

**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, FEBRUARY 13, 2006, AT 1 P.M.**

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

**Also present:**

|                 |                                       |
|-----------------|---------------------------------------|
| R. D. Steinke   | Executive Director                    |
| S. B. Rubin     | Managing Director                     |
| T. Teofilo      | 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            |
| 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                |
| C. Perrone      | Director of Security                  |
| 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 Hankla and unanimously carried, the minutes of the regular meeting of February 6, 2006, were declared read and approved as read.

**PUBLIC COMMENTS.**

There was no one present to address the Board.

**CONSENT CALENDAR – ITEMS NOS. 1-9.**

Items Nos. 3 and 9 were removed from Consent Calendar for discussion.

1. GLOBAL ENVIRONMENT AND TECHNOLOGY FOUNDATION - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE AGREEMENT FOR ENVIRONMENTAL MANAGEMENT SYSTEM ASSISTANCE - DOCUMENT NO. HD-7024.

Communication from Douglas Sereno, Chair, Sustainability Task Force, dated February 8, 2006, recommending authorization of the agreement with Global Environment and Technology Foundation for providing project information, training materials, implementation tools, and a variety of technical assistance services, was presented to the Board. The recommendation was approved by the Acting Executive Director.

**2. LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE MEMORANDUM OF UNDERSTANDING FOR GRANT FUNDING - DOCUMENT NO. HD-7025.**

Communication from D. A. Thiessen, Chief Harbor Engineer, dated February 8, 2006, recommending authorization of the Memorandum of Understanding with Los Angeles County Metropolitan Transportation Authority for grant funding for the Advanced Transportation Management and Information System Project (ATMIS), in the amount of \$4,236,000, was presented to the Board. The recommendation was approved by the Executive Director.

**4. ORTIZ ENTERPRISES – EXECUTIVE DIRECTOR AUTHORIZED TO ISSUE A CHANGE ORDER FOR THE OCEAN BOULEVARD/TERMINAL ISLAND FREEWAY INTERCHANGE PROGRAM UNDER SPECIFICATION NO. HD-S2103A, CWO NO. 1255, SUPPLEMENT NO. 4, AND A PROJECT BUDGET REVISION – APPROVED.**

Communication from D. A. Thiessen, Chief Harbor Engineer, dated February 8, 2006, recommending authorization of the issuance of a Change Order to Ortiz Enterprises for the Ocean Boulevard/Terminal Island Freeway Interchange Program, under Specification No. HD-S2103A, in an amount not-to-exceed \$400,000, CWO No. 1255, Supplement No. 4, in the amount of \$400,000, and a budget revision, was presented to the Board. The request was approved by the Executive Director.

**5. CWO NO. 1290 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.**

Communication from D. A. Thiessen, Chief Harbor Engineer, dated February 8, 2006, submitting the following project for closing action:

|              |                                   | <u>BHC Approval</u> | <u>Expenditures</u> |
|--------------|-----------------------------------|---------------------|---------------------|
| CWO No. 1290 | Harbor Plaza Roadway improvements | \$ 275,000          | \$ 52,828           |

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 Acting Executive Director.

6. EWO NO. 5039 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated February 8, 2006, submitting the following project for closing action:

|              |                                              | <u>BHC Approval</u> | <u>Expenditures</u> |
|--------------|----------------------------------------------|---------------------|---------------------|
| EWO No. 5039 | Safety Netting for the Gerald Desmond Bridge | \$1,332,000         | \$1,146,946         |

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 Acting Executive Director.

7. ANCHOR ENVIRONMENTAL - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR IR SITE 7 (WEST BASIN) SEDIMENT REMEDIATION PROGRAM SUPPORT - CITY ATTORNEY REQUESTED TO PREPARE CONTRACT - DOCUMENT NO. HD-7026 AND EWO NO. 5078 - APPROVED.

Communication from Robert Kanter, Director of Planning, dated February 7, 2006, recommending authorization of a Contract with Anchor Environmental for IR Site 7 (West Basin) Sediment Remediation Program Support, in the amount of \$250,000, and approval of EWO No. 5078, in the amount of \$350,000, was presented to the Board. The recommendation was approved by the Executive Director.

8. SHOMARI O. ELSTON – GARY M. NEWKIRK – MANDY R. REYES – APPOINTMENTS.

Communication from Toni K. Whitesell, Director of Administration, dated February 8, 2006, requesting approval of the appointments of the following individuals:

| <u>Appointment</u> | <u>Classification</u>    | <u>Range &amp; Step</u> | <u>Effective Date</u> |
|--------------------|--------------------------|-------------------------|-----------------------|
| Shomari O. Elston  | Administrative Intern-NC | H36/01                  | 2/14/06               |
| Gary M. Newkirk    | Administrative Intern-NC | H36/01                  | 2/14/06               |
| Mandy R. Reyes     | Administrative Intern-NC | H36/01                  | 2/15/06               |

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

Commissioner Walter moved, seconded by Commissioner Hancock that the communications be received and filed and that Items Nos. 1,2, and 4-8 be approved as recommended. Carried by the following vote:

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

3.     DMJM+HARRIS - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO CONTRACT FOR THE PIER T, BP COLD IRONING PROJECT - DOCUMENT NO. HD-6933A AND CWO NO. 1253, SUPPLEMENT NO. 3 - APPROVED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated February 8, 2006, requesting approval of an amendment to Contract with DMJM+HARRIS for the Pier T, Berth T121, BP Cold Ironing Project, in the amount of \$226,791, extending the term to December 31, 2007, and CWO No. 1253, Supplement No. 3, in the amount of \$250,000, was presented to the Board. The request was approved by the Executive Director.

In response to a request by Commissioner Cordero, Mr. Thiessen gave an update on the amendment and reviewed the BP Cold Ironing Project.

Commissioner Walter moved, seconded by Commissioner Hancock that the communication be received and filed, that said amendment to Contract with DMJM+HARRIS and CWO No. 1253, Supplement No. 3, be approved, and that the Executive Director be authorized to execute the amendment. Carried by the following vote:

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

9.     RICHARD D. CAMERON – DAWN L. WALSH – APPOINTMENTS.

Communication from Toni K. Whitesell, Director of Administration, dated February 8, 2006, requesting approval of the appointments of the following individuals:

| <u>Appointment</u> | <u>Classification</u>             | <u>Range &amp; Step</u> | <u>Effective Date</u> |
|--------------------|-----------------------------------|-------------------------|-----------------------|
| Richard D. Cameron | Manager of Environmental Planning | 757/05                  | 2/14/06               |
| Dawn L. Walsh      | Secretary                         | 410/05                  | 2/14/06               |

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

In response to a question by Commissioner Cordero, Dr. Kanter reviewed the responsibilities of the Manager of Environmental Planning and he also apprised the Commissioners of Mr. Cameron's experience.

Commissioner Cordero moved, seconded by Commissioner Hankla that the communication be received and filed and that the above named individuals be appointed to the positions indicated. Carried by the following vote:

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

**REGULAR AGENDA.**

**10. MERCEDES-BENZ USA, LLC – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO LEASE FOR LAND ON PIER B STREET – DOCUMENT NO. HD-6781A - RESOLUTION NO. HD-2291 - ADOPTED.**

Communication from Kathryn McDermott, Director of Properties, dated February 7, 2006, recommending approval of the First Amendment to Lease with Mercedes-Benz USA, LLC, for land at 1550 Pier B Street, extending the term to February 9, 2007, 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 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 LEASE BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND MERCEDES-BENZ USA, LLC FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT, AS SHOWN ON HARBOR DEPARTMENT DRAWING HD 4-132, 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                                           |

**11. RESOLUTION CANCELLING THE REGULAR MEETING OF TUESDAY, FEBRUARY 21, 2006 – RESOLUTION NO. HD-2292 - ADOPTED.**

Communication from Gustav T. Hein, Executive Officer to the Board, dated February 9, 2006, recommending adoption of a resolution authorizing cancelling of the regular meeting of February 21, 2006, 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 Hankla 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 FEBRUARY 21, 2006," be declared read and adopted as read. Carried by the following vote:

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

**NEW BUSINESS.**

There was no new business to report.

**CLOSED SESSION.**

At 1:35 p.m., President Topsy-Elvord recessed the Board meeting to hold a closed session:

**A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Closed session pursuant to Section 54956.8 of the Government Code for a conference with real property negotiators regarding a Pier G and Pier J Terminal lease. The Port's negotiator is Kathryn McDermott and the negotiating party is International Transportation Service, Inc. Instruction to negotiator may include price and terms of payment.

**B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Closed session pursuant to Section 54956.8 of the Government Code for a conference with real property negotiators regarding possible amendments to the Pier G marine bulk loading terminal preferential assignment agreement. The Port's negotiator is Kathryn McDermott and the negotiating party is Metropolitan Stevedore Company. Instructions to negotiator may include terms of payment.

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Closed session pursuant to Section 54956.8 of the Government Code for a conference with real property negotiators regarding possible amendments to the Pier C marine terminal preferential assignment agreement. The Port's negotiator is Kathryn McDermott and the negotiating party is SSA Terminals, (Long Beach), LLC. Instructions to negotiator may include terms of payment.

At 3:05 p.m., the meeting was again called to order by President Topsy-Elvord.

ADJOURNED.

At 3:06 p.m., Commissioner Hancock moved, seconded by Commissioner Hankla that the meeting be adjourned sine die. Carried by the following vote:

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

**CITY OF LONG BEACH  
DEPARTMENT OF PARKS, RECREATION AND MARINE  
PARKS AND RECREATION COMMISSION MINUTES  
January 19, 2006**

**I. CALL TO ORDER**

The meeting of the Parks and Recreation Commission was called to order by Chris Kozaites, President, at 9:04 a.m., at the Bixby Park Community Center. Phil Hester, Director of Parks, Recreation and Marine, took roll call and confirmed a quorum.

**Present:** Chris Kozaites, President  
Bea Antenore  
Simon George  
Drew Satariano  
Brett Waterfield

**Absent:** Harry Saltzgaver, excused

**Staff:** Phil Hester, Director of Parks, Recreation and Marine  
Thomas Shippey, Manager, Maintenance Operations Bureau  
Dennis Eschen, Manager, Planning and Development Bureau  
Diane Lewis, Manager, Community Enrichment Programs Bureau  
Chrissy Marshall, Manager, Community Recreation Programs  
Janet Day-Anselmo, Manager, Business Operations Bureau  
Dave Ashman, Manager, Special Events and Filming  
William Greco, Acting Chief Ranger  
Alvin Bernstein, Superintendent of Cultural and Community Services  
Torie Russell, Cultural and Community Services  
Sadie Cowden, Sports Field Reservations  
Robin Black, Executive Assistant to the Director

**Guests:** George Medak, AOG  
Kristen Autry, Save LBC Skyline

**It was moved by Commissioner Satariano and seconded by Commissioner Antenore to excuse the absence of Vice President Saltzgaver. The motion carried unanimously.**

**II. APPROVAL OF MINUTES – DECEMBER 15, 2005**

**It was moved by Commissioner Satariano and seconded by Commissioner Antenore to approve the December 15, 2005 Parks and Recreation Commission minutes. The motion carried unanimously.**



**III. SAMMY AWARD PRESENTATION – THOMAS SHIPPEY**

Mr. Tom Shippey gave a PowerPoint presentation recapping the adventures of Sammy. Sammy's latest adventure was that he married Sally the Flamingo. Mr. Shippey then presented the Sammy Award to David Ashman, Manager of Special Events and Filming.

**IV. EMPLOYEE OF THE MONTH PRESENTATION FOR JANUARY**

President Kozaites stated that Commissioner Satariano would announce the Employee of the Month for January.

Commissioner Satariano announced Ardige Pittman as Administrative Employee of the Month for January.

Mr. Alvin Bernstein, as her supervisor, spoke about Ms. Pittman.

**V. COMMISSION ACTION ITEMS**

**#06-0101**

**PERSONAL SERVICES/INSTRUCTION AGREEMENTS-MONTHLY APPROVAL**

**It was moved by Commissioner Satariano and seconded by Commissioner Antenore to authorize the Community Recreation Services Bureau Manager or his or her management designee to execute the Personal Services and Instruction Agreements and amend Attachment "A" of the agreements as needed. The motion carried unanimously.**

**#06-0102**

**AUTHORIZE THE EXECUTION OF PERMITS WITH YOUTH SPORTS ORGANIZATIONS FOR THE NONEXCLUSIVE USE OF SPORTS FIELDS FOR A TERM OF FIVE YEARS, EXPIRING FEBRUARY 28, 2011**

Mr. Hester stated that this is a request recommending approval for all the youth sports organizations for a five-year period, to save staff time and work. He said that if there are any exceptions, staff would bring those back to the Parks and Recreation Commission for review and approval.

Commissioner Antenore asked if the free light usage by the youth sports organizations have continued to be monitored.

Mr. Hester responded that staff has continued to monitor their light usage and they still receive regular reports. He stated that Edison may be looking at a rate adjustment in the future and quarterly meetings between City staff and Edison are currently taking place to discuss issues.

Commissioner Satariano asked if all the teams understand that the waiver of the light fees is not a right of having a league. Ms. Sadie Cowden responded that they understand.

Mr. Hester stated that it would be a good way to document the usage by sending a letter to the league presidents letting them know the value of the waiver of light fees on the fields.

Commissioner Satariano asked what would happen if the teams went with another organization and changed their team name.

Mr. Hester responded that the Department would then possibly need to take that back to the Parks and Recreation Commission for review and approval. He said that it depends on what agreements the organizations would come to.

**It was moved by Commissioner Satariano and seconded by Commissioner George to authorize the execution of youth sports permits with the organizations listed on Attachment "A" for a term of five years, expiring February 28, 2011, and waive its usual fees for rental, lights, administration and gross receipts on the sale of food and beverages in consideration for the City being recognized as a co-sponsor of the league by the Permittee. The motion carried unanimously.**

## **VI. COMMITTEE STATUS REPORTS**

### **A. EXECUTIVE COMMITTEE President Kozaites, Chair**

President Kozaites stated that the Committee met and discussed the agenda.

Mr. Hester stated that they did discuss the Salvation Army's proposed Kroc Center that they are interested in building, possibly in Chittick Field. He stated that staff is holding off bringing this item to the Parks and Recreation Commission because an item would be brought before the City Council on January 24, to address a potential MOU with this facility. This may be brought before the Parks and Recreation Commission at the February meeting, depending on what happens at the City Council meeting. He stated that this property does not currently belong to the City; it is County property.

### **B. FINANCE AND APPEALS COMMITTEE Commissioner Satariano, Chair**

Commissioner Satariano stated that the Department is a quarter into the fiscal year and expenditures and revenue are in line with the first quarter. He encouraged the Commissioners to review the financial statement, which was included in the packet.

C. PARK SAFETY COMMITTEE  
Commissioner Waterfield, Chair

Commissioner Waterfield stated that the Committee met this morning and they discussed current staffing levels, which are still below budgeted levels. He said that the new park ranger station should be open in March or early April. He stated that the incident reports are included in the packet.

Commissioner Antenore mentioned that there is nothing in the report on graffiti at the Houghton Skate Park. Mr. Hester responded that there is a new mural in the basin, which may have deterred graffiti.

Acting Chief Ranger William Greco responded that there has been no graffiti at the Houghton Skate Park for the last month, due to the mural. He said that the park has been very quiet this past month.

Commissioner Waterfield stated that park ranger foot patrols have increased even though staffing levels are down.

D. EQUAL EMPLOYMENT OPPORTUNITY AND CUSTOMER SATISFACTION  
COMMITTEE  
Commissioner Satariano, Chair

Commissioner Satariano stated that the Committee meets quarterly and they would meet next month.

E. CAPITAL IMPROVEMENT PROJECTS COMMITTEE  
Commissioner George, Chair

Commissioner George stated that the Committee did not meet this month.

F. CITY SCHOOLS/JOINT COMMITTEE  
Commissioner Antenore, Chair

Commissioner Antenore stated that the Committee did not meet this month.

G. SPECIAL EVENTS AND RECREATION COMMITTEE  
Vice President Saltzgaver, Chair

Commissioner Satariano stated that the Committee would be discussing the Field Use Policy in their upcoming meeting.

**VII. DIRECTOR'S REPORT TO COMMISSION**

**A. DIRECTOR'S MONTHLY REPORT – DECEMBER 2005**

Commissioner Antenore asked if the lights that were vandalized at the Veterans Memorial were replaced. Mr. Shippey responded that the lights were replaced.

Mr. Hester stated that the fence that was installed around the memorial stopped the vandalism.

Commissioner Satariano said it was very creative of the Department to design Rotary Centennial Park.

Commissioner George said he was glad to see that both of the tennis centers were doing well.

**VIII. CORRESPONDENCE**

President Kozaites stated that there was no correspondence received.

**IX. UNFINISHED BUSINESS**

President Kozaites stated that there was no unfinished business.

**X. NEW BUSINESS**

**A. YOUTH COMMUNITY SERVICES STRATEGIC PLAN PRESENTATION**

Ms. Diane Lewis introduced Alvin Bernstein and his crew and said that they would discuss their role.

Mr. Alvin Bernstein introduced his staff and said that they have been going through quite a bit of changes. They were formerly known as the Gang Intervention and Prevention Division. He introduced Able Beltran, Danita Strauss, Torie Russell, and Armando Gonzalez. Mr. Bernstein distributed a brochure and went over the information describing the division's goals, which are networking, public awareness, and providing education to youth as an alternative to gangs.

Mr. Hester stated that the program has changed dramatically from the Gang Intervention and Prevention Program that it once was. He stated that these staff members are key players and role models to try and educate youth away from gangs.

B. REVIEW OF PLANS FOR THE IMPROVEMENT OF VICTORY PARK AT 100 EAST OCEAN BOULEVARD

Mr. Dennis Eschen stated that this is the section in front of what used to be the Jergins Trust Building, at 100 East Ocean Blvd. He said that this is a unique block between Pine Avenue and the Promenade. The Victory Park Design Guidelines contain language that this area should be treated specially from the rest of the park, but it doesn't specify how. The Local Coastal Plan states that it should be designed to emphasis pedestrian movement. Staff reviewed it to be in strict compliance with the Victory Park Design Guidelines and the pedestrian function. Gruen Associates are proposing to widen the stairway, take out the planters, and make the area flat and more park-like.

Mr. George Medak stated that the revised plan is more like a park than the previous plan.

**It was moved by Commissioner Satariano and seconded by Commissioner Waterfield to approve the design of Victory Park adjacent to 100 E. Ocean Boulevard, as modified by the inclusion of the stairway into Victory Park, as long as the design is further modified so the shape of the planters become informal and park like, the amenities of park sign, park benches, drinking fountain, and trash receptacles are included, and the Victory Park lawn and row of palms are extended to the Promenade South. The motion carried unanimously.**

C. REVISED PRIORITY OF USE POLICY OF PERMITTING OF ATHLETIC FIELDS

Ms. Diane Lewis stated that a strikeout version and the new policy is attached. She said that this policy is to ensure that Long Beach residents have priority to sports fields.

Commissioner Satariano stated that this is more of a "receive and file" policy.

**It was moved by Commissioner Antenore and seconded by Commissioner Satariano to receive and file the Revised Priority of Use of Permitting of Athletic Fields. The motion carried unanimously.**

D. UPDATE OF BIXBY PARK BAND SHELL – TOM SHIPPEY

Mr. Tom Shippey stated that staff and an engineer are working on a design and the potential for FEMA reimbursement for the Bixby Park band shell. He said that the Department would then start a campaign with Partners of Parks for donations. The Department is hoping to begin construction within the next few months.

President Kozaites asked if staff knew how old the structure was. Mr. Eschen responded that there are photos of Herbert Hoover standing on it while he was campaigning for the presidency in 1928, so it goes back to at least to the mid-twenties.

President Kozaites asked how close the design would replicate what it used to look like. Mr. Shippey responded that the band shell would look very close to the original plan. The band shell used to have stairs in the front, covered over at some point, which will not be rebuilt. The later room addition and the restroom addition would also not be replaced. From the outside the band shell would look very close to what it was before. The engineer is using the original plan. The community would also like to see the band shell declared a historical building.

XI. COMMENTS

A. AUDIENCE

President Kozaites asked for comments from the audience. There were no comments from the audience.

B. STAFF

Ms. Chrissy Marshall introduced Rudy Rivera, the acting supervisor of Bixby Park. She said that he held a Halloween carnival for the first time at the park.

Mr. Hester suggested that the Commissioners take a look at the new mural at Bixby Park, while they were here.

Ms. Lewis distributed flyers for events at the Rancho Los Cerritos. She mentioned that the opening of the Colorado Lagoon Wetland and Marine Science Education Center would be on January 28, and that the Commissioners should have already received their invitations in the mail.

Mr. Eschen stated that an additional plan for the Sports Park would be brought before the Parks and Recreation Commission next month. He also mentioned that the Capital Improvements Committee meeting would be held in February.

C. COMMISSIONERS

Commissioner Satariano stated that he spent quite a bit of time in Bixby Park when he was young.

XII. NEXT MEETING

The next meeting will be held at 9:00 a.m. on Thursday, February 16, 2006, at El Dorado Park West, 2800 Studebaker Rd., Long Beach.

XIII. ADJOURNMENT

President Kozaites adjourned the meeting at 10:40 a.m.

Respectfully submitted,



Robin Black  
Executive Secretary  
to the Director

c: Phil T. Hester, Director of Parks, Recreation and Marine

**MINUTES  
REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS  
LONG BEACH, CALIFORNIA  
FEBRUARY 2, 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 February 2, 2006.

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

|                 |                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PRESENT:</b> | Frank Clarke<br>Helen Z. Hansen<br>Lillian Y. Kawasaki<br>William B. Townsend<br>Donna F. Gwin<br>Kevin L. Wattier<br>Sandra L. Fox<br><br>Robert C. Cheng<br>B. Anatole Falagan<br>Ryan J. Alsop<br>Matthew P. Lyons<br>Paul T. Fujita<br>Isaac C. Pai<br>K. Eric Leung<br>Robert V. Swain<br>Robert Villanueva<br>Theresa Wu<br>Juan Garza<br>Dynna Long | Commissioner<br>Commissioner<br>Commissioner<br>Commissioner<br>Senior Deputy City Attorney<br>General Manager<br>Secretary to the Board of Water<br>Commissioners<br>Deputy General Manager-Operations<br>Deputy General Manager-Business<br>Director, Government & Public Affairs<br>Director, Planning & Conservation<br>Director of Finance<br>Director of Engineering<br>Director of Water Resources<br>Division Engineer<br>Division Engineer<br>Senior Engineer<br>Administrative Analyst I<br>Senior Secretary |
| <b>ABSENT:</b>  | Stephen T. Conley<br><br>Commissioner (Excused)                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

**PLEDGE OF ALLEGIANCE**

Robert Villanueva, led the Board and audience in the Pledge of Allegiance.

**APPROVAL OF MINUTES**

January 19, 2006

Upon motion by Commissioner Kawasaki, seconded by Commissioner Townsend, and unanimously carried, the Minutes of the Regular Meeting of January 19, 2006, were approved.



## **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.

## **PRESIDENT'S REPORT**

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

Frank Clarke, Acting President, had nothing to report. He deferred to the General Manager for updates.

## **GENERAL MANAGER'S REPORT**

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

Mr. Wattier provided the following report to the Board:

### California Municipal Utilities Association (CMUA) Legislative Day & Briefings

Mr. Wattier reported that he and Ryan Alsop, Director, Government and Public Affairs, had attended meetings on January 30th and January 31<sup>st</sup> associated with the CMUA Legislative Day & briefings in Sacramento, CA. Mr. Wattier advised that Mr. Alsop would report in more detail on the discussions and meetings regarding the proposed infrastructure bond issue later on in the meeting during his Legislative Report.

### Department of Water Resources (DWR) Snow Report

Mr. Wattier advised the Board that the most recent DWR snow report indicated a snow pack that was 120% of average, which could possibly predict future water allocation increases.

### Traces of Prescription Drugs Found in Recycled Water

Mr. Wattier reviewed the recent *Los Angeles Times* article dated January 30, 2006, (a copy of which was provided to the Board members) that covered the topic regarding traces of prescription drugs found in Southland recycled water. Mr. Wattier requested that Dr. Robert Cheng, Deputy General Manager – Operations comment on this article.

Dr. Cheng reported that in addition to the recent newspaper article regarding this subject that two television stations also reported on this issue. Dr. Cheng reported that some of the medicines detected were prescription drugs, but could also include aspirin, other over-the counter medications and other personal care products that had been discarded in the sewer. Dr. Cheng indicated these compounds were detected at very low levels, and there are additional studies to be conducted to determine the long-term effects. Dr. Cheng further advised that the Long Beach Water Department (LBWD) would continue to test and monitor for potential impacts and would keep the Board apprised of the findings.

Mr. Wattier advised that the LBWD actively participates with organizations (such as Awwa Research Foundation) that conduct research through surveys of water agencies regarding their concerns and priorities, to assist water agencies and others to provide safe and affordable drinking water to consumers. Mr. Wattier further reported the LBWD has always stressed that research is our priority.

Commissioner Hansen inquired how this issue might affect the water systems that deal with "toilet to tap" issues. Mr. Wattier responded that higher quality treatment processes (such as the use of ultra pressure membranes or the use of ultra violet treatment) have been proposed for projects in San Diego and Los Angeles to address this matter. He further reported this issue as one of public trust, not a direct comparison with recycled water and the recharge process.

Commissioner Kawasaki inquired whether regulatory thresholds had been established for these pharmaceutical compounds.

Mr. Wattier responded that the EPA has a set process for reviewing and establishing guidelines. Dr. Cheng advised that some of these compounds are being reviewed. He also added that guidelines for detection of compounds for potable water and recycled water are different, and that as science improves it will be easier to detect these types of compounds in water.

Commissioner Clarke commented on the reference in the newspaper article regarding Lake Mead (reservoir for Colorado River water) and the discovery of feminized fish being affected by continuous exposure to birth control hormone excretions in treated sewage.

Mr. Wattier advised that the Metropolitan Water District (MWD) is carefully monitoring the situation in Lake Mead, and the actions taken by the Southern Nevada Water Authority.

Commissioner Hansen inquired about the source of some local bottled water.

Mr. Wattier reported that typically tap water is treated through reverse osmosis and ozone, and then additional minerals may be added and then bottled.

#### Conjunctive Use Water Storage

Mr. Wattier advised that he had a recent conversation with Debra Man, Metropolitan Water District, Interim CEO/General Manager, regarding favorable water supply conditions in the State Water Project, and expected to receive a letter from her seeking to advance groundwater storage in the Metropolitan service area. This additional storage of water calls for arrangements outside of the judgment.

#### Machinist Union Contract Update

Mr. Wattier reported that the Machinist contract had been approved with a 96% vote, and that the next step would be for this contract to be approved by the City Council.

#### Sewer Spill – 2500 Block of Ximeno

Mr. Wattier advised there was no further information to report on the recent sewer spill that occurred in the 2500 block of Ximeno.

#### Metropolitan Water District (MWD) Water Quality Issue

Mr. Wattier briefed the Board on actions that had been taken by MWD to address the increased bromate levels. He advised that a Working Group had been established to monitor this situation, and reported that Robert Cheng is the LBWD representative for this group.

Commissioner Hansen clarified that all agencies receiving water from the Jensen Plant had agreed with the proposal to modify the PH adjustment to reduce the bromate levels.

Mr. Wattier advised that this same process had also been instituted at the Mills Plant.

Commissioner Hansen suggested that MWD should reconsider of the ozone retrofit of its remaining plants. Mr. Wattier stated he concurs, particularly since the EPA is planning to reevaluate bromate health affects over the next five years.

**LEGAL COUNSEL REPORT**

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

No report was given.

**CONSENT CALENDAR**

**7a. Approval of Transfer of Funds by Journal Entry Dated February 2, 2006**

Transfers No. 62 through No. 69 in the total amount of \$462,257.00 covering the Water and Sewer Revenue Funds, were submitted to the Board for approval.

**7b. Request Authorization for the General Manager to Sign a Non-Disclosure Agreement with Trojan Technologies, Inc.**

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

Action Requested:

- That the Board authorize the General Manager to sign a Non-Disclosure Agreement and Acknowledgement with Trojan Technologies, Inc.

No fiscal impact.

**7c. Authorize the General Manager to Sign the User Agreements with Los Angeles Department of Water and Power, AES Alamitos LLC, and Bixby Village Golf LLC to be Served by the Recycled Water System Expansion Phase 2 Project, (REX-0137)**

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

Action Requested:

- That the Board authorize the General Manager to Sign the User Agreements with Los Angeles Department of Water and Power, AES Alamitos LLC, and Bixby Village Golf LLC to be Served by the Recycled Water System Expansion Phase 2 Project.

This project is partially funded by a 25 percent matching grant from SWRCB and an additional 25 percent matching grant from the USBR.

At the request of Commissioner Kawasaki, Agenda Item 7c. was removed for separate discussion and action.

- 7d. Authorize the General Manager to execute an agreement with GRW & SON, INC., to Provide Construction Management Services for the Division Street Sanitary Sewer Improvements Project (SC-0108) in an amount not to exceed \$185,466 for a 21-month period ending September 1, 2007.**

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

Action Requested:

- That the Board authorize the General to execute an agreement with GRW & SON, INC., to Provide Construction Management Services for the Division Street Sanitary Sewer Improvements Project (SC-0108) in an amount not to exceed \$185,466 for a 21-month period ending September 1, 2007.

Funds for the project are included in the FY 2005-2006 CIP Budget (Sewer Funds)

- 7e. Authorize purchase of a table at the Annual Long Beach Fire Department Meritorious Awards Luncheon on Tuesday, February 28, 2006, at the Long Beach Convention Center**

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

Action Requested:

- That the Board determine that an invitation to participate in the LBFD Meritorious Awards Luncheon on February 28, 2006, at the Long Beach Convention Center complies with Board Policy Statement 1998-31, Expenditure of Water Department Funds for Board Approved Long Beach Related Community and Civic Activities, and approve purchase of a table for ten in the amount of \$1,000.

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

Board Action

It was moved by Commissioner Townsend and seconded by Commissioner Hansen that the Board approve Consent Calendar Items 7a., 7b., 7d., and 7e.

The motion was carried by the following vote:

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

**7c. Authorize the General Manager to Sign the User Agreements with Los Angeles Department of Water and Power, AES Alamitos LLC, and Bixby Village Golf LLC to be Served by the Recycled Water System Expansion Phase 2 Project, (REX-0137)**

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

Action Requested:

- That the Board authorize the General Manager to Sign the User Agreements with Los Angeles Department of Water and Power, AES Alamitos LLC, and Bixby Village Golf LLC to be Served by the Recycled Water System Expansion Phase 2 Project.

This project is partially funded by a 25 percent matching grant from SWRCB and an additional 25 percent matching grant from the USBR.

DISCUSSION:

At the request of Commissioner Kawasaki, this item was pulled for a separate vote as she advised the Board that she would be abstaining from the vote on Consent Item 7C.

It was moved by Commissioner Hansen and seconded by Commissioner Townsend that the Board approve Consent Calendar Item 7c.

The motion was carried by the following vote:

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

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

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

CMUA Conference

Kevin Wattier, General Manager, reported he and Ryan Alsop, Director, Government and Public Affairs had attended the California Municipal Utilities Association (CMUA) Capitol Day and Legislative briefings (January 29, 2006 – January 31, 2006) held in Sacramento, California. He advised this year that the conference was livelier mainly due in part to the various meetings and discussions regarding the Governor's proposed infrastructure bond issue and related propositions. Mr. Wattier also reported that while they were in Sacramento he and Ryan Alsop met with Senator Alan Lowenthal to discuss the various proposals and their potential impact on water agencies.

Mr. Wattier also reported on a meeting that they attended in Sacramento with Joe Caves (author of Proposition 50) and representatives from MWD, and other water agency members to discuss the Governor's infrastructure proposal as it relates to water agencies.

Mr. Wattier advised the Board that he would also be taking part in a meeting with Mr. Joe Grindstaff of the Governor's staff on February 3<sup>rd</sup>, 2006, that was arranged by Mr. Alsop, to also discuss the Governor's plan.

Current Legislation Tracked by Long Beach Water Department (LBWD)

Mr. Alsop reviewed a report on current Federal and State legislation being tracked by LBWD, and distributed a copy of this report at the Board meeting.

"Strategic Growth Plan" – California Water Resources Investment Act & General  
Obligation Bond Issuance

Mr. Alsop made a presentation to the Board that gave an overview of the Governor's plan, and the proposed funding levels. He noted that the plan was encompassed in 16 bills, mixing bonds and policy planned for a vote between 2006 and 2014. Mr. Alsop also mentioned other proposals that are being developed with similar objectives.

Mr. Alsop also reported on the California Water Resources Investment Act, which proposes how the funds will be spent, and the institution of the water resources capacity charge that would collect the revenue to cover the bonds. Mr. Alsop discussed how this fee would be levied and how the funds would be distributed. He also reviewed the State agencies that would be involved, and reiterated that the proposal is a continuous appropriation, with a unilateral ability to raise the fees necessary to meet funding obligations.

Mr. Alsop also reviewed a list of issues raised related to the Governor's plan, including those specifically raised by the water industry. Mr. Alsop then provided an overview of the scope of the potential impacts to the Long Beach Water Department under the proposed funding mechanism.

Mr. Alsop concluded his report with the current status of the Governor's plan, and upcoming deadlines that must be met for this issue to be included on the June 2006 ballot.

Mr. Wattier commended Mr. Alsop on his report presented to the Board. He advised the Board that he plans to brief the City Council in the next few weeks regarding possible rate increase impacts that would be necessary if this legislation is passed.

Mr. Wattier reported on the Integrated Resource Water Management (IRWM) process, and suggested this is not the way to plan and fund water projects.

Commissioner Townsend inquired if LBWD would take a stand opposing this legislation.

Mr. Alsop responded that other water agencies, and LBWD have been communicating their concerns to the Governor's staff, and that LBWD staff did not recommend taking a position at this time, but would possibly return at a later date with a suggested position.

Commissioner Kawasaki requested that this issue be listed as agenda item at all future regular Board meetings, as appropriate. Donna Gwin, Senior Deputy City Attorney advised this should be a standing action item that the Board could then choose to vote on or not.



**9. NEW BUSINESS**

**EXCUSED ABSENCE: COMMISSIONER KAWASAKI**

Commissioner Kawasaki requested to be excused from the February 9<sup>th</sup> Board meeting.

It was moved by Commissioner Hansen, seconded by Commissioner Townsend, and unanimously approved that Commissioner Kawasaki be excused from the February 9<sup>th</sup> Board meeting.

The motion was carried by the following vote:


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

**METROPOLITAN WATER DEPARTMENT (MWD) CEO REPLACEMENT PROCESS**

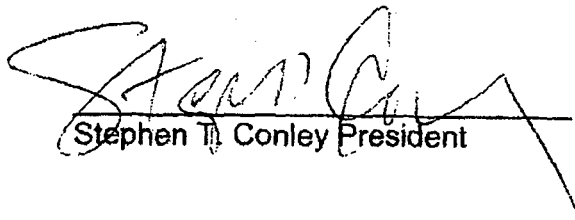
Commissioner Hansen advised the Board the MWD Directors would be conducting interviews with the finalists for the MWD CEO position on February 7, 2006. She advised the finalists are: Debra Man; Jeff Kightlinger; Gilbert Ivey; Virginia Grebbien; and Richard Katz. She reported the finalists would be allowed to make a thirty minute presentation, followed by a fifteen minute question and answer session.

**10. ADJOURNMENT**

There being no further business to come before the Board, Acting President Clarke adjourned the meeting at 10:47 a.m. to the next Regular Meeting of the Water Commission to be held on Thursday, February 16, 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