

MINUTES
REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS
LONG BEACH, CALIFORNIA
JUNE 2, 2011

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 June 2, 2011.

The meeting was called to order at 9:01 a.m. by Acting President Townsend.

PRESENT:	William B. Townsend	Commissioner
	John Allen	Commissioner
	Paul Blanco	Commissioner
	Charles Parkin	Principal Deputy City Attorney
	Kevin L. Wattier	General Manager
	Sandra L. Fox	Secretary to the Board of Water Commissioners
	Robert C. Cheng	Deputy General Manager – Operations
	B. Anatole Falagan	Deputy General Manager – Business
	Paul T. Fujita	Director of Finance
	Matthew P. Lyons	Director, Planning & Conservation
	Eric Leung	Director of Engineering
	Matthew Veeh	Director of Government & Public Affairs
	Monya Hawkins	Manager, Information Technology
	Robert Verceles	Division Engineer
	Abelardo Rendon	Division Engineer
	Stephen Gay	Manager of Security & Emergency Preparedness
	Dynna Long	Office Administrator
	Ken Bott	Administrative Officer
	Joyce Barkley	Water Conservation Specialist
	Evana Gendron	Business Systems Specialist III
ABSENT:	Suzanne Dallman	Commissioner (EXCUSED)
	Frank Clarke	Commissioner (EXCUSED)

1. PLEDGE OF ALLEGIANCE

Acting President Townsend opened the meeting and acknowledged the excused absences of President Dallman and Commissioner Clarke. He appointed Commissioner Allen as Acting Secretary for the June 2, 2011 board meeting.

Kevin Wattier led the Board and audience in the Pledge of Allegiance in honor of his ten-year anniversary with the Long Beach Water Department.

2. PUBLIC COMMENT

Acting President Townsend opened the public comment period.

As there were no requests to address the Board on non-agenda items, the public comment period was closed.

3. PUBLIC HEARING REGARDING ADOPTION OF LONG BEACH WATER DEPARTMENT (LBWD) 2010 URBAN WATER MANAGEMENT PLAN (UWMP)

At 9:03 A.M. Acting President Townsend opened the Public Hearing. He advised this hearing was being conducted as a Public Hearing which was noticed pursuant to California Government Code 6066, and advised copies of the advertisement and the dates of publication are contained within the files of the Long Beach Water Department.

Mr. Lyons provided an overview of the UWMP process; how the UWMP is used in assessing water supply availability for certain size developments; and the basic outline and contents of the Plan itself.

Acting President Townsend asked if there were any public comments regarding the UWMP. Hearing none, he closed the public comment period.

Commissioner Allen inquired if staff had taken a look at the 1995 and 2000 UWMP's to see if they had met their projected targets. Mr. Lyons responded that he was certain these plans had not anticipated the conservation response and reduction in gallons per capita per day as achieved in 2011.

Commissioner Allen asked who had been notified of the proposed 2010 UWMP. Mr. Lyons advised that in addition to local elected officials, the plan had been circulated to neighboring cities and Los Angeles County officials; the Surfrider organization and Connor Everett, an advocate for water conservation.

Commissioner Allen inquired if staff had given the proposed UWMP to the City of Long Beach Sustainability Commission for review. Mr. Lyons responded no.

It was moved by Commissioner Blanco and seconded by Commissioner Allen to Adopt the Long Beach Water Department 2010 UWMP.

Acting President Townsend called for a Roll Call vote.

A Roll Call vote was taken as follows:

AYES:	COMMISSIONERS:	<u>JOHN ALLEN; PAUL BLANCO</u>
		<u>WILLIAM TOWNSEND;</u>
NOES:	COMMISSIONERS:	<u>NONE</u>
ABSENT:	COMMISSIONERS:	<u>FRANK CLARKE; SUZANNE DALLMAN</u>
ABSTAIN:	COMMISSIONERS:	<u>NONE</u>

The motion carried unanimously.

Acting President Townsend closed the public hearing at 9:29 a.m.

4. APPROVAL OF MINUTES

May 19, 2011

Upon motion by Commissioner Allen, seconded by Commissioner Blanco, the minutes of the meeting of May 19, 2011 were unanimously approved.

5. ACTING PRESIDENT'S REPORT

- **William B. Townsend, Acting President, Board of Water Commissioners**

Acting President Townsend thanked Mr. Wattier for his ten years of service to the Long Beach Water Department. Mr. Wattier expressed thanks to the Board and staff for a great working experience at the Long Beach Water Department during the past ten years.

6. GENERAL MANAGER'S REPORT **Kevin L. Wattier, General Manager**

HEARING BEING HELD JUNE 2, 2011 REGARDING REQUEST FOR STAY ON
WATER REPLENISHMENT DISTRICT (WRD) EMERGENCY WATER
DECLARATION

Mr. Wattier reported the cities of Cerritos, Downey and Signal Hill have incorporated a request for a stay for action against WRD's emergency water declaration. He noted WRD has taken action to terminate the emergency declaration on June 30, 2011.

7. CONSENT CALENDAR

Acting President Townsend asked if there were any questions, discussion or public comment regarding the Consent Calendar items.

It was moved by Commissioner Blanco and seconded by Commissioner Allen to approve Consent Calendar items 7a. through 7i.

Hearing no questions or public comment, Acting President Townsend called for the vote on Consent Items 7a. through 7i. These Consent Calendar items were unanimously approved.

7a. Approval of Transfer of Funds by Journal Entry Dated June 2, 2011

A communication was presented to the Board from Paul Fujita, which is on file at the Long Beach Water Department.

7b. Authorize the General Manager to execute Amended and Restated Lease WDL-95 for a five-year term and the option to extend for four additional five-year periods, with SMSA Limited Partnership dba Verizon Wireless for the cellular communications tower and required improvements located on the site of the Alamitos Reservoir

A communication was presented to the Board from B. Anatole Falagan, which is on file at the Long Beach Water Department.

7c. Adopt Specifications WD-13-11 and authorize the General Manager to execute an agreement with HD Supply Waterworks, Ltd. to furnish and deliver Resilient Seated Gate Valves in an amount not to exceed \$360,000 for a one-year period, and to exercise the options to renew for two additional one-year periods for an amount not to exceed 5% during each of the two renewal periods

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

- 7d. Adopt Specifications WD-20-10 and authorize the General Manager to execute an Agreement with Elster AMCO Water, Inc. to furnish and deliver water meters for item 1 (Direct Read Register) in an amount not to exceed \$230,000.00 for a one year period, and to exercise the options to renew during two additional one-year periods**

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

- 7e. Adopt Specifications WD-20-10 and authorize the General Manager to execute an Agreement with Badger Meter, Inc. to furnish and deliver water meters for items 5 – 8, 11, 12, 14, and 15 (Direct Read Register (DR) and Automated Meter Reading Register (AMR)), as noted on the attachment in an amount not to exceed \$220,000 for a one-year, period, and to exercise the options to renew during two additional one-year periods**

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

- 7f. Adopt Specifications WD-20-10 and authorize the General Manager to execute an Agreement with Mueller Systems to furnish and deliver water meters for items 1 – 4 (Automatic Meter Reading Registers (AMR)), and items 9, 10, 13, and 16 - 25 (Direct Read Register (DR) and AMR Register) on attachment in an amount not to exceed \$165,000 for a one-year period, and to exercise the options to renew during two additional one-year periods**

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

- 7g. Adopt Specifications WD-20-10 and authorize the General Manager to execute an Agreement with Neptune Technology Group Inc. to furnish and deliver water meters for items 2 - 4 (Direct Read Register) in an amount not to exceed \$205,000.00 for a one-year period, and to exercise the options to renew during two additional one-year periods**

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

- 7h. Adopt Specifications WD-08-11 for the Recycled Water Main Project – Palo Verde Avenue, and authorize the General Manager to sign a contract with Stephen Doreck Equipment Rentals, Inc. in the amount of \$98,636.32**

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

- 7i. **Authorize the General Manager to Amend Developers Agreement WD-2642 with the Los Angeles Department of Water & Power (LADWP) to Connect a Sewer Lateral to the Long Beach Water Department's (LBWD) Existing S-5 Sewer Lift Station for the Haynes Generation Station (Haynes) at 6801 2nd Street and Accept Materials, Services and/or Supplies Contributed by LADWP to Offset Project Costs**

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

8. **Authorize the General Manager to Execute the Long Beach/Paramount Well Participation Agreement and All Related Documents with the City of Paramount**
- **Eric Leung, Director of Engineering**

Mr. Leung summarized the efforts to study sites to establish new water wells, including two sites in the City of Paramount. He reviewed the locations for the proposed new wells; summarized the terms of the proposed agreement between the Long Beach Water Department and the City of Paramount for a joint project to develop and operate the well project.

Commissioner Allen asked if LBWD would own the property fee simple. Mr. Leung advised LBWD would own the property based on a percentage of the project costs; LBWD would be the majority owner per terms of the agreement.

Mr. Leung noted there was a willing seller at the primary investigative well site.

Commissioner Blanco inquired how much the City of Paramount would contribute to this project. Mr. Leung advised their contribution would be \$3 million and a percentage based on that contribution.

Mr. Parkin, Principal Deputy City Attorney reported that the City of Paramount's contribution was fixed at \$3 million, so the LBWD percentage may be much larger than 50%.

It was moved by Commissioner Allen and seconded by Commissioner Blanco to authorize the General Manager to execute the Long Beach/Paramount Well Participation Agreement, and all related documents with the City of Paramount.

Acting President Townsend asked if there was any further discussion or public comment regarding this item. Hearing none he called for the vote. The item was unanimously approved.

Mr. Wattier gave an example of how to carefully proceed on well development, by referencing water supply and quality problems experienced in the City of Lomita in the development of wells and storage facilities that did not meet expectations. He noted the City of Signal Hill also had similar experiences with a new well. He advised that LBWD and the City of Paramount would proceed in a different manner to avoid those situations by siting a test well; conducting pumping tests on production and quality before proceeding.

- 9. Adopt policy position on AB 263 – Wells: reports: public availability by Senator Fran Pavley (D-Santa Monica)**
- **Matthew R. Veeh, Director of Government & Public Affairs**

Mr. Veeh provided background on existing law protections for water supply well information.

Mr. Cheng, Deputy General Manager – Operations, advised that this proposed legislation would amend Section 13752 of the Water Code to require Department of Water Resources (DWR) to make available all well logs to the public, including information related to the physical locations and other details.

He noted LBWD staff believes that this legislation is in direct conflict with Federally-mandated security legislation (including Critical Infrastructure Information Act of 2002 and the Public Health and Security and Bioterrorism Preparedness and Response Act of 2002) which prohibits the release of information related to critical infrastructure, including water systems, creating a conflict between Federal mandates and State law, and would compromise the security of our water systems. He further reported that Vulnerability Assessments was a program that was generated from the Bioterrorism Preparedness Act, and the assessment results, including well information, are secured under this Act.

Commissioner Allen asked if a provision to opt out was included in this proposed legislation would LBWD change their opposition to this legislation.

Mr. Wattier advised if an opt out option offered security and a guarantee then LBWD might reconsider.

It was moved by Commissioner Allen and seconded by Commissioner Blanco to adopt an opposed position on SB 263 (Pavley) and communicate this position to the California State Legislature.

Acting President Townsend asked if there was any further discussion or public comment regarding this item. Hearing none he called for the vote. The item was unanimously approved.

10. Legislative/Public Affairs Issues

- **Matthew R. Veeh, Director of Government & Public Affairs**

Mr. Veeh provided the following report:

FEDERAL:

- House Energy and Water Appropriations subcommittee is scheduled to mark up the spending plan on June 2, 2011.
- House Republicans released their FY 2012 Energy and Water spending plan earlier in the week.

STATE:

- Reported no real movement on the budget. He advised a recent poll had indicated that the majority of voters want an election to vote on tax extensions, but that less than 50% would actually vote yes to do so.
- Deadline for bills to pass out of House of origin is June 3, 2011.
- Budget bill must be passed by midnight on June 15, 2011.
- Senate recently passed a bill that would allow counties to raise Vehicle License Fees (VLF). He noted that current elevated Vehicle License Fees were set to expire at the end of June 2011.

Commissioner Allen inquired would this require a 2/3 vote of the supervisors. Mr. Veeh noted a 2/3 vote of the people would be required once the initiative was placed on the ballot.

11. NEW BUSINESS

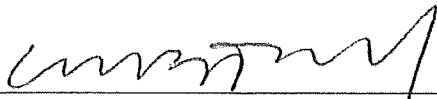
Commissioner Allen related a story about a recent event he had attended in Norwalk. He advised that a participant at his table had commented on her positive participation in the LBWD Lawn-to-Garden program which had inspired participation by multiple nearby homeowners. He thanked the Lawn-to-Garden staff for their assistance with this program.

Commissioner Allen commented regarding recent favorable interest rates, and requested that staff investigate the possibility for sewer financing opportunities and bring a report to the Board at a future meeting.

Mr. Wattier agreed to return to the Board with a staff report at a future meeting after consulting with the financial advisors.

12. ADJOURNMENT

There being no further business to come before the Board, Acting President Townsend adjourned the meeting at 9:55 a.m. to the next special meeting of the Water Commission to be held June 23, 2011, in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California.



William B. Townsend, Secretary

Attest:



Suzanne Dallman, President