

**CITY OF LONG BEACH
WATER COMMISSION
MINUTES**

**THURSDAY, JANUARY 23, 2020
LONG BEACH WATER DEPARTMENT
1800 EAST WARDLOW ROAD
BOARD ROOM, 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 & FINAL 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 except for the following changes: The President's Report was taken immediately following Public Comment; the two closed sessions (agenda items 8. and 9. were taken after the President's Report; the General Manager's Report was taken after the closed sessions; and the Finance Committee Report (agenda item 1.) was taken after the General Manager's Report.

REGULAR MEETING - 9:00 A.M.

CALL TO ORDER

The Board of Water Commission meeting was called to order by President Saltzgaver at 9:02 A.M. in the Board room at the Administration building.

ROLL CALL

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

Also present: Chris Garner, General Manager; B Anatole Falagan, Assistant General Manager; Tai Tseng, Assistant General Manager - Operations; Sean Crumby, Deputy General Manager - Engineering; Sandra Fox, Executive Assistant to the Board.

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

FLAG SALUTE

Dean Wang led the Board and the audience in the flag salute.

PUBLIC COMMENT

President Saltzgaver opened the public comment period. As there was no public comment, the public comment period was closed.

PRESIDENT'S REPORT

President Saltzgaver announced the President's Report would be taken out of order before the Finance Committee Report.

He called for a motion to excuse Commissioner Shannon for the January 9, 2020 Special Advocacy Lunch meeting.

Commissioner Levine made the motion to excuse Commissioner Shannon from the January 9, 2020 Special Advocacy Lunch meeting. Commissioner Cordero seconded the motion. The motion carried with a unanimous vote.

CLOSED SESSION

8. [20-010WA](#) CLOSED SESSION:
Pursuant to Section 54957.6 and paragraph (b)(1) of Section 54957 of the California Government Code regarding Public Employee Performance Evaluation and Terms of Employment: General Manager

9. [20-011WA](#) CLOSED SESSION: Existing Litigation - closed session conference with legal counsel relating to existing litigation pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the California Government Code.
 1. Diana Lejins and Angela Kimball v. City of Long Beach et al., Los Angeles Superior Court Case No: 18STCP02628.

President Saltzgaver read the following closed session language into the record:

Pursuant to Section 54957.6 and paragraph (b)(1) of Section 54957 of the California Government Code regarding Public Employee Performance Evaluation and Terms of Employment: General Manager

Existing Litigation - closed session conference with legal counsel relating to existing pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the California Government Code.

1. Diana Lejins and Angela Kimball v. City of Long Beach et. al., Los Angeles Superior Court Case No: 18STCP02628.

President Saltzgaver called for any public comment related to either of the closed session items. Hearing none he adjourned the Board to the closed sessions at 9:06 A.M.

President Saltzgaver called the regular Board meeting back into session at 9:35 A.M. He advised he had nothing to report from the closed sessions.

GENERAL MANAGER'S REPORT

Mr. Garner reminded the Board that the Long Beach Water Department Employees of the Year luncheon would be held later in the afternoon at an off-site restaurant.

Mr. Garner announced that the City of Signal Hill had just released information regarding their 5-year water rate increases as follows: 2020 - 15%; 2021 - 15%; 2022 - 12%; 2023 - 7.5% and 2024 - 7.5%. He noted these increases were related to failed wells within their city.

FINANCE STANDING COMMITTEE REPORT

1. [20-003WA](#) Recommendation to receive and file Finance Standing Committee Report from January 23, 2020 meeting.

BUREAU: FINANCE

Commissioner Martinez, Chair of the Finance Standing Committee provided a summary report of the Finance Standing Committee meeting that had been held prior to the Board meeting on January 23, 2020.

President Saltzgaver spoke.

Mr. Falagan spoke.

This WA-Agenda Item was received and filed.

BOARD MEETING CALENDAR REVIEW

2. [20-004WA](#) Recommendation to review Board meeting schedule for February 2020 & March 2020.

BUREAU: BOARD

President Saltzgaver reviewed the February and March 2020 Board meeting calendars with the Board. The following schedule was agreed upon for these meetings:

February 6, 2020 - Special Meeting - 10:00 A.M.
February 27, 2020 - Regular Meeting - 9:00 A.M.

March 12, 2020 - Regular Meeting - 9:00 A.M.
March 26, 2020 - Regular Meeting - 9:00 A.M.

MINUTES

3. [20-005WA](#) Recommendation to approve October 10, 2019 Board minutes.

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

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

REGULAR AGENDA

4. [20-006WA](#) Recommendation to authorize the General Manager to execute the Second Amendment to Agreement WD-3379 to exercise a one-year contract term extension with Carpi & Clay for federal legislative and regulatory advocacy services in an amount not to exceed \$58,000.

BUREAU: Business

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

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

5. [20-007WA](#) Recommendation to authorize the General Manager to execute an Agreement with Los Angeles Department of Water and Power (LADWP) to evaluate the feasibility of accommodating process waste water from LADWP's Haynes Generating Station in Long Beach into local and/or county sewer facilities and Long Beach Water Department's (LBWD) ability to provide Haynes Generating Station with future required water demand, in the amount not-to-exceed \$250,000 for the full term of the Agreement.

BUREAU: Engineering

Mr. Verceles provided a staff report regarding the feasibility study regarding

Los Angeles Department of Water and Power Haynes Generating Station process waste water.

Commissioner Martinez spoke.

Commissioner Levine spoke.

Mr. Anthony spoke.

President Saltzgaver spoke.

Mr. Crumby spoke.

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

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

6. [20-008WA](#)

Recommendation to authorize the General Manager to execute the Memorandum of Understanding Regarding Improvement and Transfer of Portions of the Port of Long Beach Water System to the Long Beach Water Department.

BUREAU: Business - Water Resources

Mr. Wang provided an overview of the Memorandum of Understanding (MOU) with the Port of Long Beach regarding a transfer of a portion of their water system to the Long Beach Water Department. He reviewed the key components of the MOU as follows: 1) Assessment Study; 2) System Improvements; 3) Operational Transfer; 4) Transfer of Assets/Liability.

Commissioner Shannon spoke.

Mr. Garner spoke.

Commissioner Shannon spoke again.

Mr. Garner responded.

Commissioner Levine spoke.

Mr. Wang spoke.

Commissioner Levine spoke again.

Deputy City Attorney Anthony spoke.

Commissioner Martinez spoke.

Deputy City Attorney Anthony responded.

Commissioner Cordero advised she had checked with the Deputy City Attorney regarding her ability to vote on this matter. She advised she had been told there would be no conflict, but she advised she would recuse herself from the vote.

Commissioner Cordero made comments regarding the agreement.

Mr. Wang spoke.

Mr. Garner spoke.

Deputy City Attorney Anthony spoke.

President Saltzgaver spoke.

Commissioner Shannon made additional remarks.

Commissioner Shannon made a motion to authorize the General Manager to execute the Memorandum of Understanding regarding improvement and transfer of portions of the Port of Long Beach water system to the Long Beach Water Department with the exception of not paying the Port the contribution of \$363,273.

The motion died for lack of a second.

President Saltzgaver called for a motion.

Commissioner Martinez made the motion to tauthorize the General Manager to execute the Memorandum of Understanding regarding improvement and

transfer of portions of the Port of Long Beach water system to the Long Beach Water Department.

Commissioner Levine made additional comments regarding LBWD liability.

President Saltzgaver called for a second to the motion on the floor. He seconded the motion.

Deputy City Attorney Anthony responded to Commissioner Levine's inquiry regarding liability.

Mr. Wang spoke.

President Saltzgaver made additional comments.

Deputy City Attorney Anthony made additional comments regarding the negotiations related to the MOU.

Commissioner Shannon noted for the record that he had not spoken about Prop 218 in his earlier comments. He added in his opinion this agreement totally benefits the Port of Long Beach. He also spoke about the Port of Long Beach water system being antiquated, and the possibility that the system is a liability to the Port of Long Beach.

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

Yes: 3 - Harry Saltzgaver, Frank Martinez and Art Levine

No: 1 - Robert Shannon

Recused: 1 - Gloria Cordero

7. [20-009WA](#)

Recommendation to receive report of the Metropolitan Water District (MWD) Board Meeting on January 14, 2020

BUREAU: MWD Director

Copies of summary minutes of the January 14, 2020 MWD Board meeting were distributed to the Board.

Director Cordero provided the following report:

She advised the MWD Board had heard a proposal regarding the San Diego County Water Authority lawsuit. She noted the MWD Board received the proposal and took no action.

She noted the MWD Board adopted State and Federal Legislative Priorities and Principles for 2020.

Director Cordero advised she has a MWD Inspection trip to the Delta scheduled for April 24 - 25, 2020 and invited any Commission Board members to join her.

She advised the Board that she had shared a copy of the Department of Water Resources Notice of Preparation for the Delta Conveyance project. She noted preliminary discussions would begin at the January 28, 2020 MWD meeting. She noted however she would not be in attendance at that meeting.

CONSIDER STANDING COMMITTEE REFERRALS

President Saltzgaver called for any Standing Committee referrals. Hearing none he moved on in the agenda.

NEW BUSINESS

President Saltzgaver called for any new business.

Commissioner Cordero advised she had been approached by the Long Beach City College (LBCC) president and a LBCC trustee to research about a possibility of establishing a Workforce Development partnership.

She advised she would provide Ms. Fox with the contact numbers to set up an initial meeting. She also invited President Saltzgaver to join this meeting along with the General Manager, Mr. Garner.

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

adjournment.

ADJOURNMENT

President Saltzgaver adjourned the meeting at 10:33 A.M. to the next Special Meeting to be held February 6, 2020 in the Board room at 1800 E. Wardlow Road, Long Beach, CA.

Note:

A digital recording of this meeting will be available in the City Clerk Department. The City of Long Beach provides reasonable accommodations in accordance with the Americans with Disabilities Act of 1990. If a special accommodation is desired, or if an agenda is needed in an alternative format, please call the City Clerk Department, 48 hours prior to the meeting at (562) 570-6101 or (562) 570-6626 (telecommunications device for the deaf). The City Clerk Department email at cityclerk@longbeach.gov is available for correspondence purposes.

NOTE:

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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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