

**CITY OF LONG BEACH
WATER COMMISSION
MINUTES**

**THURSDAY, SEPTEMBER 17, 2020
VIA TELECONFERENCE/WEB, 9:00 AM**

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

FINISHED AGENDA & DRAFT MINUTES

The Water Commission minutes are prepared and ordered to correspond to the Water Commission agenda. Agenda items can be taken out of order during the meeting.

The agenda items were considered in the order presented.

CALL TO ORDER

The Board of Water Commission meeting was called to order by President Saltzgaver at 9:00 A.M. This meeting was held via teleconference pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom.

ROLL CALL

Acting Executive Assistant to the Board, Dynna Long took the 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; Dynna Long, Acting Executive Assistant to the Board.

Commissioners Harry Saltzgaver, Frank Martinez, Art Levine, Gloria Cordero and
Present: Robert Shannon

PUBLIC COMMENT

President Saltzgaver opened the public comment period and asked if any written public comment had been received. Ms. Long advised no written public comment had been received for the September 17, 2020 Board meeting. President Saltzgaver then inquired if there was any public on the line who would like to speak. Hearing none, he closed the public comment period.

1. [20-157WA](#) Public Comments for September 17, 2020 Board of Water Commission Meeting

President Saltzgaver opened the public comment period and asked if any written public comment had been received. Ms. Long advised no written public comment had been received for the September 17, 2020 Board meeting. President Saltzgaver then inquired if there was any public on the line who would like to speak. Hearing none, he closed the public comment period.

ELECTION OF OFFICERS - PRESIDENT, VICE PRESIDENT, SECRETARY

President Saltzgaver called for nominations for Board President.

Commissioner Shannon nominated Frank Martinez for President. Commissioner Cordero seconded the nomination.

President Satzgaver called for any other nominations. Hearing none he called for a roll call vote. The vote was unanimous. President Saltzgaver advised that Commissioner Martinez had been elected as Board President for the upcoming fiscal year.

President Saltzgaver called for nominations for Board Vice President.

Commissioner Martinez nominated Art Levine for Vice President. Commissioner Shannon seconded the nomination.

President Satzgaver called for any other nominations. Hearing none he called for a roll call vote. The vote was unanimous. President Saltzgaver advised that Commissioner Levine had been elected as Board Vice President for the upcoming fiscal year.

President Saltzgaver called for nominations for Board Secretary.

President Saltzgaver nominated Robert Shannon for Secretary . Commissioner Shannon seconded the nomination.

President Satzgaver called for any other nominations. Hearing none he called for a roll call vote. The vote was unanimous. President Saltzgaver advised that Commissioner Shannon had been elected as Board Secretary for the upcoming fiscal year.

Commissioner Martinez made comments regarding President Saltzgaver's term as a Board of Water Commissioner and thanked him for his service.

PRESIDENT'S REPORT

President Saltzgaver noted that during the last few weeks of revision to labor agreements it was noted that the General Manager, Chris Garner does not have a formal contract for his position. He noted this issue needs to be rectified and advised that Deputy City Attorney, and LBWD Director of Administration, Ken Bott were working on drafting a contract for the General Manager. He noted this contract was being developed by using the contract template for the City Manager. He advised he hoped this contract would come before the Board on October 1, 2020.

Commissioner Shannon advised he believed only the City Manager, and sometimes the Chief of Police had contracts in the city. President Saltzgaver advised he would like to know if the Director of the Port of Long Beach has a contract. Commissioner Cordero confirmed with her husband, Mr. Cordero, Director of the Port of Long Beach that he does not have a contract.

Commissioner Shannon made cautionary comments about establishing employee contracts for others than for the City Manager and in some instances the Chief of Police.

Mr. Garner noted it was his understanding that this issue would first come before the Board in closed session at a future meeting.

President Saltzgaver called for the Deputy City Attorney to research the history of contracts for Managers in the City of Long Beach and report back to the Board.

Commissioner Shannon made additional comments regarding the law regarding contracts for Managers in the city.

Deputy City Attorney Anthony made additional comments regarding a contract for the Water Department General Manager.

President Saltzgaver announced this was his last Board meeting. He advised it had been his privilege to serve as a Board of Water Commissioner for the last eight years. He advised for the most part it had been a joy. He advised he was humbled to have been associated with the best department in Long Beach; the best water utility in the state (if not the country). He advised this excellence is made up by the people who work for the Water Department, and have a passion for delivering the best quality in water and sewer service; in addition to caring for the customers and Long Beach residents. He noted he had been blessed during his tenure to have access to the expertise of Anatole Falagan and Tai Tseng, and the other employees he has worked with. He noted the hiring of Mr. Garner as the General Manager had been one of the high points in his time as a commissioner. He noted these people were not only great professionals, but friends as well. He advised Water Department staff that the Commissioners care for each one of them, and has their backs. He advised the current Board members had become a family to him, and noted how much they care for the city and the Water Department. He noted that he would miss working with Frank, Art, Bob and Gloria; in addition to traveling with them as well. He noted he had served on many non-profits and Boards in his time, but advised this commission had been the most important of them all. He noted that you/we deliver the most basic of needs of life. He advised that without water there would quite literally be no life as we no it. He noted that you do that. He thanked everyone for the opportunity to serve.

GENERAL MANAGER'S REPORT

Mr. Garner congratulated Commissioner Levine on his reappointment to the Board.

He announced that Naomi Rainey had been appointed to the Board as President Saltzgaver's replacement. He advised he did not yet have a date when she would join the Board as she needed to complete some steps before she could be sworn in. Commissioner Martinez asked Mr. Garner to provide him with contact information for Ms. Rainey so he could welcome her to the Commission.

Mr. Garner reported that the City Council had approved the Water Department FY 20/21 budget and rates. He noted there had been no comments from the Council or the public.

He advised that revised labor contracts had been reached with all labor groups within the city.

He reported that Water Department staff would be working with the Gas Department, Refuse and the City Manager to establish a repayment plan for customers who are in arrears on their utility bills due to COVID-19 hardships.

He thanked Ms. Long for filling in as Acting Executive Assistant to the Board during Ms. Fox's vacation absence. He noted she had done a good job.

President Saltzgaver called for any questions or comments for the General Manager.

Commissioner Martinez commented on the utility bill revenue shortfall and asked the Board members to be thinking about this issue.

Frank Martinez, Chair of the Finance Committee provided a report from the September 17, 2020 Finance Committee meeting.

Commissioner Cordero commented on the non-payment issue, and inquired if customers could be asked to make donations to assist those customers who are in arrears.

Mr. Garner commented on the Mayor's yearly initiative asking for donations for homeless in the city.

Mr. Garner advised he would research this suggestion so as not to affect a revision to the billing system.

Commissioner Cordero suggested that perhaps a local non-profit could initiate this type of program.

President Saltzgaver noted that he had heard that there may be a few non-profits already researching this matter.

Ms. Weatherly provided an update on the CSULB sports contract and how COVID-19 had affected the delivery of the promotional efforts. She advised that Beach Sports Properties had contacted staff to possibly fulfill the contract (at no cost) by delivering messaging during the fall athletic season when games would be streamed live.

President Saltzgaver commented on this contract.

Mr. Garner also commented on the contract.

Commissioner Shannon requested that the Deputy City Attorney Anthony research this issue to make sure there are no violations of the Brown Act, to consider that a new contract

may be required.

Mr. Anthony responded. He advised the Board that if they wanted to give staff direction regarding this issue, the matter should be brought back to the Board on the next agenda.

Commissioner Shannon made additional comments regarding this contract.

Mr. Falagan advised he understood the contract had ended and all payments had been made. He requested clarification from Ms. Weatherly. Ms. Weatherly advised that the spring-time payment had not yet been made since COVID-19 had interrupted the deliverable cycle.

Mr. Anthony made additional comments.

2. [20-159WA](#) Review of October 2020 Board meeting schedule.

The Board reviewed their October 2020 Board meeting calendar. President Saltzgaver pointed out that since October has five Thursdays, a meeting should be scheduled for October 29, 2020.

There was general discussion regarding adding October 29, 2020 to the meeting calendar.

The Board agreed to meet on October 29, 2020.

President Saltzgaver confirmed that Board meetings would be held on October 1st, 15th and 29th.

REGULAR AGENDA

3. [20-160WA](#) Recommendation to approve the July 2, 2020 Special meeting minutes.

President Saltzgaver called for a motion to approve the July 2, 2020 Board meeting minutes.

A motion was made by Commissioner Cordero, seconded by Commissioner Martinez, to approve recommendation. The motion carried by the following vote:

Yes: 5 - Harry Saltzgaver, Frank Martinez, Art Levine, Gloria Cordero and Robert Shannon

4. [20-161WA](#) Recommendation to approve Transfer of Funds by Journal Entry dated September 17, 2020.

President Saltzgaver called for a motion to approve the September 17, 2020 Transfer of Funds.

He then called for any Commission comments or questions. Hearing none he called for public comment and then a roll call vote was taken.

A motion was made by Commissioner Cordero, seconded by Commissioner Martinez, to approve recommendation. The motion carried by the following vote:

Yes: 5 - Harry Saltzgaver, Frank Martinez, Art Levine, Gloria Cordero and Robert Shannon

5. [20-162WA](#) Recommendation to authorize the General Manager to execute an Agreement with HDR Engineering, Inc., to provide Engineering Services for the Alamitos Tank Nos. 19 & 20 Conversion Project (REO-0208), in the amount not-to-exceed \$598,747.

BUREAU: Engineering

Mr. Verceles provided a staff report.

President Saltzgaver inquired about the USBR grant that had been received for this project.

Mr. Verceles and Mr. Falagan responded.

President Saltzgaver called for any Commission comments or questions.

Commissioner Martinez requested that on future Board letters that the entire cost of the project should be included - construction costs and engineering design service costs.

Commissioner Martinez expressed concern for staff using the same contractors such as HDR.

Commissioner Shannon requested that staff agendaize an item regarding the bidding and contract selection process for a future agenda. Commissioner Martinez agreed with this request.

Mr. Garner spoke regarding this matter.

President Saltzgaver called for any public comment. Hearing none he called for a roll call vote.

A motion was made by Commissioner Shannon, seconded by Commissioner Levine, to approve recommendation. The motion carried by the following vote:

Yes: 5 - Harry Saltzgaver, Frank Martinez, Art Levine, Gloria Cordero and Robert Shannon

6. [20-163WA](#)

Recommendation to authorize the General Manager to revise the scope of work for the Agreement with the Historical Society of Long Beach "Water Changes Everything" Education Program Payment 3.

BUREAU: Public Affairs

Ms. Weatherly provided the staff report for this agenda item.

President Saltzgaver called for a motion.

Commissioner Cordero spoke.

Commissioner Shannon spoke regarding this item being similar to the Beach Sports item that had not been agendaized, but covered under the General Manager's report. He advised that to be consistent all of these types of amendments need to be agendaized in the future.

Mr. Anthony spoke about these two contract amendments.

President Saltzgaver spoke regarding the contract deliverables.

President Saltzgaver called for any other Commission comments. Hearing none he called for any public comment. He then called for a roll call vote.

A motion was made by Commissioner Martinez, seconded by Commissioner Levine, to approve recommendation. The motion carried by the following vote:

Yes: 5 - Harry Saltzgaver, Frank Martinez, Art Levine, Gloria Cordero and Robert Shannon

7. [20-164WA](#)

Recommendation to (i) authorize the General Manager to execute and deliver all necessary documents associated with the WaterSMART: Title XVI Congressionally Authorized Water Reclamation and Reuse Projects program with the US Bureau of Reclamation (USBR) for the El Dorado Duck Pond project (project) and (ii) authorize the General Manager to execute all necessary documents to expend up to the grant funding amount for project reimbursement to the Public Works Department.

BUREAU: Legislation & Grants

Mr. Tseng provided a staff report and reviewed a presentation with the Board.

Commissioner Shannon inquired about treatment for the reclaimed water used at the seawater barrier.

Mr. Tseng responded.

Commissioner Martinez spoke regarding oversight for water quality administration at the duck pond project.

Mr. Tseng responded.

President Saltzgaver inquired regarding the grant funding.

Mr. Tseng responded.

Commissioner Shannon spoke regarding the department cost for this project.

Mr. Tseng responded..

Commissioner Shannon requested that the Board be included in the discussions regarding future maintenance costs for this project.

President Saltzgaver spoke.

Mr. Falagan spoke.

Commissioner Shannon made additional comments.

President Saltzgaver made additional comments.

Commissioner Cordero spoke.

Mr. Falagan made additional comments.

President Saltzgaver asked about the timeline for this project.

Mr. Tseng responded.

Mr. Garner spoke.

President Saltzgaver called for any public comment. Hearing none he called for a roll call vote.

A motion was made by Commissioner Martinez, seconded by Commissioner Levine, to approve recommendation. The motion carried by the following vote:

Yes: 5 - Harry Saltzgaver, Frank Martinez, Art Levine, Gloria Cordero and Robert Shannon

8. [20-165WA](#)

Receive report regarding Metropolitan Water District September 15, 2020 Board Meeting.

Metropolitan Water District Director, Gloria Cordero

Metropolitan Water District (MWD) Director, Gloria Cordero provided a report regarding the MWD September 15, 2020 Board meeting.

She reported the following: 1) MWD approved rate increases for 2021 (3%) and 2022 (4%); 2) Advised the MWD Inspection trips had been suspended due to COVID-19; 3) Received an annual update on MWD employees (1,756 employees on payroll) received report on EEO and Affirmative Action 4) Recruitment for MWD General Manager continues.

Commissioner Levine spoke.

Director Cordero commented.

CONSIDER STANDING COMMITTEE REFERRALS

President Saltzgaver called for any Standing Committee referrals.

He then reminded President-Elect Martinez that he will need to review and edit the Standing Committee assignments.

Commissioner Martinez inquired when the new Commissioner would be sworn in.

Mr. Garner responded.

NEW BUSINESS

President Saltzgaver called for any new business. Hearing none he moved onto adjournment.

ADJOURNMENT

President Saltzgaver adjourned the meeting at 10:23 A.M. to the next teleconference Board meeting on Thursday, October 1, 2020.

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.

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