

**CITY OF LONG BEACH  
WATER COMMISSION  
MINUTES**

**THURSDAY, AUGUST 27, 2020  
VIA TELECONFERENCE/WEB, 7:00 PM**

Harry Saltzgaver, President  
Frank Martinez, Vice President  
Arthur Levine, Secretary



Robert Shannon, Commissioner  
Gloria Cordero, Commissioner

Christopher J. Garner, General Manager

Richard Anthony, Deputy City Attorney

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**FINISHED AGENDA & DRAFT MINUTES**

**SPECIAL MEETING - PROP 218. PUBLIC HEARING**

**CONSIDERATION OF ANY PUBLIC PROTEST OF PROPOSED INCREASE TO THE CITY  
WATER RATES FOR THE FISCAL YEAR 2020-2021**

**BOARD OF WATER COMMISSION PUBLIC HEARING VIA TELECONFERENCE & WEB  
PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY GOVERNOR NEWSOM**

**CALL TO ORDER**

President Saltzgaver called the Prop. 218 teleconference public hearing to order at 7:05 P.M.

**ROLL CALL**

Executive Assistant to the Board, Sandra Fox took a roll call and confirmed a quorum.

Also present: Christopher J. Garner, General Manager; B. Anatole Falagan, Assistant General Manager; Tai Tseng, Assistant General Manager - Operations; Sandra Fox, Executive Assistant to the Board.

**OPEN PUBLIC HEARING**

President Saltzgaver opened the public hearing and made the following remarks:

We are all aware that this hearing is taking place in extremely unusual circumstances. So please allow me a few words on behalf of the Commission. We are sincerely interested in your thoughts and concerns, and want to hear from you. That is the case all year long, not

just now. But I have to say that the Water Department staff has spent literally days attempting to make sure you are heard tonight. I would like to point out that this is a state-mandated hearing, and as such must follow specific rules. One of those rules says the Water Commission can take no action tonight beyond accepting the tally of protests and hearing your comments. Put plainly, we cannot decide to raise - or cut - rates here tonight. The Fiscal 2021 water rates were approved over a two meeting process in June, along with the department's budget. Those hearings were in public, with lots of advance public notice. However, the rates are not set in stone. We, the Water Commission, could, with sufficient justification, bring the issue back at a future meeting that would include public comment. And, the City Council still must approve the rates, along with the department's budget, a process that also includes public comment.

Now, back to tonight's hearing.

California law requires that all protests to the proposed rate increases be in writing. Normally these Prop 218 hearings are conducted in person, and all speakers in attendance are easily able to fill out a speaker card and put their protests in writing at the hearing. Under the circumstances, this hearing is being conducted remotely and there is, obviously, no way to distribute speaker cards. In order to ensure that all protests are counted, the Commission will be accepting verbal protests during this hearing only - in addition to the written protests that have already been received. Written and verbal protests made by the same customer will only be counted once. The only item for business on the Agenda is a public hearing on proposed increases to the City's Water rates. If you are on the telephone or logged in, please mute your phones or PC/tablet until you have been called on. If you called into today's teleconference meeting, ideally you have provided your name to the Executive Assistant to the Board. For those who are participating in the meeting using your computer, you should have identified yourself when you logged in. If you are participating tonight and have not yet identified yourself, there will be an opportunity to do so after we have first heard from those already identified. We are making every effort to ensure all participants in this meeting have an opportunity to be heard, but should technical difficulties arise which make it impossible for a participant to be heard - please know that protests and comments may be emailed to the following email address: [watercommission@lbwater.org](mailto:watercommission@lbwater.org), and such protests will be counted provided they are received prior to the adjournment of this hearing. Speakers will identify themselves by stating their name. Please limit your remarks to 2 minutes. Your remarks will be timed and you will receive a warning before your time expires.

## **PUBLIC COMMENTS**

**AN OPPORTUNITY WILL BE GIVEN TO THE PUBLIC TO ADDRESS THE BOARD OF WATER COMMISSIONERS CONCERNING THE SUBJECT MATTER. EACH PERSON WILL BE ALLOWED TWO MINUTES, UNLESS EXTENDED BY THE BOARD CHAIR**

President Saltzgaver called on Board Executive Assistant to call on the individual public speakers to register their protests:

Ann Cantrell spoke.

Carla Dillon spoke.

Diana Lejins spoke.

Raman Vasishth spoke.

Susie Beach spoke.

Doralee Boling spoke.

Rebecca Araujo advised she was not called on to speak. Deputy City Attorney Anthony approved her comments be made part of the public record as follows:

I am verbally submitting my protest against water rate increases. In my experience, the government usually gets what they want regardless of protest from "We, The People." I would like to echo Rumins requests for an itemized estimate.

My questions:

- 1) The notice received indicated that \$827,000 would be for costs in staff and Board travel, memberships in trade organizations, community sponsorships and advertising, totalling over \$827,000 in costs. During this pandemic, these costs are frivolous and should be tabled.
- 2) How can people apply for reduction rates due to the current pandemic economic hardship or be protected from water shut off's during this pandemic?
- 3) What are the profit rates, separate from the surplus, if any, from the increased charges compared to current charges?

President Saltzgaver once again called for any remaining public comment. Hearing none he closed the public comment period.

### **CITY ATTORNEY COMMENTS**

President Saltzgaver called on Richard Anthony, Deputy City Attorney to speak.

Mr. Anthony asked the Board Executive Assistant how many written protests had been received prior to the public hearing.

Ms. Fox advised 679 written protests had been received prior to the hearing; and noted that an additional 16 protests had been received during the meeting.

Mr. Anthony advised that a total of 695 protests - written and verbal had been received. He noted none of these protests had been certified by the City Clerk. He advised if all of these protests are certified by the City Clerk this number does not represent a majority of the ratepayers as required by state law. He advised that therefore the new rates adopted by the Board can go forward, and will take affect October 1, 2020 if the City Council approves the new rates.

Mr. Anthony answered a previous question from public speaker, Mr. Roman Vasisht regarding what would represent a majority protest. He responded this would be roughly 45,000, which is one half, plus one of the total ratepayers which is approximately 90,000 ratepayers.

### **CLOSE PUBLIC HEARING**

President Saltzgaver closed the public hearing.

### **ADJOURNMENT**

President Saltzgaver adjourned the public hearing at 7:30 P.M. to the next regular meeting of the Board of Water Commissioners to be held September 17, 2020 at 9:00 A.M. via teleconference/web.

**NOTE:**

If written language translation of the Commission agenda and minutes for non-English speaking persons is desired, please make your request by phone to the Office of the City Clerk at (562) 570-6101, 72 business hours prior to the Commission meeting.

Kung nais ang pagsasalin ng nakasulat na wika ng agenda ng Komisyon at ang minutes para sa mga taong hindi nagsasalita ng Ingles, mangyaring isagawa ang iyong hiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 72 oras ng negosyo bago ang pagpupulong ng Commission.

Si desea obtener la traducción escrita en otro idioma de la agenda y actas de la comisión para personas que no hablan inglés, haga su solicitud por teléfono a la Oficina de la Secretaría Municipal al (562) 570-6101, 72 horas hábiles antes de la reunión de la comisión.

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