

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, OCTOBER 24, 2005, AT 1 P.M.

Present: Commissioners: Walter, Hancock, Cordero
Absent: " Hankla, Topsy-Elvord

Also present:

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

COMMISSIONER CORDERO 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 October 17, 2005, were declared read and approved as read.

PUBLIC COMMENTS.

There was no one present to address the Board.

CONSENT CALENDAR – ITEMS NOS. 1-7.

1. SHAWNAN - ACCEPTANCE OF WORK UNDER SPECIFICATION NO. HD-S2256.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated October 19, 2005, advising that Shawnan has satisfactorily completed, as of August 31, 2005, the rental of construction and equipment and other related services, as described in

Specification No. HD-S2256, and recommending that said work be accepted as complete as of that date, was presented to the Board. The recommendation was approved by the Executive Director.

2. LEVEL I HARBOR DEVELOPMENT PERMITS – RECEIVED AND FILED.

Communication from Robert Kanter, Director of Planning, by Thomas Johnson, dated October 19, 2005, requesting that the following Level I Harbor Development Permits be received and filed:

HDP #05-082	California United Terminals – Conduit Installation
HDP #05-086	Tidelands Oil Production Company – Security Fence Installation
HDP #05-088	ARCO Terminal Services Corporation – Pipeline Repair
HDP #05-089	Chemoil Marine Terminals – Valve Box Removal
HDP #05-093	Tidelands Oil Production Company – Emergency Pipeline Repair

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

3. EWO NO. 5033 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.

Communication from Robert Kanter, Director of Planning, by Thomas Johnson, dated October 19, 2005, submitting the following project for closing action:

		<u>BHC Approval</u>	<u>Expenditures</u>
EWO No. 5033	Preparation of a Biological Baseline Study for San Pedro Bay	\$ 825,000	\$ 766,493

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 Executive Director.

4. RWO NO. 638F – INTERIM RAIL YARD PROJECT AT CALIFORNIA UNITED TERMINALS – APPROVED.

Communication from Robert Kanter, Director of Planning, by Thomas Johnson, dated October 24, 2005, requesting approval of RWO No. 638F for the interim rail yard

project at California United Terminals, in the amount of \$140,000, was presented to the Board. The request was approved by the Executive Director.

5. TIDELANDS OIL PRODUCTION COMPANY – PERMIT TO DRILL ONE PRODUCTION WELL - APPROVED.

Communication from Robert Kanter, Director of Planning, by Larry Cottrill, dated October 19, 2005, recommending approval of the application submitted by Tidelands Oil Production Company for a permit to drill one production well (X-108), was presented to the Board. The recommendation was approved by the Executive Director.

6. URS CORPORATION - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SECOND AMENDMENT TO CONTRACT FOR HAZARDOUS MATERIALS SITE ASSESSMENT SERVICES – DOCUMENT NO. HD-6621B.

Communication from Robert Kanter, Director of Planning, dated October 12, 2005, requesting approval of an amendment to Contract with URS Corporation for hazardous materials site assessment services, in the amount of \$50,000, and extending the time to February 3, 2006, was presented to the Board. The request was approved by the Executive Director.

7. MARITIME GOODS MOVEMENT COALITION – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE AGREEMENT AND APPROVAL OF FUNDING FOR THE DEVELOPMENT OF A COMPREHENSIVE GOODS MOVEMENT PLAN - DOCUMENT NO. HD-6986.

Communication from Robert Kanter, Director of Planning, by Thomas Johnson, dated October 19, 2005, requesting approval of the Agreement with Maritime Goods Movement Coalition for the development of a comprehensive goods movement plan, and approval of funding, in the amount of \$500,000, was presented to the Board. The recommendation was approved by the Executive Director.

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

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

REGULAR AGENDA.

8. FORD, WALKER, HAGGERTY & BEHAR LLP – INCREASE IN CONTRACT FOR LEGAL COUNSEL SERVICES - APPROVED.

Communication from Dominic Holzhaus, Principal Deputy City Attorney, dated October 19, 2005, requesting authorization of an increase to the Contract with Ford, Walker, Haggerty & Behar LLP, for litigation services, in the amount of \$500,000, was presented to the Board.

In response to a request by Commissioner Hancock, Mr. Holzhaus stated Mr. Charles Gale, Deputy City Attorney, would provide an update to the Board.

Commissioner Hancock moved, seconded by Commissioner Walter that the communication be received and filed and that said increase of Contract with Ford, Walker, Haggerty & Behar LLP be authorized. Carried by the following vote:

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

9. CHEMOIL CORPORATION AND MITSUBISHI CEMENT CORPORATION – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SUBLEASE AGREEMENT TO SHARE PORTIONS OF BERTHS F208 AND F209 – DOCUMENT NO. HD-6987 - RESOLUTION NO. HD-2280 - ADOPTED.

Communication from Kathryn McDermott, Director of Properties, dated October 19, 2005, recommending approval of a Sublease Agreement between Chemoil Corporation and Mitsubishi Cement Corporation to share portions of Berths F208 and F209, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Upon a request from Chairperson Cordero, Ms. McDermott reviewed the item.

Commissioner Hancock 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 APPROVING A SUBLEASE AGREEMENT BETWEEN CHEMOIL CORPORATION AND MITSUBISHI CEMENT CORPORATION, AND MAKING A DETERMINATION RELATING THERETO," be declared read and adopted as read. Carried by the following vote:

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

10. TOYOTA MOTOR SALES, U.S.A., INC. – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIFTH AMENDMENT TO LEASE FOR LAND AND WATER ACREAGE ON PIER B – DOCUMENT NO. HD-4789E - RESOLUTION NO. HD-2279 - ADOPTED.

Communication from Kathryn McDermott, Director of Properties, dated October 12, 2005, recommending approval of the Fifth Amendment to Lease with Toyota Motor Sales, U.S.A., Inc., increasing the minimum annual rent for land and water acreage on Pier B, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Upon a request from Chairperson Cordero, Ms. McDermott reviewed the item.

Commissioner Hancock 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 FIFTH AMENDMENT TO AMENDED AND RESTATED LEASE BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND TOYOTA MOTOR SALES, U.S.A., INC., FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT," be declared read and adopted as read. Carried by the following vote:

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

11. ESTABLISHING RATES AND CHARGES FOR WATER AND SEWER SERVICE – RESOLUTION NO. HD-2281 ADOPTED - FIRST READING OF ORDINANCE.

Communication from R. Rich, Director of Maintenance, dated October 17, 2005, recommending approval of establishing rates and charges for water and sewer service to certain consumers within the Harbor District for fiscal year 2005-2006, was presented to the Board together with the authorizing resolution and ordinance therefore. The recommendation was approved by the Executive Director.

Upon a request from Chairperson Cordero, Mr. Rich reviewed the item.

Commissioner Walter 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 ESTABLISHING RATES AND CHARGES FOR WATER AND SEWER SERVICE TO CERTAIN CONSUMERS WITHIN THE HARBOR DISTRICT OF THE CITY OF LONG BEACH, FOR A PERIOD OF NINETY (90) DAYS COMMENCING OCTOBER 1, 2005, AND MAKING A DETERMINATION RELATING THERETO," be declared read and adopted as read. Carried by the following vote:

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

Commissioner Hancock moved, seconded by Commissioner Walter that the ordinance entitled "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, ESTABLISHING RATES AND CHARGES FOR WATER AND SEWER SERVICE TO CERTAIN CONSUMERS WITHIN THE HARBOR DISTRICT OF THE CITY OF LONG BEACH, AMENDING ORDINANCE NO. HD-1633, AS AMENDED, AND MAKING A DETERMINATION REALTING THERETO," be declared read for the first time and laid over for its second and final reading. Carried by the following vote:

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

NEW BUSINESS.

SERVICE PIN RECOGNITION.

The following were presented to the Board in recognition of their service to the City:

Diane Gordon-Clark	Secretary	15 years
Ron Schmidt	Maintenance Planner	15 years
Wanda Stevenson	Record Center Supervisor II	20 years

Chairperson Cordero congratulated the service pin recipients on their years of service.

CLOSED SESSION

At 1:55 p.m., Chairperson Cordero recessed the Board meeting to hold a closed session:

A) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Closed session pursuant to Section 54956.9(a) of the Government Code regarding Anthony Han v. City of Long Beach, et al., Superior Court Case No. 035341.

B) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Closed Session pursuant to Section 54956.9(a) of the Government Code regarding ZPMC and Total Terminals International, LLC v. City of Long Beach, et al., Superior Court Case No. 037336.

At 2:20 p.m., the meeting was again called to order by Chairperson Cordero.

ADJOURNED.

At 2:21 p.m., Commissioner Walter moved, seconded by Commissioner Hancock that the meeting be adjourned sine die. Carried by the following vote:

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

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Present: Commissioners: Walter, Hancock, Cordero, Topsy-Elvord
Absent: " Hankla

Also present:

G. Knatz	Managing 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
A. W. Wong	Assistant 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
T. A. Poe	Assistant Director of Government Affairs
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT TOPSY-ELVORD PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Upon motion by Commissioner Walter, seconded by Commissioner Cordero and unanimously carried, the minutes of the regular meeting of October 24, 2005, were declared read and approved as read.

PUBLIC COMMENTS.

There was no one present to address the Board.

CONSENT CALENDAR – ITEMS NOS. 1-6.

1. CWO NO. 1197, SUPPLEMENT NO. 18 – FOR THE PIER E TERMINAL REDEVELOPMENT PROJECT AND A BUDGET REVISION – APPROVED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated October 26, 2005, requesting approval of CWO No. 1197, Supplement No. 18, for the Pier E

Terminal Redevelopment Project, in the amount of \$720,000, and a budget revision was presented to the Board. The request was approved by the Acting Executive Director.

2. SPECIFICATION NO. HD-S2275 - APPROVED AND NOTICE INVITING BIDS AUTHORIZED – PIER S MARINE TERMINAL DEVELOPMENT.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated October 26, 2005, submitting Specification No. HD-S2275 for grading, drainage, and utilities development at the Pier S Marine Terminal and requesting authority to advertise for bids for said work, was presented to the Board. The request was approved by the Acting Executive Director.

3. HARBOR REVENUE FUND – APPROVAL OF FUND TRANSFER JOURNALS AND AUTHORIZATION OF TRANSFER OF FUNDS.

Communication from Michael J. Slavin, Chief Financial Officer, dated October 26, 2005, submitting the following Fund Transfer Journals received from the Department of Financial Management:

<u>AMOUNT</u>	<u>DESCRIPTION</u>
123,294.92	Employee Benefits Fund – pension obligation bonds for October 2005
175,515.33	General Fund – transfer of the October 2005 estimated City general administration costs
9,811.75	General Fund – adjustment for additional costs of indirect overhead for prior year
730,481.50	Fire Department – Fire Boats for October 2005 Fire Department – Fire Stations for October 25, 2005
8,307.25	Fire Department – vessel patrol charges for October 2005
(720.00)	Information Services Bureau – adjustment to data processing operations and maintenance for September 2005
11,058.33	Technical Systems – financial information system for October 2005

was presented to the Board. The Fund Transfer Journals were approved by the Acting Executive Director.

4. SASHI MURALIDHARAN – APPOINTMENT.

Communication from Toni K. Whitesell, Director of Administration, dated October 25, 2005, requesting approval of the appointment of Sashi Muralidharan to the position of Administrative Analyst II, at Range/Step 600/04, effective November 3, 2005, was presented to the Board. The request was approved by the Acting Executive Director.

5. JOHN C. COMER – APPOINTMENT.

Communication from Toni K. Whitesell, Director of Administration, dated October 25, 2005, requesting approval of the appointment of John C. Comer to the position of Security Officer I-NC, at Range/Step M18/01, effective November 1, 2005, was presented to the Board. The request was approved by the Acting Executive Director.

6. RICHARD D. STEINKE – EXECUTIVE DIRECTOR - EMPLOYMENT AGREEMENT – DOCUMENT NO. HD-6989 - APPROVED.

Communication from Steven Rubin, Managing Director, dated October 27, 2005, submitting the Employment Agreement for Richard D. Steinke, Executive Director, was presented to the Board. The submission was approved by the Acting Executive Director.

Commissioner Hancock moved, seconded by Commissioner Walter that the communications be received and filed and that Items Nos. 1-6 be approved as recommended. Carried by the following vote:

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

REGULAR AGENDA.

7. KUTAK ROCK LLP – THIRD AMENDMENT TO AGREEMENT FOR LEGAL SERVICES – APPROVED.

Communication from Charles M. Gale, Deputy City Attorney, dated October 26, 2005, requesting approval of a Third Amendment to Agreement with Kutak Rock LLP for bond counsel services, increasing the hourly rate to \$265, and extending the term to December 31, 2007, was presented to the Board.

In response to a request by President Topsy-Elvord, Mr. Holzhaus reviewed the item.

Commissioner Hancock moved, seconded by Commissioner Walter that the communication be received and filed and that said Amendment to Agreement with Kutak Rock LLP be approved. Carried by the following vote:

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

8. RESOLUTION RESETTING THE REGULAR MEETING OF MONDAY, NOVEMBER 7, 2005 – RESOLUTION NO. HD-2282 - ADOPTED.

Communication from Gustav T. Hein, Executive Officer to the Board, dated October 25, 2005, recommending adoption of a resolution authorizing resetting the regular meeting time of the Monday, November 7, 2005, Board meeting to 3:00 p.m., was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Commissioner Walter moved, seconded by Commissioner Cordero 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 RESETTING THE TIME OF THE REGULAR MEETING OF NOVEMBER 7, 2005," be declared read and adopted as read. Carried by the following vote:

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

9. RESOLUTION CANCELLING THE REGULAR MEETING OF MONDAY, NOVEMBER 14, 2005 – RESOLUTION NO. HD-2283 - ADOPTED.

Communication from Gustav T. Hein, Executive Officer to the Board, dated October 25, 2005, recommending adoption of a resolution authorizing cancelling of the regular meeting of November 14, 2005, 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 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 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 NOVEMBER 14, 2005," be declared read and adopted as read. Carried by the following vote:

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

10. 1001 DOMINGUEZ B-D, LLC – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE JOINT REVOCABLE PERMIT FOR PROPERTY LOCATED AT MILEPOST 17.29 ALONG THE FORMER UP SAN PEDRO BRANCH RIGHT-OF- WAY – DOCUMENT NO. HD-6990 – RESOLUTION NO. HD-2284 - ADOPTED.

Communication from Kathryn McDermott, Director of Properties, dated October 25, 2005, recommending approval of a Joint Revocable Permit with 1001 Dominguez B-D, LLC, for the property along the former UP San Pedro Branch right-of-way at Milepost 17.29, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Acting Executive Director.

Commissioner Hancock 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 JOINT REVOCABLE PERMIT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND 1001 DOMINGUEZ B-D, INC., AND MAKING A DETERMINATION RELATING THERETO," be declared read and adopted as read. Carried by the following vote:

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

11. ESTABLISHING RATES AND CHARGES FOR WATER AND SEWER SERVICE – ORDINANCE NO. HD-1955 - ADOPTED.

Ordinance entitled "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, ESTABLISHING RATES AND CHARGES FOR WATER AND SEWER SERVICE TO CERTAIN CONSUMERS WITHIN THE HARBOR DISTRICT OF THE CITY OF LONG BEACH, AMENDING ORDINANCE NO. HD-1633, AS AMENDED AND MAKING A DETERMINATION REALTING THERETO," was presented to the Board for its second and final reading.

Commissioner Walter moved, seconded by Commissioner Cordero that the ordinance be declared read for the second time and adopted as read. Carried by the following vote:

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

NEW BUSINESS.

Commissioner Cordero asked when the presentations on Goods Movement would begin.

Dr. Kanter stated the presentations would begin on November 21, 2005.

CLOSED SESSION.

At 2:25 p.m., President Topsy-Elvord recessed the Board meeting to hold a closed session:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Closed session pursuant to Section 54956.9(a) of the Government Code regarding APM Terminals Pacific Ltd., etc., vs. City of Long Beach, etc., et al., Superior Court Case No. BC303695.

At 2:50 p.m., the meeting was again called to order by President Topsy-Elvord.

ADJOURNED.

At 2:51 p.m., Commissioner Walter moved, seconded by Commissioner Cordero that the meeting be adjourned sine die. Carried by the following vote:

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

**CITY OF LONG BEACH
DEPARTMENT OF PARKS, RECREATION AND MARINE
PARKS AND RECREATION COMMISSION MINUTES
SEPTEMBER 15, 2005**

I. CALL TO ORDER

The meeting of the Parks and Recreation Commission was called to order by Chris Kozaites, President, at 9:00 a.m., at the El Dorado Park West Community Center, in the Senior Center Library. Phil Hester, Director of Parks, Recreation and Marine, took roll call and confirmed a quorum.

Present: Chris Kozaites, President
Harry Saltzgaver, Vice President
Bea Antenore
Raymond Chavarria
Simon George
Drew Satariano
Brett Waterfield

Absent: none

Staff: Phil Hester, Director of Parks, Recreation and Marine
Dennis Eschen, Manager, Planning and Development Bureau
Thomas Shippey, Manager, Maintenance Operations Bureau
Janet Day-Anselmo, Manager, Business Operations Bureau
Diane Lewis, Manager, Community Enrichment Programs Bureau
Steven Neal, Chief Ranger
Geoff Hall, Special Projects Officer
Chrissy Marshall, Manager, Community Recreation Programs
Sherri Nixon-Joiner, Superintendent, Community Recreation Programs
Robin Black, Executive Secretary to the Director

Guests: Robert Lamond, Partners of Parks
Kirsten Autry, Save LBC Skyline
George Medak

II. APPROVAL OF MINUTES – AUGUST 18, 2005

It was moved by Commissioner Antenore and seconded by Commissioner Chavarria to approve the August 18, 2005 Parks and Recreation Commission minutes, as amended. The motion carried unanimously.

III. **SAMMY AWARD PRESENTATION – LACHONDA LARD**

Ms. Lard presented the Sammy Award to Sherri Nixon-Joiner.

Mr. Hester mentioned that Ms. Lard is under-filling as supervisor at Silverado Park and is doing a great job.

President Kozaites stated that the Employee of the Month presentation would be taken later in the meeting.

V. **COMMISSION ACTION ITEMS**

#05-0901

PERSONAL SERVICES/INSTRUCTION AGREEMENTS-MONTHLY APPROVAL

President Kozaites stated that there were no personal services/instruction agreements this month.

#05-0902

MEMORIAL BENCH FOR MICHAEL J. TETREAULT, JR.

Commissioner Satariano stated that he drove by and there is a memorial with lit candles at the site.

Commissioner Chavarria asked how much the bench would cost.

Mr. Shippey responded that the bench would cost approximately \$2,000, depending on if a new cement bench pad is also needed. This is a replacement bench and the pad is already there.

It was moved by Commissioner Satariano and seconded by Commissioner Chavarria to approve the placement and installation of the memorial bench for Mr. Michael J. Tetreault, Jr. The motion carried unanimously.

#05-0903

MEMORIAL PLAQUE FOR TOM BUCKLE

Commissioner Satariano asked if this is the first plaque to be placed on the ground.

Mr. Hester responded that plaques are very rare. There is a policy in place and the Department should bring it back to the Commission to see if it needs revision.

Vice President Saltzgaver stated that plaques in sidewalks work well, such as on 2nd Street.

It was moved by Vice President Saltzgaver and seconded by Commissioner Satariano to approve the placement and installation of the memorial plaque for Mr. Tom Buckle. The motion carried unanimously.

IV. EMPLOYEE-OF-THE-MONTH PRESENTATION FOR SEPTEMBER

President Kozaites stated that Vice President Saltzgaver would announce the Employee of the Month.

Vice President Saltzgaver announced Eileen Ludlam as the Lead/Supervisory Employee of the Month, from the Community Recreation Programs Bureau.

Mr. Sonny Seng, as her supervisor, spoke about Eileen Ludlam.

VI. COMMITTEE STATUS REPORTS

A. EXECUTIVE COMMITTEE
President Kozaites, Chair

1. NEW COMMITTEE DUTIES – SPECIAL EVENTS AND RECREATION

President Kozaites stated that the Committee did not meet this month.

Vice President Saltzgaver stated that he is fine staying on the four committees that he is on.

Commissioner Chavarria stated that he would also stay on all four committees that he is on.

B. FINANCE AND APPEALS COMMITTEE
Commissioner Satariano, Chair

Commissioner Satariano discussed the year-to-date statement of revenue and expenditures included in the packet.

Ms. Janet Day-Anselmo stated that September is the largest month for revenue and expenditures.

C. PARK SAFETY COMMITTEE
Commissioner Waterfield, Chair

Commissioner Waterfield stated that the Committee met August 25, and Chief Neal gave a few updates such as the deployment of rangers. There is a task force involving the Long Beach Unified School District and the City discussing safety issues and decreasing vandalism.

1. FISCAL YEAR 2006 PROPOSED PARK RANGER DEPLOYMENT PLAN AND PATROL SCHEDULE

Mr. Hester stated that Chief Neal worked very hard within the confines of what he had to try and deploy the rangers as needed. Trying to maintain the schedule will be difficult. There has been some discussion for a ballot measure to increase the sales tax in Long Beach to pay for additional police officers. He has been discussing this with the City Manager's office and the Police Department to potentially include park rangers with this funding.

Vice President Saltzgaver asked if the Police Chief was aware of this deployment plan. Mr. Hester responded that he knows that there are park ranger reductions and he would be discussing the plan with the Police Chief.

Vice President Saltzgaver asked if there are enough park rangers to staff the reduced staffing plan. Chief Neal responded not currently; that the Department is in the process of hiring additional park rangers.

It was moved by Commissioner Chavarria and seconded by Commissioner Satariano to receive and file the Fiscal Year 2006 Proposed Park Ranger Deployment Plan and Patrol Schedule. The motion carried unanimously.

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

Commissioner Chavarria stated that the Committee did not meet this month but he mentioned page 5 in the Monthly Highlights, which lists the statistics.

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 a meeting has been scheduled for October 13.

G. SPECIAL EVENTS AND RECREATION COMMITTEE
Commissioner Satariano, Chair

Commissioner Satariano stated that the Committee met this morning. He said that once they figure out what the mission is, this will be a very vital and beneficial committee and they will be working on a field use policy for Blair Field.

VII. DIRECTOR'S REPORT TO COMMISSION

A. DIRECTOR'S MONTHLY REPORT – AUGUST 2005

Vice President Saltzgaver stated that he had a few things, but they are not on the report. He wanted to find out more about the El Dorado Nature Center budget decision and the involvement the Commission would have, if any, regarding the Municipal Band decision in the budget.

Mr. Hester responded that the decision for the Municipal Band was that the City is going to fund six weeks of concerts next summer, funded out of the TOT tax and/or Tidelands Fund to offset the costs at Marine Stadium. The City would look for sponsorships to pay for costs, about \$90,000, to add an additional two weeks of concerts. He stated that the Department would go back to the City Council in 90 days with a report on the success of the sponsorship and then Council can decide whether we want to use sponsorships to fund an additional two weeks of other type concerts in other parts of the city.

Mr. Hester stated that the City Manager decided that he did not want us to close the second day of the Nature Center. The funding was not added to do that. The Department had to reduce other areas in the Nature Center's budget and to increase the revenue to do that. He said that there is a Friends of the Nature Center who have money in the Partners of Parks account and they would be asked to transfer about \$5,000 or \$6,000 to the Nature Center for the revenue increase. He stated that some non-career hours were also reduced at the Nature Center. The Department may look at increasing the charge for trips and tours and a way to better market the Nature Center.

VIII. CORRESPONDENCE

A. LETTER OF COMMENDATION AND CERTIFICATE FROM THE NATIONAL RECREATION AND PARK ASSOCIATION AND THE UNITED STATES TENNIS ASSOCIATION

Commissioner George asked how many people have been participating.

Ms. Nixon-Joiner responded that the Department has been participating in this program in the past and an additional site was funded this year at Drake Park. We have four sites that participate in the program and staff applied and received a grant this year for the program. There were a total of 125 children who participated.

Commissioner Satariano asked if this would be worth a press release.

Mr. Hester stated that this is consistent with what the Department has been doing, such as a free tennis program for the NAACP. Staff would look at doing a press release.

IX. UNFINISHED BUSINESS

President Kozaites stated that there was no unfinished business.

X. NEW BUSINESS

Mr. Hester stated that there are two items he would like to introduce to the Commission for their information. They are not asking for an official action, because these items are not on the agenda.

Mr. Eschen stated that the Department just received this information from the developer. This is a project that was approved in July of 2003 by the Parks and Recreation Commission. It is basically the same design, but found out that they needed additional ventilation for the parking garage, which would add two ventilation grates in Victory Park. He distributed maps for the project at 100 East Ocean Blvd. Mr. Eschen stated that this meets all the requirements for the Victory Park Guidelines.

President Kozaites asked the dimensions of the grates.

Mr. George Medak responded that the grates are 4 feet by 14 feet and are flush with the ground. He said that this is an air intake vent.

Mr. Hester asked if this would add noise to the area.

Mr. Medak responded that the actual machines are 40 some feet down and their noise is not heard.

President Kozaites stated that since there is a change in the plan and this is a high profile area, this item should be placed on the Commission agenda next month to discuss.

Ms. Kristen Autry said that she is with the East Village Arts District, and said that a water sculpture might eliminate any sound from the vent.

Mr. Medak responded that a water sculpture is not allowed in the Victory Park Guidelines.

Mr. Hester stated that the second item is to introduce to the Commission a draft of the User Fee Cost Recovery Policies. The Commission was actively involved this last year in the Department's fees and charges and fee waivers and set internal direction as it related to future fees and CPI increases, etc. The City has been working on a similar project and the Department is a big part of that. He stated that Mr. Geoff Hall has been the lead in developing a policy that the Department would like to bring before the Commission and would go before the City Council to set the direction for future fees, cost recovery, subsidy issues, etc. This is a good thing to do because it verifies the Department's policies.

Mr. Hall stated that one of the operational goals of the City's Three Year Plan, now the Four Year Plan is to increase City revenues through fees where appropriate. All departments have been participating in a City-wide study to identify the direct to indirect costs for General Fund fee based activities and to evaluate the potential for new and increased fees. The first task, which began over a year ago, was to identify our major program and service categories and to identify our direct costs for each direct costs being staff time, materials and supplies, and any operational equipment needed. They then completed a complicated analysis to assign appropriate percentages of maintenance costs, business operations costs, year-end Department overhead costs and City overhead costs to give us truly loaded costs of our programs.

Mr. Hall stated that as a result, the Department now has a reasonably accurate accounting of the true costs associated with our programs. We were then asked to apply our cost recovery policies as they relate to each of these programs. The Department never really examined what the cost recovery policies should be, so they began to research other cities. Mr. Hall stated that he found some really good information in San Luis Obispo's cost recovery policy, which was appropriate for our Department. He distributed a draft copy of a potential cost recovery policy for the Department. Mr. Hall recommended that the Commission refer this to the Finance and Appeals Committee to get their input and recommendations and bring it back to the Parks and Recreation Commission to get approval. He stated that a public hearing is not required for a policy, per the City Attorney's office. Mr. Hall stated that he would send a copy of the spreadsheet to all the Parks and Recreation Commissioners. Mr. Hall stated that this policy was necessary but could only help the Department as we move forward.

President Kozaites referred the User Fee Cost Recovery Policies to the Finance and Appeals Committee.

XI. COMMENTS

A. AUDIENCE

There were no comments from the audience.

B. STAFF

There were no comments from the staff.

C. COMMISSIONERS

Commissioner Chavarria stated that the Mayor of Los Angeles held a press conference regarding the beginning of their Los Angeles River project.

Vice President Saltzgaver stated that the October 20, 1:30 p.m. Planning Commission meeting has been tentatively scheduled for discussion of the EIR for the Sports Park. He encouraged Commissioners to attend and have little league and soccer teams attend to speak about the need for additional sports fields.

XII. NEXT MEETING

The next meeting will be held at 9:00 a.m. on Thursday, October 20, 2005, at the El Dorado Park West Community Center, in the Senior Center Library, 2800 Studebaker Rd., Long Beach.

XIII. ADJOURNMENT

President Kozaites adjourned the meeting at 10:36 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
OCTOBER 20, 2005**

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 October 20, 2005.

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

PRESENT:	Stephen T. Conley Frank Clarke William B. Townsend Helen Z. Hansen Donna F. Gwin Kevin L. Wattier Lynnette L. French Robert C. Cheng B. Anatole Falagan Ryan J. Alsop Matthew P. Lyons Paul T. Fujita Isaac C. Pai K. Eric Leung Robert V. Swain Robert Villanueva Melissa L. Keyes Juan F. Garza Carolyn A. Hill	Commissioner Commissioner Commissioner Commissioner Senior Deputy City Attorney General Manager Secretary to the Board of Water Commissioners Deputy General Manager-Operations Deputy General Manager-Business Director, Government & Public Affairs Director, Planning & Conservation Director of Finance Director of Engineering Director of Water Resources Division Engineer Division Engineer Administrative Projects Coordinator Administrative Analyst I Senior Secretary
ABSENT:	Lillian Y. Kawasaki	Commissioner (Excused)

1. PLEDGE OF ALLEGIANCE

Juan Garza, Administrative Analyst I, led the Board and audience in the Pledge of Allegiance.

2. APPROVAL OF MINUTES

October 6, 2005

Upon motion by Commissioner Clarke, seconded by Commissioner Hansen, and unanimously carried, the Minutes of the Regular Meeting of October 6, 2005, 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.

4. PRESIDENT'S REPORT

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

Presentation of Resolution No. WD-1208, A Resolution of the Board of Water Commissioners Expressing Admiration and Respect to The Alamitos Bay Yacht Club for Their Support to Long Beach Polytechnic High School and The Long Beach Water Department

President Conley announced that the Board of Water Commissioners wishes to present a Resolution to the members of the Alamitos Bay Yacht Club to thank them for providing a storage facility and boat slip for the Long Beach Water Department's (LBWD) Solar Cup sponsored team from the Long Beach Polytechnic High School.

Commissioner Hansen explained that the Solar Cup is a contest sponsored every year by the Metropolitan Water District (MWD) where teams of high school students construct and compete solar-powered boats. The event provides students with an opportunity to explore alternative energy sources, solar conversion, creative thinking, and stewardship of natural resources.

After discussion, it was moved by Commissioner Hansen and seconded by Commissioner Townsend that the Board approve Resolution No. WD-1208, a Resolution of the Board of Water Commissioners Expressing Admiration and Respect to the Alamitos Bay Yacht Club for Their Support to Long Beach Polytechnic High School and the Long Beach Water Department. The motion was carried by the following vote:

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

Goals and Objectives for Fiscal Year 2005-2006

President Conley reported that he is conducting individual meetings with each member of the Board to discuss goals and objectives for the Fiscal Year 2005-2006.

REVIEW BOARD MEETING SCHEDULE FOR NOVEMBER 2005

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

The Board discussed their schedules for November and agreed to the following meeting schedule:

Thursday, November 3 rd	Regular Meeting, 9:15 a.m.
Thursday, November 10 th	Committee of the Whole, 9:15 a.m.
Thursday, November 17 th	Regular Meeting, 9:15 a.m.
Wednesday, November 23 rd	No Meeting, Thanksgiving Holiday

GENERAL MANAGER'S REPORT

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

Telephone Outage

On Tuesday, October 18th, a software error resulted in the failure of landlines serviced in the Long Beach area, southeastern Los Angeles County, and western Orange counties. The LBWD worked with other City departments until such time as service was restored, however, Water Department operations were not impacted.

MOU's

On October 19th, Mr. Wattier met with the Assistant City Manager to discuss various Memorandums of Understanding (MOU) that the Water Department has with the City. The agreements address such issues as free water, backflow prevention, utility billing services, and the storm drain system. The meeting provided a good opportunity to open the dialogue about the MOU's with a view towards the mutual benefit of the City and the Water Department.

Seawater Desalination – Proposed Under Ocean Floor Intake and Discharge Demonstration System

The proposed under ocean floor intake and discharge demonstration system is part of the Water Department's seawater desalination research program and is designed to study the potential for drawing seawater through beach sand to avoid the ecological impact of entrainment and impingement associated with traditional open seawater desalination systems. The project will be addressed by the Planning Commission during their meeting on October 20th. Mr. Wattier explained that he will attend the meeting and report back to the Board.

Association of Metropolitan Water Agencies (AMWA) Annual Conference

Mr. Wattier and Commissioner Hansen plan to attend the AMWA Annual Conference October 23rd – October 26th in Santa Fe, New Mexico. The symposium will attract water industry officials from across the country with a promising workshop schedule which includes sessions on utility management, water resources, infrastructure funding, security, and future trends for water utilities.

LEGAL COUNSEL REPORT

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

No report was given.

CONSENT CALENDAR

8a. Approval of Transfer of Funds by Journal Entry Dated October 20, 2005

Transfers No. 305 through No. 318 in the total amount of \$47, 585.40 covering the Water and Sewer Revenue Funds, were submitted to the Board for approval.

8b. Adopt Specifications WD-10-05 and Request Authorization for the General Manager to Execute Agreements with S&J Supply Company, Incorporated, and Masco Canada Limited dba Cambridge Brass, to Furnish and Deliver Miscellaneous Water Works Materials and Bronze Products

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

Action Requested:

- That the Board adopt Specifications WD-10-05 to furnish and deliver miscellaneous water works materials and bronze products and authorize the General Manager to execute Agreements for a period of one year with S&J Supply Company, Incorporated, for an amount of \$645,147.82, and Masco Canada Limited dba Cambridge Brass for an amount of \$40,599.60.

Funds for this purchase are included in the Fiscal Year 2005-2006 annual budget (Water Fund).

8c. Request Authorization for the General Manager to Execute an Agreement with the Metropolitan Water District of Southern California (Metropolitan) to Install Equipment at Service Connection LB-7A for Flow Measurement Information

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

Action Requested:

- That the Board authorize the General Manager to execute an Agreement with the MWD to install equipment at Service Connection LB-7A for flow measurement information.

Funds for the installation of the equipment are included in the Fiscal Year 2005-2006 annual budget (Water Fund).

Board Action

It was moved by Commissioner Townsend and seconded by Commissioner Hansen that the Board approve Consent Calendar Items 8a-8c. The motion was carried by the following vote:

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

9. REQUEST AUTHORIZATION TO PARTICIPATE IN THE AQUARIUM OF THE PACIFIC WATERSHED PROJECT

- Kevin L. Wattler, General Manager

Item 9 was withdrawn from the agenda by President Conley. He suggested that staff explore the opportunities for a long-range partnership with the Aquarium.

10. PROPOSED LONG BEACH WATER DEPARTMENT ADMINISTRATION BUILDING WATER CONSERVATION EDUCATION GARDEN DESIGN

- Matthew P. Lyons, Director, Planning & Water Conservation

Mr. Lyons explained that the LBWD is planning to refurbish and enhance its water conservation garden at the Water Department's Administration Building with a view

towards inspiring residents to transform parts or all of their current landscape with the use of drought resistant and California-friendly gardens. The Board first heard a report on the concept during the Committee of the Whole meeting on September 22, 2005. Mr. Lyons introduced Jeri Deneen and Jon Powell of Deneen Powell Atelier, Inc., to provide a follow-up report.

Mr. Powell presented a model depicting the architectural principles and ideas of the garden which have now been updated to include input from the Board. He described the plant palettes which are planned along with the design and maintenance of the irrigation system. He stated that the garden will present beautiful and functional alternatives to more traditional landscaping by providing information about the desirability of non-turf landscape and the environmentally friendly benefits of storm runoff reduction.

The Board discussed the project, reviewed the timeline, and asked for clarification about the projected costs. President Conley suggested that an optimal time to present the garden to the public would be in June 2006 to complement the spring planting season and the "Beautiful Long Beach" theme, a water conservation initiative designed to feature California friendly outdoor landscaping.

11. LEGISLATIVE ISSUES/ACTIONS/BILLS

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

The federal government will remain in business through November 18 under a Continuing Resolution passed in late September. The House and Senate voted to continue operations at Fiscal Year 2005 funding levels for all government agencies not yet funded for the Fiscal Year 2006 which began October 1st. Congress must now complete nine more appropriations bills for Fiscal Year 2006.

12. NEW BUSINESS

Excused Absence: Commissioner Kawasaki

It was moved by Commissioner Clarke, seconded by Commissioner Townsend, and unanimously carried, that Commissioner Kawasaki be excused from the Board meetings of October 20, 2005, and November 3, 2005.

Presentation of Remarks – Commissioner Clarke

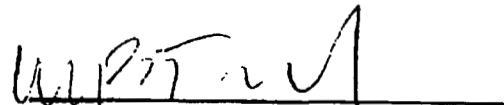
Commissioner Clarke asked the Board to consider: 1) a means to keep the Board informed about various Water Department staff events; 2) expansion of the water conservation garden concept into all parts of the community; and 3) the possibility of Water Department retirees supporting the relief efforts in the southern portion of the United States impacted by recent hurricanes.

Water Conservation Garden

Commissioner Hansen reported that the Bixby Elementary School in Long Beach is planning a water conservation garden. The garden will involve students in all grade levels in a project to learn about drought tolerant and California native landscaping. Mr. Wattier explained that the Water Department conservation staff has been asked to contact school officials to offer their expertise during the design portion of the project.

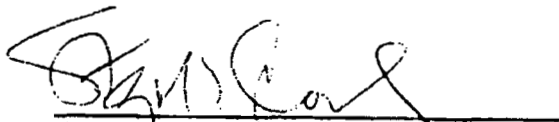
13. ADJOURNMENT

There being no further business to come before the Board, it was moved by Commissioner Clarke, seconded by Commissioner Townsend, and unanimously carried, that the meeting be adjourned at 10:50 a.m. to the next Regular Meeting of the Water Commission to be held on Thursday, November 3, 2005, 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. Cohley, President