

MINUTES OF A REGULAR MEETING OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, HELD IN THE BOARD ROOM OF THE HARBOR DEPARTMENT ADMINISTRATION BUILDING AT 925 HARBOR PLAZA, LONG BEACH, CALIFORNIA, ON MONDAY, MAY 8, 2006, AT 1 P.M.

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

Also present:

R. D. Steinke	Executive 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
M. J. Slavin	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
O. Covington	Chief Port Security Officer
D. B. Snyder	Director of Trade & Maritime Services
C. A. Kemp	Director of Community Relations
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT TOPSY-ELVORD 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 May 1, 2006, were declared read and approved as read.

PUBLIC COMMENTS.

There was no one present to address the Board.

CONSENT CALENDAR – ITEMS NOS. 1-10.

Item No. 6 was removed from Consent Calendar for discussion.

1. CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE AMENDMENT TO AGREEMENT FOR IMPROVEMENTS TO ALAMEDA STREET - DOCUMENT NO. HD-6577A.

Communication from Kathryn McDermott, Director of Properties, dated May 3, 2006, requesting approval of the First Amendment to Agreement with the City of Los Angeles Department of Public Works for improvements to Alameda Street, was presented to the Board. The recommendation was approved by the Executive Director.

**2. SPECIFICATION NO. HD-S2277 - APPROVED AND NOTICE INVITING BIDS AUTHORIZED – PIER C STREET DRAINAGE IMPROVEMENTS.**

Communication from D. A. Thiessen, Chief Harbor Engineer, by A. J. Moro, dated May 3, 2006, submitting Specification No. HD-S2277 for Pier C drainage improvements and requesting authority to advertise for bids for said work, was presented to the Board. The request was approved by the Executive Director.

**3. SPECIFICATION NO. HD-S2287 - APPROVED AND NOTICE INVITING BIDS AUTHORIZED – PAINTING OF TRANSIT SHEDS AT PIER D.**

Communication from D. A. Thiessen, Chief Harbor Engineer, dated May 3, 2006, submitting Specification No. HD-S2287 for painting of Transit Sheds at Pier D, Berths D48-D50, and D52-D54, and requesting authority to advertise for bids for said work, was presented to the Board. The request was approved by the Executive Director.

**4. BP WEST COAST PRODUCTS AND THE CITY OF LONG BEACH - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING FOR THE PIER T - BP COLD IRONING PROJECT - DOCUMENT NO. HD-7042.**

Communication from D. A. Thiessen, Chief Harbor Engineer, dated May 3, 2006, recommending authorization of an Amended and Restated Memorandum of Understanding with BP West Coast Products and the City of Long, for further defining the responsibilities of both parties in connection with the Pier T, Berth T121, Cold Ironing Project, was presented to the Board. The recommendation was approved by the Executive Director.

**5. PARSONS/HNTB JOINT VENTURE - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE EIGHTH AMENDMENT TO CONTRACT FOR THE GERALD DESMOND BRIDGE REPLACEMENT PROJECT - DOCUMENT NO. HD-6579H AND CWO NO. 1233, SUPPLEMENT NO. 11 - APPROVED.**

Communication from D. A. Thiessen, Chief Harbor Engineer, dated May 3, 2006, requesting approval of an amendment to Contract with Parsons/HNTB Joint Venture, for a terrorist vulnerability assessment for the Gerald Desmond Bridge Replacement Project, CWO No. 1233, Supplement No. 11, both in the amount of \$789,000, and a Confidentiality Agreement, was presented to the Board. The request was approved by the Executive Director.

**7. ORTIZ ENTERPRISES – EXECUTIVE DIRECTOR AUTHORIZED TO ISSUE A CHANGE ORDER FOR THE PIER S MARINE TERMINAL DEVELOPMENT UNDER SPECIFICATION NO. HD-S2275 AND CWO NO. 1217, SUPPLEMENT NO. 30 – APPROVED.**

Communication from D. A. Thiessen, Chief Harbor Engineer, by A. J. Moro, dated May 3, 2006, recommending authorization of the issuance of a Change Order to Ortiz Enterprises for grading, drainage, and utilities on Pier S, under Specification No. HD-S2275, in an amount of \$550,000, and CWO No. 1217, Supplement No. 30, in the amount of \$220,000, was presented to the Board. The request was approved by the Executive Director.

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

Communication from Robert Kanter, Director of Planning, dated May 3, 2006, requesting that the following Level I Harbor Development Permits be received and filed:

HDP #06-039	Port of Long Beach – Wall Construction and Roof Repair
HDP #06-040	International Transportation Service – Gantry Crane Relocation

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

**9. GREEN FLEET VEHICLE REPLACEMENT POLICY – DOCUMENT NO. HD-7043.**

Communication from Steven Rubin, Managing Director, dated May 3, 2006, recommending the approval of the Green Fleet Vehicle Replacement Policy, was presented to the Board. The recommendation was approved by the Executive Director.

**10. AON RISK SERVICES, INC. – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE PAYMENT OF THE PREMIUM FOR THE EXCESS LIABILITY INSURANCE POLICY.**

Communication from Steven Rubin, Managing Director, dated May 2, 2006, recommending that the Executive Director be authorized to execute payment of the premium for the Excess Liability Insurance Policy to AON Risk Services, Inc., for the period of May 20, 2006, to May 20, 2007, in an amount not-to-exceed \$328,000, was presented to the Board. The recommendation was approved by the Executive Director.

Commissioner Hankla moved, seconded by Commissioner Cordero that the communications be received and filed and that Items Nos. 1-5, and 7-10 be approved as recommended. Carried by the following vote:

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

**6. BATTELLE MEMORIAL INSTITUTE - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE AMENDMENTS TO TASK ORDERS TO MASTER AGREEMENT FOR RADIATION PORTAL MONITORS ON PIERS A, D/E, F, G/J, AND J - DOCUMENT NO. HD-6806E.**

Communication from D. A. Thiessen, Chief Harbor Engineer, by A. J. Moro, dated May 3, 2006, requesting approval of Amendments to Task Orders to Master Agreement with Battelle Memorial Institute for additional work for the construction of radiation portal monitor systems on terminals at Piers A, D/E, F, G/J, and J, was presented to the Board. The recommendation was approved by the Executive Director.

In response to a request by Commissioner Cordero, Mr. Thiessen gave an update of the construction and stated the installation has been completed at the six international terminals. Additionally, he stated TTI Terminals worked directly with the Customs Bureau to install the systems at their facility.

Mr. Thiessen emphasized that the radiation portal monitors are installed, are fully operational, and are 100% federally funded. He also clarified that international cargo received at the Port of Long Beach is scanned as it leaves the terminals.

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

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

**REGULAR AGENDA.**

**11. GIBBS, GIDEN, LOCHER & TURNER – ADDITIONAL FUNDS FOR LEGAL SERVICES - APPROVED.**

Communication from Dominic T. Holzhaus, Principal Deputy City Attorney, dated May 3, 2006, recommending an increase to the Contract with Gibbs, Giden, Locher & Turner for litigation services specializing in public works construction issues, in the amount of \$500,000, was presented to the Board.

Commissioner Hancock moved, seconded by Commissioner Walter that the communication be received and filed and that said funding of legal services with Gibbs, Giden, Locher & Turner be authorized.

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

**12. FINANCIAL STATEMENTS FOR THE LONG BEACH HARBOR DEPARTMENT FOR SECOND QUARTER ENDED, MARCH 31, 2006 – RECEIVED AND FILED.**

Communication from Michael J. Slavin, Chief Financial Officer, dated May 3, 2006, requesting the financial statements for the Long Beach Harbor Department for the second quarter ended March 31, 2006, be received and filed, was presented to the Board. The financial statements were approved by the Executive Director.

In response to a question by Commissioner Cordero, Mr. Slavin reviewed the additional costs associated with fire and safety. He stated the fire and safety charges include support from the police and fire departments, the maintenance of four fire stations and two fire boats, and the security division, which includes the harbor patrol.

In response to a request by Commissioner Walter, Mr. Steinke stated he would provide an update on the history of fire services, and he would invite Chief Ellis to make a presentation as to fire services that are provided in the Harbor.

Commissioner Cordero moved, seconded by Commissioner Walter that the communication and financial statements transmitted therewith be received and filed. Carried by the following vote:

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

**13. BRAGG INVESTMENT CO., INC., DBA COASTLINE EQUIPMENT – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR THE PURCHASE OF ONE FOUR-WHEEL DRIVE LOADER – DOCUMENT NO. HD-7044 -RESOLUTION NO. HD-2300 - ADOPTED.**

Communication from Randy Rich, Director of Maintenance, dated May 2, 2006, recommending approval of a Contract with Bragg Investment Co., Inc., dba Coastline Equipment, for the purchase of one four-wheel drive loader pursuant to California Multiple Award Schedules Program, in an amount not to exceed \$162,217.69, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

In response to a question by Commissioner Cordero, Mr. Rich stated the equipment is a Tier 3 loader and that its motor exceeds EPA and CARB standards and has the most advanced technology. Additionally, he stated this loader is not equipped to accommodate alternative fuels, such as CNG.

Commissioner Hankla 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 PURCHASE A FOUR WHEEL DRIVE LOADER THROUGH THE CALIFORNIA MULTIPLE AWARD SCHEDULES PROGRAM," be declared read and adopted as read. Carried by the following vote:

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

14. RICOH ELECTRONICS – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SCOPE OF AUTHORITY EXPANSION WITHIN FOREIGN-TRADE SUBZONE 50-J – RESOLUTION NO. HD-2301 - ADOPTED.

Communication from Kathryn McDermott, Director of Properties, dated May 2, 2006, authorizing the Executive Director to execute a Scope of Authority Expansion for Subzone 50-J to the Foreign-Trade Zones Board on behalf of Ricoh Electronics, Inc., was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Commissioner Hankla moved, seconded by Commissioner 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 APPROVING A REQUEST FROM RICOH ELECTRONICS, INC., FOR EXPANSION OF THEIR SCOPE OF AUTHORITY WITHIN FOREIGN-TRADE SUBZONE 50J, AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AND SUBMIT AN APPLICATION FOR EXPANSION OF SCOPE OF AUTHORITY TO THE FOREIGN-TRADE ZONES BOARD OF THE UNITED STATES DEPARTMENT OF COMMERCE, AND MAKING A DETERMINATION RELATING THERETO," be declared read and adopted as read. Carried by the following vote:

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

15. SSA TERMINALS, LLC - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO PREFERENTIAL ASSIGNMENT AGREEMENT FOR THE PIER C TERMINAL – FIRST READING OF ORDINANCE.

Communication from Kathryn McDermott, Director of Properties, dated May 2, 2006, recommending approval of the First Amendment to Preferential Assignment Agreement with SSA Terminals, LLC, for adjustment compensation for new container service implementation, address environmental measures, and minor adjustments to the terminal acreage on Pier C, 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 FIRST AMENDMENT TO THE PREFERENTIAL ASSIGNMENT AGREEMENT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND SSA TERMINALS, LLC 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:	Comms:	Walter, Hancock, Cordero, Hankla, Topsy-Elvord
NOES:	"	None
ABSENT:	"	None

**NEW BUSINESS.**

Ms. Morris gave an update presentation of the recent free Harbor Cruises. She stated there were over 500 participants and that the cruises will be held the first Saturday and the third Tuesday of each month through October.

Ms. Morris thanked the Communications staff for all their hard work and assistance and to Commissioner Cordero for his attendance.

Mr. Steinke announced the Port of Long Beach was again voted Best Seaport in North America by the readers of Cargo News Asia at the Asia Freight and Supply Chain Award Ceremony.

**SERVICE PIN RECOGNITION.**

The following individual was presented to the Board in recognition of his service to the City:

Bill Smith	Maintenance Mechanic II	25 years
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President Topsy-Elvord congratulated Mr. Smith on his years of service.

**ADJOURN IN MEMORY OF MARTIN RUBIN.**

At 2:45 p.m., Commissioner Cordero moved, seconded by Commissioner Walter that the meeting be adjourned sine die in memory of Martin Rubin, father of Steve Rubin, Managing Director of Administration and Finance. Carried by the following vote:

<b>AYES:</b>	<b>Comms:</b>	Walter,Hancock,Cordero,Hankla,Topsy-Elvord
<b>NOES:</b>	"	None
<b>ABSENT:</b>	"	None



**MINUTES  
REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS  
LONG BEACH, CALIFORNIA  
MARCH 30, 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 March 16, 2006.

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

PRESENT:	Stephen T. Conley	Commissioner
	Frank Clarke	Commissioner
	Lillian Y. Kawasaki	Commissioner
	William B. Townsend	Commissioner
	Helen Z. Hansen	Commissioner
	Donna F. Gwin	Senior Deputy City Attorney
	Kevin L. Wattier	General Manager
	Sandra L. Fox	Secretary to the Board of Water Commissioners
	B. Anatole Falagan	Deputy General Manager-Business
	Ryan J. Alsop	Director, Government & Public Affairs
	Matthew P. Lyons	Director, Planning & Conservation
	Paul T. Fujita	Director of Finance
	K. Eric Leung	Director of Water Resources
	Robert V. Swain	Division Engineer
	Robert Villanueva	Division Engineer
	Theresa Wu	Senior Engineer
	Tai Tseng	Treatment Plant Superintendent
	Abelardo Rendon	Civil Engineering Associate
	Melissa L. Keyes	Administrative Projects Coordinator
	John Wills	Administrative Analyst III
	Dynna Long	Senior Secretary

ABSENT: None

**1. PLEDGE OF ALLEGIANCE**

Dynna Long, led the Board and audience in the Pledge of Allegiance.

**2. APPROVAL OF MINUTES**

March 16, 2006

Upon motion by Commissioner Kawasaki, seconded by Commissioner Clarke, and unanimously carried, the Minutes of the Regular Meeting of March 16, 2006, were approved.

### 3. PUBLIC COMMENT

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

**NOTE: AGENDA ITEM NO. 5 Was TAKEN OUT OF ORDER AT THIS POINT IN THE MEETING**

### 5. GENERAL MANAGER'S REPORT

- Kevin L. Wattier, General Manager

Mr. Wattier provided the following report to the Board:

#### BOND DISCUSSIONS

Mr. Wattier reported about the recent meeting he and Ryan Alsop had attended regarding the upcoming bond proposals. He advised part of the discussion included Metropolitan Water District (MWD) leading the effort to give shape to the next bond proposal, and coordinating this effort with member agencies.

#### WATER ALLOCATION

Mr. Wattier advised there was good news regarding imported water supplies, and that the State Water Project (SWP) allocation had recently been increased to 80%. He reviewed the recent snow survey report (copy distributed to Board), and commented that this should bode well for water supplies, and anticipated future SWP water allocation increases.

Commissioner Hansen commented on water storage issues, and advised that LBWD should spearhead more conjunctive use projects.

Mr. Wattier advised that LBWD had worked within the judgment to maximize its conjunctive use ability. He further advised that to do any more would call for borrowing another agency's carryover, an issue he is pursuing with other water agencies. He further advised that another solution would be to work outside of the judgment, but such an action could lead to a legal challenge.

#### BROMATE & OZONE

Mr. Wattier gave an update to the Board regarding bromate and ozone issues at Metropolitan Water District (MWD). He reviewed a draft letter to Jeff Kightlinger, MWD General Manager, reiterating the Long Beach Water Department position on these two issues of concern. After Board discussion regarding this matter, President Conley commented that the General Manager should send this letter to MWD.

CHAMBER OF COMMERCE

Mr. Wattier reviewed the memo of March 23, 2006, that the Water Department had received from the City Manager requesting consideration of suspending the department's Chamber of Commerce membership. He reminded the Board that they had already purchased a table for the upcoming Economic Forecast event, and reported that the Harbor Department had already decided to continue their support and participation in this event. After a brief discussion it was determined that President Conley would send a memo to the City Manager in response, regarding Chamber of Commerce membership suspension, and advise LBWD's support for the upcoming Chamber Economic Forecast event.

**4. PRESIDENT'S REPORT**

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

CALIFORNIA'S WATER SERIES ON PBS

President Conley commented on the upcoming multi-part television series for public television produced by Huell Howser regarding California water resources.

CALIFORNIA WATER PROGRAM AT AQUARIUM

President Conley reminded the Board that the last of the series of water programs that have been taking place at the Aquarium administration offices, would be held tonight (March 30, 2006) at the Aquarium Honda Theater, and invited board members and staff to take part at this final program. He suggested in the future there should be a coordinated attendance by management at these events.

**NOTE: ITEMS 5 WAS CONSIDERED EARLIER IN THE AGENDA**

**6. LEGAL COUNSEL REPORT**

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

No report was given.

**7. CONSENT CALENDAR**

**7a. Approval of Transfer of Funds by Journal Entry Dated March 30, 2006**

Transfers No. 98 through No. 104 in the total amount of \$1,524,896.42, covering the Water and Sewer Revenue Funds, were submitted to the Board for approval.

**7b. Approval of Retirement Order No. 6068 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, and that these items be removed from the Department's records and sold at auction.

**7c. Authorize the General Manager to Increase the Expenditure on Agreement No. WD-2699, On-Call Services for Emergency Water and Sewer Repair Contract with KEC ENGINEERING, from \$250,000 to \$700,000**

A communication was presented to the Board from Isaac C. Pai, which is on file at the Long Beach Water Department.

Action Requested:

- Authorize the General Manager to Increase the Expenditure on Agreement No. WD-2699, between KEC ENGINEERING and the Board, from \$250,000 to \$700,000.

No Fiscal Impact. The funds are included in the FY 2005-2006 Budget.

**7d. Authorize the General Manager to Execute the First Amendment to Agreement No. WD-2703 with SA Associates to Increase Compensation to an amount not to Exceed \$160,641**

A communication was presented to the Board from Isaac C. Pai, which is on file at the Long Beach Water Department.

Action Requested:

- Authorize the General Manager to Execute the First Amendment to Agreement No. WD-2703 between SA Associates and the Board to increase total fee compensation to an amount not to Exceed \$160,641.

No Fiscal Impact. The funds are included in the FY 2005-2006 Budget.

**7e. Adopt Specifications WD-02-06 for the Groundwater Treatment Plant Security Enhancement Project and Authorize the General Manager to Sign a Construction Contract with Pub Construction, Inc., in the amount of \$654,550**

A communication was presented to the Board from Isaac C. Pai, which is on file at the Long Beach Water Department.

Action Requested:

- Adopt Specifications WD-02-06 for the Groundwater Treatment Plant Security Enhancement Project and Authorize the General Manager to Sign a Construction Contract with Pub Construction, Inc., in the amount of \$654,550.

Funds for the project are included in the CIP Budget. The project is partially funded up to \$165,000, by the Federal Homeland Security Grant Program.

**7f. Authorization to Attend the Aquarium of the Pacific Seventh Annual Ocean Conservation Awards Gala at the Aquarium of the Pacific in Long Beach, California, June 17, 2006**

A communication was presented to the Board from Sandra L. Fox, which is on file at the Long Beach Water Department.

Action Requested:

- Determine that an invitation to attend the Seventh Annual Ocean Conservation Awards Gala on June 17, 2006, at the Aquarium of the Pacific, complies with Board Policy Statement 1998-31, Expenditure of Water Department Funds for

Board Approved Long beach Related Community and Civic Activities, and approve the purchase of a table for this event in the amount of \$6,000.

Funds for Long Beach related community activities are included in the Fiscal Year 2005-2006 annual budget.

**7g. Adopt Specification WD-07-06 and Request Authorization for the General Manager to Execute Agreements with Los Angeles Chemical Company in the amount of \$38,190.60, Jones Chemical Inc. in an amount of \$170,493.75, and Kemiron Companies, Inc. in an amount of \$133,472.25 to Furnish and Deliver Sulfuric Acid, Liquid Chlorine, and Ferric Chloride, respectively, for a Period of One Year with Options for Two Additional One-Year Periods**

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

Action Requested:

- Adopt Specification WD-07-06 and Authorize the General Manager to Execute Agreements with Los Angeles Chemical Company for an amount not to exceed \$38,190.60, Jones Chemical Inc. in an amount not to exceed \$170,493.75, and Kemiron Companies, Inc. in an amount not to exceed \$133,472.25 for a period of one year with options to renew for two additional one-year periods.

Funding for these purchases is included in the Fiscal Year 2005-2006 annual budget.

**7h. Adopt Specification WD-04-06 and Authorize the General Manager to Execute Agreements with South Bay Ford to Furnish and Deliver Nine (9) Half-ton Extended Cab Pick-up Trucks in the Amount of \$168,818.04**

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

Action Requested:

- Adopt Specification WD-04-06 and Authorize the General Manager to execute an Agreement with South Bay Ford in an Amount not to exceed \$168,818.04.

Funding for this purchase is included in the Fiscal Year 2005-2006 budget (Water Operations 4 trucks, Treatment Plant 3 trucks, Water Conservation 1 truck, and Sewer Operations 1 truck).

**7i. Authorize the General Manager to Execute the First Amendment to Agreement No. WD-2671 between Long Beach Water Department (LBWD) and the City of Lakewood (Lakewood)**

A communication was presented to the Board from K. Eric Leung, which is on file at the Long Beach Water Department.

Action Requested:

- Authorize the General Manager to Execute the First Amendment to Agreement No. WD-2671 between Long Beach Water Department (LBWD) and the City of Lakewood (Lakewood)

No Fiscal Impact.

**7j. Authorize the General Manager to Execute the First Amendment to Agreement No. WD-2670 between Long Beach Water Department (LBWD) and Metropolitan Water District of Southern California (MWD)**

A communication was presented to the Board from K. Eric Leung, which is on file at the Long Beach Water Department.

Action Requested:

- Authorize the General Manager to Execute the First Amendment to Agreement No. WD-2670 between Long Beach Water Department (LBWD) and Metropolitan Water District of Southern California (MWD)

No Fiscal Impact.

Board Action

It was moved by Commissioner Hansen and seconded by Commissioner Townsend that the Board approve Consent Calendar Items 7a., 7b., 7c., 7d., 7e., 7f., 7g., 7h., 7i, and 7j.

DISCUSSION

President Conley asked Mr. Wattier to give a brief explanation of Item 7a. regarding Pipeline Permit Fee. Mr. Wattier explained that this was a quarterly fee paid to the City on potable water pipelines only. He further advised it would be similar to a private entity paying a franchise fee for pipelines. He also explained that this type of revenue is consistent with Prop. 218.

Commissioner Townsend asked if staff was only recommending an increase for KEC Engineering for Item 7c. for on-call service. Mr. Leung explained that LBWD currently has three on-call vendors who we offer jobs to bid on by price. He further explained that staff recommended increasing KEC's total amount, as other contractors have declined jobs, and KEC has several underway.

President Conley requested an explanation on Items 7i., and 7j. Mr. Wattier advised that Mr. Leung had proposed a way to accomplish goals of the conjunctive use program, and still maintain costs within the original estimates. Mr. Leung gave an overview of the original proposed facilities for the program, and then described the proposed facilities and its financial effects on the program estimates. He also noted how the proposed facilities would still meet the conjunctive use objectives for the City of Lakewood and the Long Beach Water Department.

President Conley complimented Mr. Wattier, Mr. Leung and staff for effectively pursuing the development of this program. Commissioner Hansen echoed the compliment.

Commissioner Townsend asked if there was additional funding being provided from Homeland Security to fund Item 7e. Mr. Wattier said not for this project, but for future projects.

President Conley called for the vote.

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>



**8. ADOPT RESOLUTION NO. WD-1211 AMENDING RESOLUTION NO. WD-1205  
FIXING COMPENSATION FOR POSITIONS AT THE LONG BEACH WATER  
DEPARTMENT**

- **B. Anatole Falagan, Deputy General Manager - Business**

Mr. Falagan gave a brief overview regarding the changes to the Long Beach Water Department Salary Resolution. He explained that these changes were the result of recent negotiations with IAM and the General Manager's discussions with the Labor Management Committee. There was a brief discussion regarding possible disparity between the Long Beach Water Department and other city departments. Mr. Wattier responded, and mentioned there was an upcoming job audit that should address some of these issues.

It was moved by Commissioner Kawasaki and seconded by Commissioner Hansen that the Board approve Item 8. A roll call vote was taken as follows:

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>

Motion was carried unanimously.

**9. ADOPT A POSITION REGARDING PROPOSED STATE LANDS COMMISSION  
RESOLUTION TO PHASE OUT POWER PLANT ONCE-THROUGH-COOLING  
SYSTEMS AND ITS EFFECTS ON SEAWATER DESALINATION IN  
CALIFORNIA**

- **Kevin Wattier, General Manager**

Mr. Wattier introduced a letter that was recommended to be sent to the State Lands Commission that had been generated by CMUA (California Municipal Utilities Association) member agencies, and advised that recent revisions made to the letter made it such that it could be supported and signed.

President Conley expressed concern that the tone of the letter had changed. Mr. Wattier explained that currently the following agencies had agreed to sign the letter: West Basin; Municipal Water District of Orange County (MWDOC); San Diego County Water Authority (SDCWA), and that he was awaiting a decision from Los Angeles Department of Water and Power after discussions scheduled to take place March 30<sup>th</sup>.

It was moved by Commissioner Hansen and seconded by Commissioner Townsend that the Board approve Item 9 and agreed that a letter be sent to the State Lands Commission regarding Once-Through-Cooling.

DISCUSSION

There was discussion amongst the Board members as to who should sign the letter. Mr. Wattier advised that this decision should be made by the President of the Water Commission. President Conley advised that he was comfortable with the General Manager signing the letter, but recommended that it would depend on who signed for the other agencies.

Commissioner Kawasaki amended the motion to add that the letter also be sent to the Ocean Protection Council.

President Conley called for the vote.

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>

10. **SUPPORT BY THE BOARD OF WATER COMMISSIONERS FOR THE CALIFORNIA STATE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION ("CEC") PETITION TO THE SECRETARY OF THE UNITED STATES DEPARTMENT OF ENERGY ("DOE") FOR A RULE EXEMPTING FROM PREEMPTION CALIFORNIA'S WATER EFFICIENCY REGULATIONS FOR RESIDENTIAL CLOTHES WASHERS ("THE STANDARDS") AND AUTHORIZE THE PRESIDENT OF THE BOARD TO COMMUNICATE SAID POSITION**

- **Matthew Lyons, Director, Planning and Conservation**

Mr. Lyons explained that the U.S. Department of Energy sets energy standards for devices, such as washing machines. He explained that the State of California is petitioning the Federal government to revise the current standards to be more stringent.

It was moved by Commissioner Townsend and seconded by Commissioner Kawasaki that the Board approve Item 10 and agreed that a letter be sent to the Secretary of the United States Department of Energy from the from the President of the Water Commission supporting the State of California Petition.

DISCUSSION

Commissioner Townsend inquired if the President would be writing the letter. Mr. Wattier responded that a standard letter would be transmitted by the President of the Water Commission.

President Conley called for the vote.

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>

**11. ADOPT POLICY POSITION FOR SB 1640 BY SENATOR SHEILA JAMES KUEHL**

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

Mr. Alsop gave a brief overview of SB1640 and explained that this was SB 820 from last year that was being reintroduced, but previously controversial language relating to groundwater extraction items had been deleted from this new bill. He explained this bill makes the link between water resources and the energy to move those water resources. He also pointed out this bill calls on Urban Water Management Plans to report on the energy requirements for water resources. Mr. Alsop recommended that the Board adopt a position to support SB 1640.

President Conley asked what agency would have oversight for the movement of the water. Mr. Alsop responded this would be the Department of Water Resources.

It was moved by Commissioner Clarke and seconded by Commissioner Hansen, and unanimously approved that the Board approve Item 11 and adopt a position to support SB 1640.

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>

## 12. LEGISLATIVE ISSUES/ACTIONS/BILLS

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

### LEGISLATIVE TRIP TO SACRAMENTO REGARDING SB 1242

Mr. Alsop reported that he and Mr. Lyons had meetings with Dennis O'Connor (Legislative Consultant) and Senator Alan Lowenthal in Sacramento on March 27<sup>th</sup> regarding SB 1242. He advised these meetings had been successful, and they had also identified items that would assist Senator Kuehl on her proposed legislation (SB 1640).

### POLITICAL POLL RESULTS

Mr. Alsop advised a political poll will be released that will reveal most people personally like the Governor, but do not like his policies.

### AMERICAN WATER WORKS ASSOCIATION (AWWA)

Mr. Alsop reported on a recent AWWA internet platform for education article ("Connecting with Customers") that complimented the LBWD website and noted that it was successful in meeting the objectives highlighted in the article. Mr. Alsop complimented Liz Ingraham and Juan Garza for their work on the LBWD website.

## 13. NEW BUSINESS

### EXCUSED ABSENCE: COMMISSIONER HANSEN

Commissioner Hansen requested to be excused from the April 27<sup>th</sup> and May 4<sup>th</sup> Board meetings.

It was moved by Commissioner Clarke, seconded by Commissioner Townsend, and unanimously approved that Commissioner Hansen be excused from the April 27<sup>th</sup> and May 4<sup>th</sup> Board meetings.

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>
<u>SEA FESTIVAL</u>		

President Conley reported to the Board about the upcoming Sea Festival events that will be taking place in the summer of 2006. He advised that the Long Beach Water Department had been requested to sponsor a Triathlon (part of the Sea Festival events) at the \$10,000 level. He advised this would be a good opportunity for the Water Department to highlight their conservation efforts by setting up booths at the various events. It was agreed this item would be considered as an agenda item at a future board meeting.

Commissioner Hansen recommended that a booth also be set up at these various events for volunteer sign-ups for the Water Ambassador program.

There was discussion about possibly introducing the bio-degradable water bottles during the Sea Festival events.

#### COMMISSIONER KEYS


Commissioner Hansen inquired if the Long Beach Water Department was taking steps to send something to retiring Commissioner Keys of the United States Bureau of Reclamation. She suggested that LBWD send him something permanent with a picture of the Desalination Plant. Mr. Wattier advised he would follow-up on this matter.

#### WAVE ARTICLE

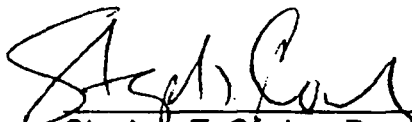
Commissioner Hansen reviewed the article on water conservation that appeared in the recent "WAVE" publication insert in the Long Beach utility bills and complimented staff on its message.

**13. ADJOURNMENT**

There being no further business to come before the Board, President Conley adjourned the meeting at 10:55 a.m. to the next Regular Meeting of the Water Commission to be held on Thursday, April 6, 2006, at 9:15 a.m., in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California.

  
\_\_\_\_\_  
William B. Townsend, Secretary

Attest:

  
\_\_\_\_\_  
Stephen T. Conley, President