall. Mr. Lee added that the two parties had been unable to reach a mutually agreeable option.

Karen Lamantia, 341 Bonita, spoke in opposition to the project, saying it should be left as wetlands and cleaned up.

Dean Richardson, 6810 E. 11<sup>th</sup> Street, also opposed the project due to increased area traffic impacts on the neighborhood.

Greg Whelan, 618 Terraine, expressed support for the project, saying the project would be a tremendous improvement over the current blighted site, adding that there would always be fears

of traffic congestion in any big project, but that historically, those concerns had never been realized.

Bill Townsend, 3731 Cedar Avenue, expressed support for the project, saying he wanted to spend his home improvement money in Long Beach.

Maria Hansen, 104 Santa Ana Avenue, agreed that business income should stay in Long Beach and help improve other areas, alleviating many problems. Ms. Hansen said she felt the applicant had responded well to community concerns.

Hank Snapper, 346 Long Point, Vice President, Spinnaker Bay Homeowners Association, said his organization was heavily in favor of the project, and that any proposed moratorium endorsed by opponents would just drive up the costs of the project with unnecessary delays, sending the wrong message to other business owners. Mr. Snapper added that the project would not affect any wetlands area since the site in question was industrial.

Jack Humphrey, 620 Alta Loma, reviewed the project at the request of Home Depot, and noted that it was sited in an industrial sanctuary district that could accommodate a wide range of industries such as chemical manufacturing and food processing, and considering these possible legal alternatives, the Home Depot use was benign. Mr. Humphrey added that this would be a high-quality activity that had already been subjected to an unusually thorough vetting process with the applicant making significant changes to the original design to address the concerns and wishes of all interested people and agencies.

Gabrielle Weeks, 321 Obispo, representing Long Beach Greens, expressed opposition to the project, saying she appreciated the applicant's efforts but she still felt it was the wrong location for the project since there were other hardware and DIY locations in the City that could be negatively impacted.

Theresa Bixby, 501 Margo Avenue, expressed support for the project, saying she felt the applicant had committed to actively supporting the adjacent school district while making concessions and improvements that made their project more attractive than other possible industrial uses.

Doug Drummond, 6242 Monita Street, spoke in opposition to the project, saying he felt it was spot zoning and that instead the whole area should be developed instead to include the wetlands.

Lee Whittenberg, Planning Director, City of Seal Beach, asked that \$2.2 million in additional mitigation fees be imposed on the developer to help fund improvements on Route 22 to deal with the long-term impacts of this project.

Bonnie Sutherland, 5622 2<sup>nd</sup> Street, interior designer, expressed support for the project, saying that the City needed an alternative design center for those who could not afford the higher prices at smaller, similar businesses.

Kathy Meyer, 626 Flint Avenue, also expressed support for the applicant, saying she felt it would be a big upgrade for the east side of the City and an overall boost for the tax base.

Hayley Brandt, 6842 Almada Street, spoke against the project, saying she felt the economic benefits of the project would be outweighed by increased traffic and crime.

Melinda Cotton, P. O. Box 3310, Long Beach, Past President, Belmont Shore Residents' Association, said she opposed the project because she felt it would be precedent-setting in that it would give a signal to other developers that spot zoning was acceptable.

Frank Marchese, 6312 E. 5<sup>th</sup> St., also opposed the project due to increased traffic, saying it should be sited near bigger roads.

Denis Craig, 38 Windjammer Court, Public Agency Coordinator, Island Village Homeowners Association, claimed that of the 14 homeowner groups involved, ten had unanimously opposed the project because of potential traffic impacts.

Ann Denison, 6931 E. 11<sup>th</sup> Street, Vice President, Los Cerritos Wetlands Trust, expressed opposition to the project, citing lack of adequate mitigation and open space deficiencies. Ms. Denison said she thought the neighborhood would prefer wetlands on the site and would support a moratorium until a Master Plan was developed.

Ann Cantrell, 3106 Cluremore, Board Member, Los Cerritos Wetlands Trust, said she was speaking for the 500-member group concerned about the effect of the project's light and noise on nearby wetlands.

Karen Hutchinson, 4415 E. Vermont Street, also spoke in opposition to the project, saying it was too close to the power plant which could create a danger of terrorist attacks.



Patricia Nielson, 194 Rivo Alto Canal, also spoke against the applicant, citing a potential increase in accidents on Loynes Drive.

Mary Beth Mashburn, 2 Rivo Alto Canal, opposed the requests because she felt the traffic studies were inadequate and the EIR flawed and judicially weak.

Suzanne Beck, 10 Corinthian Walk, also spoke against the project, agreeing that the traffic studies were inadequate.

Rhea Mealey, 510 Peralta Avenue, also expressed opposition, saying it would negatively impact the area's quality of life and decrease property values.

Don May, 4927 Minturn, Lakewood, President, California Earth Corps, spoke against the project, questioning the ownership of the third party parcel conditioned to be used for traffic mitigation. Mr. May purported that the current owner did not have the right to deed or sell the five acres as they had been obtained as mitigation for building the power plant, and were earmarked to go to the JPA or Los Cerritos Land Trust to be used solely for wetlands expansion.

Deborah Clawson, 30 Giralda Walk, spoke against the requests and presented photos supporting her claim that the special design center model was already built in Brea and looked to her like the usual Home Depot.

Lisa Rinaldi, 5624 La Paz Street, also expressed opposition to the project, saying she felt there were already unsafe levels of air pollution on the project site that would require further analysis by CEQA.

Jerry Trent, 213 Harvard Lane, Seal Beach, stated that he lived near a potentially impacted intersection and feared huge traffic backups if the project was approved.

Judy Hess, 330 Laurinda, read a letter from a neighbor opposed to the project.

Sandie Van Horn, 845 Stevely Avenue, also spoke against the requests, saying she supported a moratorium on development in east Long Beach, and claiming that eight other Home Depots were within reasonable driving distance from the site.

Mary Suttie, 331 Linares Avenue, claimed she represented 2700 plus affected residents opposed to the development due to negative impacts on traffic and pollution.

Kerry Martin, 7890 E. Spring Street, questioned data in the EIR regarding trip generation numbers.

David Robertson, 331 Linares, also spoke against the requests, saying he felt the EIR was inadequate and biased in favor of the developer.

Tina Craig, 38 Windjammer Court, asked that the trip generation numbers in the EIR be clarified.

Bryn Myown, 776 Raymond Avenue, also expressed opposition to the project due to loss of open space and potential wetlands.

Patricia Bliss, 7215 E. Killdee, spoke against the requests citing concerns about the accuracy of the traffic numbers.

Jane Boyce, 157 Rivo Alto Canal, spoke against the project citing concerns about subsidence on Loynes and impacts on traffic in Naples.

Michael Tinsley, 2383 Belmont Avenue, objected to the project on the grounds that the EIR did not address the cumulative effects of all future and current projects in the area.

Dr. Arthur Belan, 5615 Naples Canal, also opposed the project, saying he felt the EIR contained conflicting data.

John Sabo, 6830 E. 11<sup>th</sup> Street, objected because he felt the area traffic would be negatively affected and asked for a two-year moratorium on building.

Anna Christensen, 259 Termino, objected to the project, expressing fears about noise, traffic and impact on nearby wetlands.

C. J. Hentzen, 30 Windjammer, also objected to building on the site because he felt the canals could be impacted and were an important part of the wetlands system, which he felt could be restored.

Jay Lieber, 6267 E. 6<sup>th</sup> Street, said he supported the project because it would actually reduce trips for City residents who currently have to drive a long ways to the nearest Home Depot.

Mike Lanterman, 6214 E. 6<sup>th</sup> Street, said he represented 12 University Park families who supported the project because Home Depot would fix the problematic sewer while ridding the area of unsightly tank farms and bringing in new restaurants and retail stores.

Nancey Kredell, 1633 Seal Way, Seal Beach, expressed concern that the project could bring traffic to Seal Beach not mitigated by the conditions of approval.

Don Sundeen, 5571 Corso di Napoli, said he supported the project because he did not like dealing with smaller local businesses or having to drive long distances to other Home Depots.

Heather Altman, 41-1/2 Ximeno, stated her opposition to the Home Depot, saying she felt the EIR would not be able to stand up to judicial review and was inconsistent, misleading and flawed.

Mary Anne Golden, 6016 Bixby Village Drive, opposed the project on the grounds that potential air pollution and traffic could affect the nearby school.

Mike Kowal, 3756 Pine Avenue, talked about the General Fund and the City's infrastructure needs.

Debbie Wall, 2049 Lees Avenue, opposed the development because of traffic, proximity of other Home Depot locations and lack of monetary compensation for potential severe environmental impacts.

Tom Marchese, 6312 E. 5<sup>th</sup> Street, representing Los Cerritos Wetlands, also opposed the project, saying the truck traffic would undermine area roads.

Doug Otto, applicant representative, in rebuttal, noted that the traffic study was done by the City via a very conservative methodology with many credits not taken, which would most likely result in impacts far below those listed in the EIR. Mr. Otto suggested comparing the traffic situation to those around similar big box stores, noting that any impacts would be more than mitigated by conditioned measures. Mr. Otto also claimed that the main problem on Loynes Street was single-car, high-speed accidents, not density, and added that the applicant would be contributing 25% of resurfacing costs per cycle to the street. Mr. Otto also pointed out that this was not spot zoning, but rather a permitted use on the land, and he added that every

retail development in the City had received opposition from neighbors who ended up enjoying the conveniences.

Ms. Reynolds addressed the ownership of the northeast corner of Studebaker and 2<sup>nd</sup>, stating that the title belongs to Pacific Terminals LLC, and is considered private property. Regarding the sewer, Ms. Reynolds noted that this is in the project description, but could be mandated by a condition of approval.

Dave Roseman, City Traffic Engineer, confirmed that the City had attempted to make conservative estimates of traffic impacts and had discussed the situation with CalTrans, who had requested that the applicant modernize traffic signals as well as other improvements not in the ICU calculations.

Ken Wilhelm, LSA Associates, City Traffic Consultant, stated that the intersections discussed by the Seal Beach Planning Director were not within the scope of the City study, but that all studies had been done using standard County of Orange methodology, and had noted a small addition to level of service heading into Seal Beach. Mr. Wilhelm also noted that rates used were lower than the national standards, and that any cumulative effects of other area projects did not alter the numbers enough to affect the recommendations.

Lisa Williams, Project Manager, LSA Associates, in response to a query from Commissioner Gentile, explained the state CEQA guidelines used to interpret EIR data.

Denis Craig, 38 Windjammer Court, regarding the ownership of the northeast corner of Studebaker and 2<sup>nd</sup>, claimed the owner of record was the California Earth Corps, who would not permit the construction of a right hand turn lane on the site.

In response to a query from Commissioner Winn regarding the AES security request, Mr. Mais noted that AES had the right to maintain the current fence between the properties.

In response to a query from Commissioner Rouse, Carolyne Bihn explained that the proposed project was in a subarea specifically zoned for industrial uses, including retail subject to a conditional use permit.

Commissioner Winn said he understood all the concerns expressed about potential traffic impacts, but was swayed by the use of conservative estimates in the traffic studies, and the fact that the site was not wetlands. Mr. Winn said the project would

generate jobs, and from an environmental standpoint, be an improvement over the tank farm. He also pointed out that the applicant would be paying to improve area streets which would also improve traffic, and that if the project went elsewhere Long Beach would only have the traffic, not the income.

Commissioner Rouse said he believed all uses for the property were potentially more onerous than this one; that the traffic mitigation would be adequate, and the sewer and school improvements important.

Commissioner Gentile commented that the Home Depot design team had gone far beyond what was normal for a project of this size, and she said she felt they would provide a high quality development regardless of a potentially contentious use.

Commissioner Winn then moved to certify the Environmental Impact Report EIR 10-04/SCH #2004031093 and to adopt a Resolution with Findings of Fact and a Mitigation Monitoring Program. Commissioner Rouse seconded the motion, which passed 4-0. Commissioners Greenberg, Stuhlberg and Sramek were absent.

Commissioner Winn then moved to adopt a Resolution with a Statement of Overriding Consideration. Commissioner Rouse seconded the motion, which passed 4-0. Commissioners Greenberg, Stuhlberg and Sramek were absent.

Commissioner Winn moved to approve the Site Plan Review, Conditional Use Permit, Tentative Parcel Map, Local Coastal Development Permit and Standards Variances, subject to revised conditions. Commissioner Gentile seconded the motion, which passed 4-0. Commissioners Greenberg, Stuhlberg and Sramek were absent.

**3. Case No. 0605-44, Site Plan Review, Standards Variance, Administrative Use Permit, Lot Merger, ND 18-03**

Applicant: Alain M. Sarfatti  
Subject Site: 201 The Promenade (Council District 2)  
Description: Request for approval of Site Plan Review and a Lot Merger for construction of a new seven-story 165-room hotel, with Standards Variance requests for less than code-required parking and driveway slope exceeding 14 percent, and an Administrative Use Permit for shared parking.

Derek Burnham presented the staff report recommending approval of the requests since the hotel project is consistent with the

Downtown Planned Development District and the Promenade Master Plan; will be an asset to Downtown Long Beach by enhancing pedestrian activities; will provide a physical link between Pine Avenue and the Promenade, and has been approved by the RDA.

Commissioner Rouse expressed support for the hotel but concern about the request for relief from parking requirements in such an impacted area. Mr. Carpenter noted that other area projects would be contributing to the public parking bank.

Commissioner Winn commented that he felt parking requirements for the hotel were sufficient since most nights not all the rooms would be rented, and many guests would use taxis.

Alain Sarfatti, 600 E. Ocean Blvd., applicant, noted that the success of the hotel would be based on its quality of service, including parking, so they felt they had sufficient spaces, especially since they would be using valets, and hotel staff would park off site.

Michael Chasteen, 9424 Dayton Way, Suite 230, Beverly Hills, 90210, applicant architect, explained the building's articulation and planned rooftop design improvements in response to a query from Commissioner Gentile, who suggested that the northern elevation get more attention and articulation.

Barbi Clark, Redevelopment Agency, stated the RDA was satisfied with the design.

Commissioner Gentile moved to review and consider Mitigated Negative Declaration No. 18-03, and to approve the requests for Site Plan Review, Standards Variances, Lot Merger and Administrative Use Permit, subject to conditions. Commissioner Rouse seconded the motion, which passed 4-0. Commissioners Greenberg, Stuhlbarg and Sramek were 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**

There were no matters from the Department of Planning and Building.

**MATTERS FROM THE PLANNING  
COMMISSION**

There were no matters from the Planning Commission.

**A D J O U R N**

The meeting adjourned at 6:10pm.

Respectfully submitted,

Marcia Gold  
Minutes Clerk

MINUTES  
REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS  
LONG BEACH, CALIFORNIA  
SEPTEMBER 21, 2006

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 September 7, 2006.

The meeting was called to order at 9:17 a.m. by Acting President Clarke.

PRESENT:	Frank Clarke	Commissioner
	Lillian Y. Kawasaki	Commissioner
	Helen Z. Hansen	Commissioner
	Donna Gwin	Senior Deputy City Attorney
	Sandra L. Fox	Secretary to the Board of Water Commissioners
	Robert C. Cheng	Deputy General Manager - Operations
	B. Anatole Falagan	Deputy General Manager - Business
	Ryan J. Alsop	Director, Government & Public Affairs
	K. Eric Leung	Director of Water Resources
	Matthew P. Lyons	Director, Planning & Conservation
	Paul Fujita	Director of Finance
	David Honey	Administrative Officer
	Melissa L. Keyes	Administrative Analyst II/Special Projects Coordinator
	Patricia Robinson	Administrative Analyst II
Cynthia Andrews-Tate	Laboratory Services Supervisor	
Dynna Long	Senior Secretary	
ABSENT:	Stephen T. Conley	Commissioner
	William B. Townsend	Commissioner
	Kevin L. Wattier	General Manager

**1. PLEDGE OF ALLEGIANCE**

Frank Clarke led the Board and audience in the Pledge of Allegiance.

**2. PUBLIC COMMENT**

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



**3. APPROVAL OF MINUTES**

August 17, 2006

Upon motion by Commissioner Kawasaki, seconded by Commissioner Hansen, and unanimously carried, the Minutes of the Regular Meeting of August 17, 2006, were approved.

**4. PRESIDENT'S REPORT**

- **Frank Clarke, Acting President, Board of Water Commissioners**

OCTOBER 12, 2006 PUBLIC HEARING

Acting President Clarke requested that staff schedule an individual briefing with him prior to the October 12, 2006 public hearing.

**5. GENERAL MANAGER'S REPORT**

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

Mr. Wattier provided the following report to the Board:

LBWD BUDGET RESOLUTION & RATE RESOLUTIONS APPROVED BY CITY COUNCIL

Mr. Wattier reported that the City Council had approved the Long Beach Water Department budget resolution and rate resolution as part the overall city budget approval at the September 12, 2006 city council meeting.

**6. LEGAL COUNSEL REPORT**

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

•  
No report was given.

**7. CONSENT CALENDAR**

President Clarke pulled item 7d. from the Consent Calendar for separate discussion and action.

It was moved by Commissioner Hansen and seconded by Commissioner Kawasaki, and unanimously approved that the Board approve Consent Calendar Items 7a.,7b., 7c., 7e. and 7f.

The motion was carried by the following vote:

AYES:	COMMISSIONERS:	<u>FRANK CLARKE , HELEN HANSEN</u>
		<u>LILLIAN KAWASAKI</u>
NOES:	COMMISSIONERS:	<u>NONE</u>
ABSENT:	COMMISSIONERS:	<u>STEPHEN CONLEY, WILLIAM TOWNSEND</u>
ABSTAIN:	COMMISSIONERS:	<u>NONE</u>

**7a. Approval of Transfer of Funds by Journal Entry Dated September 21, 2006**

Transfers No. 238 through No. 252 in the total amount of \$1,553,978.20, covering the Water Revenue and Sewer Funds, were submitted to the Board for approval.

**7b. Authorize the General Manager to Execute First Amendment to Agreement WD-2717 with Masco Canada Limited dba Cambridge Brass (Cambridge) to Extend Contract for one (1) year to Furnish and Deliver Miscellaneous Water Works Materials and Bronze Products for an amount not to exceed \$52,779.47 for the New Contract Period**

A communication was presented to the Board from Robert C. Cheng which is on file at the Long Beach Water Department.

Action:

Authorize the General Manager to Execute First Amendment to Agreement WD-2717 with Masco Canada Limited dba Cambridge Brass (Cambridge) to Extend Contract for one (1) year to Furnish and Deliver Miscellaneous Water Works Materials and Bronze Products for an amount not to exceed \$52,779.47 for the New Contract Period

**7c. Authorize the General Manager to Execute Second Amendment to Agreement WD-2664 with S & J Supply Company, Inc to Furnish and Deliver Ductile Iron Pipe and Related Materials, Fittings for Ductile Iron Pipe and Resilient Seated Gate Valves to Extend Contract for One Year for an amount not to exceed \$114, 220.00 for the New Contract Period**

A communication was presented to the Board from Robert C. Cheng which is on file at the Long Beach Water Department.

Action:

Authorize the General Manager to Execute Second Amendment to Agreement WD-2664 with S & J Supply Company, Inc to Furnish and Deliver Ductile Iron Pipe and Related Materials, Fittings for Ductile Iron Pipe and Resilient Seated Gate Valves to Extend Contract for One Year for an amount not to exceed \$114, 220.00 for the New Contract Period

- 7e. **Authorize the General Manager to Execute Second Amendment to Agreement WD-2663 (furnish and deliver ductile iron pipe and related materials, fittings for ductile iron pipe and resilient seated gate valves) with United States Pipe and Foundry, Co., LLC (US Pipe) to Extend Contract for One Year for an Amount not to exceed \$1,185,870.00 for the New Contract Period, and Replace the Exhibit with Current Pricing**

A communication was presented to the Board from Robert C. Cheng which is on file at the Long Beach Water Department.

Action:

Authorize the General Manager to Execute Second Amendment to Agreement WD-2663 (furnish and deliver ductile iron pipe and related materials, fittings for ductile iron pipe and resilient seated gate valves) with United States Pipe and Foundry, Co., LLC (US Pipe) to Extend Contract for One Year for an Amount not to exceed \$1,185,870.00 for the New Contract Period, and Replace the Exhibit with Current Pricing

- 7f. **Approve First Amendment to Agreement WD-2742 with Goodwill Industries to Incorporate Rebates for Water-conserving Stream Rotators into the Agreement, and to Modify the Payment Schedule to tie the Processing Fee Paid to Goodwill Industries to the Number of Applications Processed, not the Number of Device Rebates**

A communication was presented to the Board from Matthew P. Lyons which is on file at the Long Beach Water Department.

Action:

Amend Agreement WD-2742 to incorporate rebates for stream rotators, and to make the basis for the processing fee paid to Goodwill Industries the number of applications processed, not the number of devices rebated.

Note: Item 7d. was pulled for further discussion and separate action.

**7d. Adopt Specification WD-16-06 and Authorize the General Manager to Execute an Agreement with Varian, Inc. to Furnish, Deliver, and Install Gas Chromatograph, Mass Spectrometer, Autosampler and GC Data System (GC/MS) in an Amount not to Exceed \$107,738.00, which Includes a Two Year Service Contract**

Cynthia Andrews-Tate, Laboratory Services Officer gave an overview of the LBWD Water Quality Lab procedures for testing water and advised of the need for more sophisticated instruments to meet testing guidelines. She highlighted the functions of the proposed equipment and the benefits it offered.

Commissioner Hansen requested that staff refrain from including these types of purchases on the Consent Calendar in the future.

Commissioner Kawasaki complimented staff on the presentation regarding this equipment, and also commented that she had recently viewed the current Long Beach Water Department video on public television and commented on the clarity of the message for the citizens of Long Beach.

It was moved by Commissioner Kawasaki and seconded by Commissioner Hansen, and unanimously approved that the Board approve Consent Calendar Item 7d.

The motion was carried by the following vote:

AYES:	COMMISSIONERS:	<u>FRANK CLARKE , HELEN HANSEN</u>
		<u>LILLIAN KAWASAKI</u>
NOES:	COMMISSIONERS:	<u>NONE</u>
ABSENT:	COMMISSIONERS:	<u>STEPHEN CONLEY, WILLIAM TOWNSEND</u>
ABSTAIN:	COMMISSIONERS:	<u>NONE</u>

Commissioner Hansen commented on an article from the *Orange County Register* regarding bottled water quality, and requested that staff provide a copy to the Board members.

Acting President Clarke inquired about the staff openings in the Water Quality Organic Chemist classification. David Honey, Administrative Officer responded that the Civil Service process was ongoing, with aggressive advertisement and recruitment for this position.

**8. LEGISLATIVE ISSUES/ACTIONS/BILLS**

- **Ryan J. Alsop, Director, Government & Public Affairs**

SANTA ROSA RATE INCREASES

Mr. Alsop commented on Santa Rosa's approach to rate increases and their communication information.

IRWMP UPDATE

Mr. Alsop reported on the Gateway Council of Governments effort to reposition on this subject by establishing a new MOU that limits IRWMP to Proposition 50 remaining funds.

He also advised that the future focus for bond funds may allow for subsets of the current IRWMP regions.

DEPARTMENT OF THE INTERIOR TOUR OF DESAL PROTOTYPE PLANT

Mr. Alsop advised the Assistant Secretary of the Department of Interior, Mark Limbaugh, and Robert Johnson, Commissioner of the Bureau of Reclamation, along with MWD officials would be touring the Desal Prototype plant the afternoon of September 21<sup>st</sup>, 2006. Mr. Alsop invited the Commissioners to take part in this event. He reminded the Board that this would be another opportunity for LBWD to convince the Bureau of Reclamation to include funds for desalination in their upcoming budget.

ACWA UNDERWRITING WATER SERIES

Mr. Alsop reminded the Board that ACWA had been underwriting a recent series on water issues for public television. He advised that Huell Howser would be including an episode on desalination as part of this series, and he would be visiting the Desal Prototype Plant in the near future (exact dates were not yet available).

"WATER IS LIFE" POSTER WINNERS

Mr. Alsop advised the Board that as part of the presentations for the October 5, 2006 board meeting the "Water is Life" poster winners would be recognized.

ROTARY MEETING AT DESALINATION PLANT

Mr. Alsop reminded the Board the Long Beach Rotary group would be holding their meeting of October 11th at the Long Beach Desalination Plant.

LBWD BEACH CLEAN UP SEPTEMBER 16, 2006

Mr. Alsop summarized the activities of the recent beach clean up and noted the successes of the event. He also showed photographs from the event and recognized the volunteers and sponsors that took part in this annual beach clean up.

**9. NEW BUSINESS**

NO MEETING SEPTEMBER 28, 2006

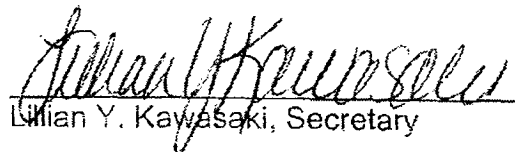
Acting President Clarke reminded the Board that the meeting of September 28, 2006 had been cancelled for lack of a quorum.

AWWA FALL CONFERENCE – LONG BEACH, CA

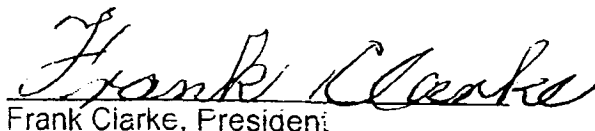
Melissa Keyes provided a background overview regarding the upcoming AWWA Fall Conference that would be taking place in Long Beach, October 2 – October 5, 2006. She advised that the LBWD would be staffing an information table at the conference, and recognized the Water Department volunteers that would be assisting during this conference. Ms. Keyes also provided a summary of events for the conference.

**10. ADJOURNMENT**

There being no further business to come before the Board, Acting President Clarke adjourned the meeting at 9:57 a.m. to the next Regular Meeting of the Water Commission to be held on Thursday, October 5, 2006, at 9:15 a.m., in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California.

  
Lilian Y. Kawasaki, Secretary

Attest:

  
Frank Clarke, President

MINUTES  
REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS  
LONG BEACH, CALIFORNIA  
October 5, 2006

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 October 5, 2006.

The meeting was called to order at 9:17 a.m. by President Conley.

PRESENT:	Stephen T. Conley	Commissioner
	Frank Clarke	Commissioner
	William B. Townsend	Commissioner
	Lillian Y. Kawasaki	Commissioner
	Helen Z. Hansen	Commissioner
	Donna Gwin	Senior Deputy City Attorney
	Kevin L. Wattier	General Manager
	Sandra L. Fox	Secretary to the Board of Water Commissioners
	Robert C. Cheng	Deputy General Manager - Operations
	B. Anatole Falagan	Deputy General Manager - Business
	Ryan J. Alsop	Director, Government & Public Affairs
	K. Eric Leung	Director of Water Resources
	Matthew P. Lyons	Director, Planning & Conservation
	Paul Fujita	Director of Finance
	Issac C. Pai	Director of Engineering
	David Honey	Administrative Officer
	Robert V. Swain	Division Engineer
	Melissa L. Keyes	Administrative Analyst II/Special Projects Coordinator
	Patricia Robinson	Administrative Analyst II
	Cynthia Andrews-Tate	Laboratory Services Supervisor
	Dynna Long	Senior Secretary
	Jean Hartman	Water Ambassador

ABSENT: None

**1. PLEDGE OF ALLEGIANCE**

Robert Katzenberger led the Board and audience in the Pledge of Allegiance.

**2. PUBLIC COMMENT**

President Conley made welcoming remarks to the "Water is Life" poster contest winners and their families who were in the audience, and introduced the Board members to them. President Conley opened the public comment period. As there were no requests to address the Board, the public comment period was closed.

### **3. APPROVAL OF MINUTES**

September 7, 2006

Upon motion by Commissioner Hansen, seconded by Commissioner Kawasaki, and unanimously carried, the Minutes of the Regular Meeting of September 7, 2006, were approved.

NOTE: AGENDA ITEM 7 WAS TAKEN OUT OF ORDER AT THIS POINT IN THE MEETING.

### **7. ELECTION OF OFFICERS – PRESIDENT, VICE PRESIDENT, SECRETARY**

- **Stephen T. Conley, President, Board of Water Commissioners**

President Conley stated that he would accept nominations for the Board officers for FY 07 in accordance with Resolution WD-889, a Resolution Establishing Rules of Procedure for the Board of Water Commissioners.

President

President Conley called for the nomination of the President of the Board of Water Commissioners.

It was moved by Commissioner Kawasaki, seconded by Commissioner Townsend, and unanimously carried, that Commissioner Clarke be nominated for the office of President.

President Conley asked if there were any other nominations, and there being none, Commissioner Clarke was unanimously elected as President for the term beginning October 5, 2006, and ending September 30, 2007.

Vice President

President Conley called for the nomination of the Vice President of the Board of Water Commissioners.

It was moved by Commissioner Clarke, seconded by Commissioner Hansen, and unanimously carried, that Commissioner Townsend be nominated for the office of Vice President.

President Conley asked if there were any other nominations, and there being none, Commissioner Townsend was unanimously elected as Vice President for the term beginning October 5, 2006, and ending September 30, 2007.



### Secretary

President Conley called for the nomination of the Secretary of the Board of Water Commissioners.

It was moved by Commissioner Townsend, seconded by Commissioner Clarke, and unanimously carried, that Commissioner Kawasaki be nominated for the office of Secretary.

President Conley asked if there were any other nominations, and there being none, Commissioner Kawasaki was unanimously elected as Secretary for the term beginning October 5, 2006, and ending September 30, 2007.

Former President Conley turned over the gavel to newly elected President Clarke who conducted the balance of the meeting, and they changed seats at the dais.

Commissioner Hansen expressed gratitude and appreciation to President Conley for his term as President of the Board of Water Commissioners and for efficiently and effectively directing the Board of Water Commissioners during his term of office.

#### **4. "WATER IS LIFE" POSTER CONTEST AWARDS & RECOGNITION**

Melissa Keyes provided background on the "Water is Life" poster contest and introduced Jean Hartman, a Long Beach Water Ambassador who assisted during the presentations. Ms. Keyes noted the displayed framed winning artwork on the walls of the Board room.

Awards were presented to the student contest winners, and photos were taken with the entire Board of Water Commissioners.

#### **5. PRESIDENT'S REPORT**

- **Frank Clarke, President, Board of Water Commissioners**

#### PRESENTATIONS TO OUTGOING PRESIDENT CONLEY

President Clarke requested Sandy Fox read the resolution presented to outgoing President Conley. President Clarke then presented outgoing President Conley with a ceremonial gavel and sounding block and a mini-fire hydrant from the Long Beach Water Department.

Verbal acknowledgements of congratulations were made by Commissioner Kawasaki and Commissioner Townsend regarding President Conley's term in office.

6. REVIEW BOARD MEETING SCHEDULE FOR OCTOBER 2006
- Frank Clarke, President, Board of Water Commissioners

The Board discussed their meeting schedule for the month of October 2006 and agreed to the following meeting schedule:

October 5, 2006	Regular Meeting, 9:15 A.M.
October 12, 2006	Public Hearing, 9:15 A.M.
October 19, 2006	Regular Meeting, 9:15 A.M.
October 26, 2006	Committee of the Whole, 9:15 A.M.

NOTE: ITEM 7 WAS CONSIDERED EARLIER IN THE AGENDA

8. GENERAL MANAGER'S REPORT
- Kevin L. Wattier, General Manager

#### INTERNATIONAL WATER ASSOCIATION CONFERENCE

Mr. Wattier reported on his recent attendance at the International Water Association and shared highlights and insights from the trip which included items of interest and progress in the water community that everyone should pay attention to and learn from; how activity in China is changing the world; he also mentioned a report that was made by the delegation from Australia and the effects of global warming impacting their water supplies.

Mr. Wattier also reported on a report made by a representative from the United States regarding the condition of water infrastructure, and how this individual had mentioned that this was a national problem rather than a local community issue. Mr. Wattier pointed out that this position did not reflect how the Long Beach Water Department felt about this kind of issue, but that it would be a sensitive topic to be addressed at the upcoming AMWA Fall Conference in South Carolina. President Conley recommended that Mr. Wattier take a position that the LBWD feels that local infrastructure is a local responsibility. Mr. Wattier agreed to incorporate this message into future efforts.

#### UPCOMING INTERNATIONAL TRIPS

Mr. Wattier advised the Board that LBWD staff had recently been invited to participate at two upcoming International Conferences with all expenses paid by the sponsoring groups:

- Isaac C. Pai – October 10, 2006 – October 12, 2006, Meridian Institute Workshop on Water, Nanotechnology and Development being held in Chennai, India

- B. Anatole Falagan – November 6, 2006 – November 10, 2006, Sixth National Congress of the Spanish Association for Desalination and Reuse being held in Palma de Mallorca, Spain

#### RECENT BEACH CLOSURES & OCEAN WATER QUALTY ISSUES

Cynthia Andrews-Tate, Laboratory Services Supervisor provided a summary regarding recent beach closures at the Colorado Lagoon, Marine Stadium and Mother's Beach. She described the facts behind sampling and rigorous testing processes for coliforms (which is the contaminant that has caused these recent closures) as used in the LBWD laboratories to assure water quality in the water distribution system.

She reported that Health Department officials had indicated to her that there had been a recent surge in elevated levels of e-coli at the affected locations, but the source of the contamination had not yet been discovered. They reported this contamination could possibly be from local bird migrations; illegal dumping from a boat or the narrow culvert between the Colorado Lagoon and Marine Stadium causing water stagnation.

#### STORM DRAIN 23 STATION ISSUE

Robert Cheng provided an update on the recent BP oil leak that had contaminated the Storm Drain 23 station. He advised that BP had been responsive and had thoroughly steam cleaned the storm drain station, and reported the station was now back in service.

He reported that BP officials want to recognize the LBWD employees who discovered the leak at an upcoming City Council meeting.

#### OCTOBER 12, 2006 PUBLIC HEARING PROCESS

B. Anatole Falagan summarized information previously presented regarding the process for the upcoming October 12, 2006 public hearing.

#### AWWA-CA-NV FALL CONFERENCE

Mr. Wattier advised he had made opening remarks at the recent AWWA conference held in Long Beach, October 2 – October 5, 2006.

#### SEAWATER DESALINATION CONFERENCE

Mr. Wattier reported he would be participating on a panel at the upcoming Seawater Desalination Conference that would be held October 5, 2006 at the Aquarium of the Pacific.

**ARTICLES DISTRIBUTED IN CUBBIES & GENERAL INFORMATION**

Mr. Wattier directed the Board to the articles distributed in their cubbies which included:

- Article on Coastal Commission's rejection of Poseidon application for Carlsbad desalter plant
- Copy of City of Signal Hill's Rate Public Hearing Notice

Mr. Wattier reminded the Board of the October 11, 2006 Rotary event at the Desal Plant.

Mr. Wattier advised the Board that the contractor for the Desal Prototype Plant had received their substantial completion permit for the project.

**9. LEGAL COUNSEL REPORT**

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

Donna Gwin provided a summary of past Proposition 218 cases, and distributed and reviewed a handout with the Board members.

Ms. Gwin also reported to the Board that she is retiring from the City of Long Beach, and that November 9, 2006 would be her official last Board of Water Commission meeting.

**10. CONSENT CALENDAR**

It was moved by Commissioner Townsend and seconded by Commissioner Kawasaki, and unanimously approved that the Board approve Consent Calendar Items 7a.,7b., and 7c.

The motion was carried by the following vote:

AYES:	COMMISSIONERS:	<u>STEPHEN CONLEY, FRANK CLARKE,</u> <u>WILLIAM TOWNSEND,</u> <u>LILLIAN KAWASAKI, HELEN HANSEN</u>
NOES:	COMMISSIONERS:	<u>NONE</u>
ABSENT:	COMMISSIONERS:	<u>NONE</u>
ABSTAIN:	COMMISSIONERS:	<u>NONE</u>

**10a. Approval of Transfer of Funds by Journal Entry Dated September 21, 2006**

Transfers No. 253 through No. 285 in the total amount of \$761,951.40, covering the Water Revenue and Sewer Funds, were submitted to the Board for approval.

**10b. Receive and File the List of Vendor Payments for the month of August 2006**

A communication was presented to the Board from Paul Fujita, which is on file at the Long Beach Water Department.

**10c. Adopt Specifications WD-14-06 and Authorize the General Manager to Execute an Agreement with Backflow Apparatus and Valve doing business as BAVCO to Furnish and Deliver Backflow Assembly Repair Kits and Whole Backflow Assemblies in an Amount not to Exceed \$200,000.00**

A communication was presented to the Board from Robert C. Cheng which is on file at the Long Beach Water Department.

Action:

**Adopt Specifications WD-14-06 and Authorize the General Manager to Execute an Agreement with Backflow Apparatus and Valve doing business as BAVCO to Furnish and Deliver Backflow Assembly Repair Kits and Whole Backflow Assemblies in an Amount not to Exceed \$200,000.00**

NOTE: AGENDA ITEM 12 WAS TAKEN OUT OF ORDER AT THIS POINT IN THE MEETING.

**12. LEGISLATIVE ISSUES/ACTIONS/BILLS**

- **Ryan J. Alsop, Director, Government & Public Affairs**

"WATER IS LIFE" POSTER CONTEST

Mr. Alsop acknowledged the efforts of Melissa Keyes and Jean Hartman in support of this valuable program.

FEDERAL APPROPRIATIONS UPDATE

Mr. Alsop reported no Federal appropriations action would be taken prior to the upcoming election, and would be deferred to the lame duck session post-election.

## DEPARTMENT OF THE INTERIOR TOUR OF DESAL PROTOTYPE PLANT

Mr. Alsop reported the Assistant Secretary of the Department of Interior, Mark Limbaugh, and Robert Johnson, Commissioner of the Bureau of Reclamation, along with MWD officials had toured the Desal Prototype plant the afternoon of September 21<sup>st</sup>, 2006.

## STATE LEGISLATIVE UPDATE

Mr. Alsop advised the Board that the Governor had reviewed various bills and had taken action as follows:

- SB 1640 – Sheila Kuhl bill (disclosure in water planning) was vetoed
- SB 371 – was passed and signed
- AB 1881 – Laird – (model landscape ordinance) was signed
- AB 2951 – Goldberg (pitted water agencies against school districts) was signed

Mr. Alsop reported the Governor had breathed new life into the delta issue and had established the “Delta Vision”. He also reported the Governor had signed an executive order to come up with a plan for the delta. Mr. Alsop reported that Sheila Kuhl had introduced bill 1574 (regarding a sustainable management plan for the delta).

NOTE: AGENDA ITEM 13 WAS TAKEN OUT OF ORDER AT THIS POINT IN THE MEETING.

- 13. Metropolitan Water District (MWD) Agenda Items and Recommendations for the October 10, 2006, Board Meeting**
- **Helen Z. Hansen, MWD Director**

Commissioner Hansen in her capacity as the City of Long Beach MWD Director, called the Board’s attention to the MWD Board of Director’s meeting agenda of October 10, 2006: She requested input from the Board, and stated that she will report back during the Committee of the Whole meeting of October 26, 2006, regarding matters discussed at the MWD meeting.

Commissioner Hansen reported that she is acting on a Committee to select a new General Counsel for MWD.

Commissioner Conley commented and congratulated Commissioner Hansen for organizing the recent MWD No. California State Water Project tour held September 28 – September 30, 2006.

Mr. Wattier commented on MWD’s \$3 million to \$5 million yearly funding of the Bay Delta issue, plus their agreement to bring back the “fee” issue. Mr. Wattier advised he had expressed dismay regarding this issue to MWD’s General Manager.

NOTE: AGENDA ITEM 14 WAS TAKEN OUT OF ORDER AT THIS POINT IN THE MEETING.

#### 14. NEW BUSINESS

##### EXCUSED ABSENCE

Commissioner Hansen requested to be excused from the October 12<sup>th</sup>, 2006 Public Hearing and the October 19, 2006 Board meeting.

It was moved by Commissioner Conley, seconded by Commissioner Townsend, and unanimously approved that Commissioner Hansen be excused from the October 12 Public Hearing and the October 19<sup>th</sup> Board meeting.

The motion was carried by the following vote:

AYES:	COMMISSIONERS:	<u>STEPHEN CONLEY, FRANK CLARKE,</u> <u>WILLIAM TOWNSEND,</u> <u>LILLIAN KAWASAKI, HELEN HANSEN</u>
NOES:	COMMISSIONERS:	<u>NONE</u>
ABSENT:	COMMISSIONERS:	<u>NONE</u>
ABSTAIN:	COMMISSIONERS:	<u>NONE</u>

##### LOS ANGELES TIMES ARTICLE

Commissioner Hansen commented on a recent article in the *Los Angeles Times* regarding recycled water and requested staff provide a copy to each of the Board members.

##### BAY DELTA PROJECT USER FEES

Commissioner Kawasaki commented on a need for a better connection and understanding of the delta issues, and recommended discussion of water user fees at an upcoming Board meeting. Commissioner Kawasaki also requested that Commissioner Hansen report back on MWD's involvement in the Bay Delta. President Clarke requested an update on the levee conditions in the Bay Delta area.

##### ACWA FALL CONFERENCE – ANAHEIM, CA

Commissioner Hansen requested the General Manager review the agenda for the upcoming ACWA Fall Conference (December 5 – December 8, 2006 – Anaheim, CA) and give guidance to the Board to what segments to focus on.

NOTE: AGENDA ITEM 11 WAS TAKEN OUT OF ORDER AT THIS POINT IN THE MEETING.

- 11. CLOSED SESSION PURSUANT TO GOVERNMENT CODE § 54957.6  
CONFERENCE WITH LABOR NEGOTIATOR  
Agency Negotiator: Kevin L. Wattier, General Manager; Employee  
Organization: International Association of Machinists and Aerospace  
Workers**

President Clarke adjourned the Board to Closed Session at 11:15 A.M. pursuant to Government Code § 54957.6 – Conference with Labor Negotiator

President Clarke reconvened the Board to open session at 11:55 P.M. and reported the Board took no action during the closed session.

NOTE: ITEM 13 WAS CONSIDERED EARLIER IN THE AGENDA.

**14. ADJOURNMENT**

There being no further business to come before the Board, President Clarke adjourned the meeting at 11:55 p.m. to the Public Hearing of the Water Commission to be held on Thursday, October 12, 2006, at 9:15 a.m., in the Assembly Room of the Treatment Plant, 2950 Redondo Avenue, in Long Beach, California.

  
\_\_\_\_\_  
Lillian Y. Kawasaki, Secretary

Attest:

  
\_\_\_\_\_  
Frank Clarke, President



MINUTES  
 PUBLIC HEARING OF THE BOARD OF WATER COMMISSIONERS  
 CONSIDERATION OF ANY PUBLIC PROTEST OF PROPOSED  
 INCREASES TO THE CITY'S WATER AND SEWER RATES FOR  
 FISCAL YEAR 2006-2007  
 LONG BEACH TREATMENT PLANT  
 LONG BEACH, CALIFORNIA  
 OCTOBER 12, 2006

The Board of Water Commissioners of the City of Long Beach met in the Assembly Room of the Long Beach Treatment Plant, 2950 Redondo Avenue, Long Beach, California, on October 12, 2006.

The meeting was called to order at 9:15 a.m. by President Clarke.

PRESENT:	Frank Clarke	Commissioner
	William B. Townsend	Commissioner
	Lillian Y. Kawasaki	Commissioner
	Stephen T. Conley	Commissioner
	Donna F. Gwin	Senior Deputy City Attorney
	Kevin L. Wattier	General Manager
	Sandra L. Fox	Secretary to the Board of Water Commissioners
	Robert C. Cheng	Deputy General Manager – Operations
	B. Anatole Falagan	Deputy General Manager - Business
	Matthew P. Lyons	Director, Planning & Conservation
	Paul T. Fujita	Director of Finance
	K. Eric Leung	Director of Water Resources
	David Honey	Administrative Officer
	Robert Swain	Division Engineer
	Melissa L. Keyes	Administrative Analyst II/Special Projects Coordinator
	Dynna Long	Senior Secretary
	Tai Tseng	Treatment Plant Superintendent
	Larry Herrera	City Clerk
	Daisy Gomez	City Clerk Specialist
 ABSENT:	 Helen Z. Hansen	 Commissioner
	Ryan J. Alsop	Director, Government & Public Affairs
	Isaac C. Pai	Director of Engineering

**1. PLEDGE OF ALLEGIANCE**

Larry Herrera led the Board and audience in the Pledge of Allegiance.

## **2. OPEN PUBLIC HEARING**

President Clarke opened the public hearing and reported the only item for business on the agenda was a public hearing on water and sewer rates. He advised the public if they wished to speak to protest, they should complete a speaker's card and complete all information requested on the card prior to speaking. He advised that speakers should identify themselves at the microphone, and limit their remarks to three minutes.

## **3. PUBLIC COMMENT**

President Clarke asked if there was any members of the public interested in speaking. As there were no requests to address the Board, the public comment period was closed.

## **4. PUBLIC HEARING RECESSED**

At 9:17 A.M. President Clarke reported the public hearing was recessed for a counting of the protest votes.

## **5. REOPEN PUBLIC HEARING**

At 9:23 A.M. President Clarke reconvened the public hearing. Larry Herrera, the City Clerk announced that the Long Beach Water Department had received twelve protest letters that had been verified as ratepayers, and that one anonymous protest had been received that could not be verified as a ratepayer.

President Clarke reported that the City Clerk had certified that there were twelve protests. He further reported that this number was not a majority of ratepayers; therefore, the new rates adopted by the Board of Water Commissioners and approved by the City Council would take effect on November 1, 2006.

**6. ADJOURNMENT**

There being no further business to come before the Board, President Clarke adjourned the public hearing at 9:24 a.m.

  
Lillian Y. Kawasaki, Secretary

Attest:

  
Frank Clarke, President

MINUTES  
 REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS  
 LONG BEACH, CALIFORNIA  
 October 19, 2006

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 October 19, 2006.

The meeting was called to order at 9:17 a.m. by President Clarke.

PRESENT:	Frank Clarke	Commissioner
	William B. Townsend	Commissioner
	Lillian Y. Kawasaki	Commissioner
	Donna Gwin	Senior Deputy City Attorney
	Lisa Peskay Malmsten	Deputy City Attorney
	Kevin L. Wattier	General Manager
	Sandra L. Fox	Secretary to the Board of Water Commissioners
	Ryan J. Alsop	Director, Government & Public Affairs
	K. Eric Leung	Director of Water Resources
	Matthew P. Lyons	Director, Planning & Conservation
	Paul Fujita	Director of Finance
	Issac C. Pai	Director of Engineering
	David Honey	Administrative Officer
	Robert V. Swain	Division Engineer
	Cynthia Andrews-Tate	Laboratory Services Supervisor
	Dynna Long	Senior Secretary
	Joe Johnson	Long Beach Search & Rescue
	Richard Johansen	Long Beach Search & Rescue
ABSENT:	Stephen T. Conley	Commissioner - Excused
	Helen Z. Hansen	Commissioner - Excused
	Robert C. Cheng	Deputy General Manager - Operations
	B. Anatole Falagan	Deputy General Manager - Business

**1. PLEDGE OF ALLEGIANCE**

Joe Johnson led the Board and audience in the Pledge of Allegiance.

**2. PUBLIC COMMENT**

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

**3. APPROVAL OF MINUTES**

September 21, 2006; October 5, 2006 & October 12, 2006

Upon motion by Commissioner Kawasaki, seconded by Commissioner Townsend, and unanimously carried, the Minutes of the Regular Meetings of September 21, 2006 and October 5, 2006, and Minutes of the Public Hearing of October 12, 2006, were approved.

**4. PRESIDENT'S REPORT**

- **Frank Clarke, President, Board of Water Commissioners**

None.

**5. GENERAL MANAGER'S REPORT**

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

ASSOCIATION OF METROPOLITAN WATER AGENCIES (AMWA) GOLD AWARD

Mr. Wattier reported on his recent attendance at the AMWA fall conference held in Charleston, South Carolina. He reported on his acceptance of the AMWA Gold Award for Competitiveness Achievement given to the Long Beach Water Department. He explained this award recognizes large public drinking water systems whose management practices chart innovative and sound financial courses, seek new business opportunities and meet the ever-important array of customer service needs and expectations.

MERIDIAN INSTITUTE WORKSHOP – CHENNAI, INDIA

Mr. Wattier requested that Isaac Pai report on his recent international trip to India. Mr. Pai reported The Meridian Institute had invited LBWD to attend an International workshop titled "Nanotech, Water & Development" in Chennai, India with all expenses paid. The workshop was partially funded by the Rockefeller Foundation, International Development Research Center in Ottawa and other foundations.

The Meridian Institute had invited forty specialists from all over the world to participate at this workshop. The participants had diversified backgrounds consisting of university professors, scientists, public health officials, other Foundations, Institutes of Social & Economic Research, Energy Research, Institutes of Water Management, 3<sup>rd</sup> World Network, Slum Dwellers International and engineers.

As a representative of LBWD Mr. Pai made simple, practical and cost effective suggestions during some of the discussions at the workshop. He also reported the second morning of the workshop that a representative from the Gates Foundation

interviewed him. During the breakfast session the interviewer wanted to know more about some of the comments made and attempted to find out if Nanotech is a major breakthrough for the Water Industry.

Mr. Pai advised the main purpose of the workshop was to create a global dialogue regarding Nanotech technology and the poor; its opportunities and risks, especially for some Southern Hemisphere countries. He reported it was a very beneficial workshop resulting in a global dialogue, which created an opportunity for the specialists to build relationships for on-going networking.

#### UPDATE ON RECENT BEACH CLOSURES & OCEAN WATER QUALITY ISSUES

Cynthia Andrews-Tate, Laboratory Services Supervisor provided an update regarding recent beach closures at the Colorado Lagoon, Marine Stadium and Mother's Beach due to the presence of high levels of coliform bacteria, e-coli. She commented on the recent disclosure of an inoperative boat sewage pump station near Marina Pacifica that may have contributed to the recent contamination. She reported that staff from the Parks, Recreation and Marine Department indicated that all boat sewage pump stations would be replaced by the end of the year. She further reported that continuing monitoring of these waters would continue before the beaches could be reopened.

#### BP RECOGNITION OF LBWD EMPLOYEES AT OCTOBER 17, 2006 CITY COUNCIL MEETING

Mr. Wattier reported that BP had recognized LBWD employees Frank Wesley and John DeRouen at the October 17, 2006 City Council meeting for their diligence in reporting the recent oil gas leak at the Storm Drain 23 station. The employees received Letters of Commendation and BP made a \$10,000 donation to the Library Foundation on their behalf.

#### ROBERT CHENG TRIP TO EL PASO, TEXAS

Mr. Wattier advised the Board that Robert Cheng was in El Paso, Texas as a member of the AWWARF Project Advisory Committee, attending a kickoff meeting related to the El Paso, Texas brackish water desalter project.

Mr. Wattier acknowledged the expertise and great leadership of LBWD employees who are sought out to participate in national and international workshops, conferences and panels.

ROTARY DESAL TOUR – OCTOBER 11, 2006

Mr. Wattier reported that two of Congressman Rohrabacher's staff members had been in town the same day as the Rotary tour, so Mr. Wattier was able to include them in the informational tour. He advised this was a good opportunity to educate some of the congressman's staff regarding this issue and introduce them to the prototype plant operations.

COMMENDATION FROM COUNTY SUPERVISOR DON KNABE

Mr. Wattier advised the Board the LBWD had recently received a Certificate of Appreciation from County Supervisor Don Knabe in recognition of the "Long Beach Beautiful Landscape Grant" recently awarded to the Carmelitos Housing Foundation.

**6. LEGAL COUNSEL REPORT**

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

Ms. Gwin introduced Deputy City Attorney, Lisa Peskay Malmsten who will be replacing Ms. Gwin as attorney to the Board on her retirement from the City of Long Beach.

Ms. Gwin announced the recent passing of former LBWD Commissioner Halcyon Ball and suggested a moment of silence in honor of his service to the Water Department.

**10. CONSENT CALENDAR**

President Clarke requested that agenda item 7c. be pulled from the Consent Calendar for separate review and action.

It was moved by Commissioner Kawasaki and seconded by Commissioner Townsend, and unanimously approved that the Board approve Consent Calendar Items 7a. and 7b.

The motion was carried by the following vote:

AYES:	COMMISSIONERS:	<u>FRANK CLARKE, WILLIAM TOWNSEND</u> <u>LILLIAN KAWASAKI</u>
NOES:	COMMISSIONERS:	<u>NONE</u>
ABSENT:	COMMISSIONERS:	<u>STEPHEN CONLEY, HELEN HANSEN</u>
ABSTAIN:	COMMISSIONERS:	<u>NONE</u>

**7a. Approval of Transfer of Funds by Journal Entry Dated October 19, 2006**

Transfers No. 286 through No. 292 in the total amount of \$33,823.14.40, covering the Water Revenue and Sewer Funds, were submitted to the Board for approval.

**7b. Approval of Retirement Order No. 6073 for Items that have Become Obsolete or Unrepairable During the Current Year**

A communication was presented to the Board from Brenda Bell, which is on file at the Long Beach Water Department.

Action Requested:

- That the Board approve the retirement of the items listed so that the Department's Fixed Asset Inventory may be adjusted accordingly.

**7c. AWARD BEAUTIFUL LONG BEACH LANDSCAPE PROGRAM GRANTS**

- **Matthew P. Lyons, Director of Planning and Conservation**

Mr. Lyons reviewed the history of *Beautiful Long Beach Landscape Grant Program* awards to date (\$41,396.00). Mr. Lyons also reviewed and summarized the recent six applicant's projects and grant award requests as follows:

- **Museum of Latin American Art** – landscape site after completion of major capital project. Grant award request: \$5,000

Expert panel recommended funding this project.

- **CSULB Earl Burns Miller Japanese Garden** – restore existing garden by creating moss and shade garden through use of low-water using plants irrigated primarily with drip, and also included some hand watering. Grant award request: \$4,920

Expert panel recommended not to fund this project at this time.

- **Sutter Academy Middle School** – create user-friendly water education garden in middle school's courtyard in two phases: 1) students design garden with aid of LBWD; 2) construction of garden. Grant award requested: \$3,700

Expert panel recommended first funding student education component related to this project. They additionally recommended funding of garden construction if garden was reflective of BLBL Grant Program.



- Greenbelt Restoration – eradicate weed, removal of trash, spread mulch, maintain existing native plants, spread annual seeds, and add limited groundcover and flowering perennials. Grant award requested: \$1,800

Expert panel recommended not to fund this project at this time, but would possibly fund a future project more congruent with BLBL Grant Program objectives.

- Long Beach Museum of Art – replace 120 feet of existing plants with oleander bushes that create visual screen and wind barrier; replace plants in wooden planters with oleanders; replace existing sparse plantings on slope with ice plant. Grant award requested: \$5,000

Expert panel recommended not to fund this project at this time, but could possibly recommend future funding for project on hillside using multiple California-friendly species.

- Camp Fire USA – create redwood tree grove to block view of high voltage electrical tower, and to deny poisonous castor plant sunlight, killing it in the process. Grant award requested: \$401

Expert panel recommended not to fund this project at this time, as this project did not meet BLBL criteria for this project to be transferable to homeowners to duplicate at their residences; redwood trees very sensitive to smog, and would unlikely block view of electrical tower. Expert panel did advise they might consider funding a future project to create a water education garden at this location.

Mr. Lyons reported that staff would follow-up with the applicants whose projects had not been funded, to assist them in revising their project scope of work to comply with BLBL guidelines.

Commissioner Townsend inquired if LBWD was being recognized for grants at the project sites.

Mr. Lyons responded that Birney Elementary is working on incorporating signage at their project location, but that this had not been made a criteria for BLBL applicants.

Commissioner Kawasaki expressed concern regarding this aspect, and recommended that LBWD standardize a plaque to recognize grant educational component that would be incorporated into each project site. Mr. Lyons advised staff would look into this issue.

Commissioner Kawasaki also mentioned concern with a time certain deadline for grant monies that were being held for projects. Mr. Lyons advised that awarded grant monies must be spent within twelve months, and he indicated that this information is included on the grant application.

President Clarke called for a motion.

It was moved by Commissioner Kawasaki and seconded by Commissioner Townsend, and unanimously approved that the Board award the *Beautiful Long Beach Landscape Program* grants (up to \$5,000 per grant) to the Museum of Latin American Art, and Sutter Academy Middle School, conditioned on staff determining that applicants have substantially addressed issues related to plant palette, irrigation, and other issues.

The motion was carried by the following vote:

AYES:	COMMISSIONERS:	<u>FRANK CLARKE, WILLIAM TOWNSEND</u> <u>LILLIAN KAWASAKI</u>
NOES:	COMMISSIONERS:	<u>NONE</u>
ABSENT:	COMMISSIONERS:	<u>STEPHEN CONLEY, HELEN HANSEN</u>
ABSTAIN:	COMMISSIONERS:	<u>NONE</u>

**8. LONG BEACH SEARCH AND RESCUE PRESENTATION**

- **Joe Johnson, Marine Officer, Long Beach Police Department**

Mr. Johnson and Mr. Richard Johansen reported to the Board regarding the rehabilitation of an obsolete truck that the LBWD had donated to the Long Beach Search and Rescue group. They explained the background and mission of their program, and thanked the LBWD for their donations and support over the years.

**9. LEGISLATIVE ISSUES/ACTIONS/BILLS**

- **Ryan J. Alsop, Director, Government & Public Affairs**

FEDERAL APPROPRIATIONS UPDATE

Mr. Alsop reported no Federal appropriations action would be taken until after the election.

STATE FUNDING & MISCELLANEOUS STATE RELATED ITEMS

Mr. Alsop reported that miscellaneous water agencies such as ACWA, Metropolitan Water District and CMUA were working on developing upcoming legislative water-related items for consideration. He advised the Board he would keep them updated as these items progressed.

Mr. Alsop also advised that there was a piece of legislation being developed that would address some of the fallout from the recent California Supreme court Bighorn case. He advised he would follow this legislation and updates the Board as appropriate.

HUELL HOWSER TAPING/WATER SERIES AIRING TIMES

Mr. Alsop advised the Board that the recent taping Huell Howser had made at the desal prototype plant as part of the California Water series would begin airing on November 9<sup>th</sup>, 2006 at 6:00 P.M. He advised the program would cover desal operations at Catalina Island; the tour of LBWD desal prototype plant and interview with General Manager, Kevin Wattier and a segment on the Inland Empire desalter project.

**10. NEW BUSINESS**

EXCUSED ABSENCE

Commissioner Kawasaki requested to be excused from the October 19<sup>th</sup>, 2006 Board meeting.

It was moved by Commissioner Townsend, seconded by Commissioner Kawasaki, and unanimously approved that Commissioner Kawasaki be excused from the October 19<sup>th</sup> Board meeting.

The motion was carried by the following vote:

AYES:	COMMISSIONERS:	<u>FRANK CLARKE, WILLIAM TOWNSEND</u>
		<u>LILLIAN KAWASAKI</u>
NOES:	COMMISSIONERS:	<u>NONE</u>
ABSENT:	COMMISSIONERS:	<u>STEPHEN CONLEY, HELEN HANSEN</u>
ABSTAIN:	COMMISSIONERS:	<u>NONE</u>

## 11. ADJOURNMENT

There being no further business to come before the Board, President Clarke adjourned the meeting at 10:35 a.m. to the next Regular Meeting of the Water Commission to be held on Thursday, November 2, 2006, at 9:15 a.m., in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California.

  
Helen Z. Hansen, Acting Secretary

Attest:

  
Frank Clarke, President