#### LONG BEACH CIVIL SERVICE COMMISSION MARY ISLAS, PRESIDENT SEPTEMBER 2, 2009

The regular meeting of the Civil Service Commission was held at 8:00 a.m., Wednesday, September 2, 2009, in the Board Room of the Commission, 333 West Ocean Boulevard, Seventh Floor, Long Beach, California.

**MEMBERS PRESENT:** 

Mary Islas, F. Phil Infelise, Ahmed Saafir, Jeanne Karatsu,

Douglas Haubert

**MEMBER EXCUSED:** 

**OTHERS PRESENT:** 

Mario R. Beas, Executive Director & Secretary

Melinda George, Deputy Director Marilyn Hall, Executive Assistant Debbie McCluster, Personnel Analyst Caprice McDonald, Personnel Analyst Robert Pfingsthorn, Personnel Analyst Lourdes Ferrer, Personnel Analyst

Donna de Araujo, Assistant Administrative Analyst Ken Walker, Personnel Operations Manager, Human

Resources

President Mary Islas presided.

**MINUTES:** 

It was moved by Commissioner Saafir, seconded by Commissioner Infelise and carried that the minutes of the regular meeting of August 26, 2009, be approved as prepared. The motion carried by a unanimous roll call vote.

PROVISIONAL APPOINTMENT:

The Secretary presented a communication from Phil T. Hester, Director of Parks, Recreation and Marine, requesting Commission authorization to appoint Dalton Witt, to the classification of Community Information Specialist on a provisional basis. In addition, the Secretary presented a staff report prepared by Rob Pfingsthorn, Personnel Analyst. The Secretary stated that the personnel

requisition has not been received in the Civil Service Department. Commissioner Saafir requested the

Commission be notified when the personnel requisition has

been received in the Civil Service Department. After discussion, it was moved by Commissioner Karatsu, seconded by Commissioner Saafir and carried that the request be granted in accordance with Civil Service

Commission Policy 1.02 and Section 43 of the Civil Service

Rules and Regulations. The motion carried by a

unanimous roll call vote.

## REQUEST TO TRANSFER FROM UNCLASSIFIED TO CLASSIFIED SERVICE:

#### KEVIN UNTENER/SUPERINTENDENT OF GAS SERVICES TO GAS DISTRIBUTION SUPERVISOR II

The Secretary presented communications from Christopher Garner, Director of Long Beach Gas and Oil and Kevin Untener, Superintendent of Gas Services, requesting Commission authorization to return Kevin Untener to his former classified position of Gas Distribution Supervisor II. In addition, the Secretary presented a staff report prepared by Lourdes Ferrer, Personnel Analyst. After discussion, it was moved by Commissioner Infelise, seconded by Commissioner Saafir and carried that the request to transfer to classified service, be approved, pursuant to Section 69 of the Civil Service Rules and Regulations. The motion carried by a unanimous roll call vote.

#### **CHANGE IN EXAM PLAN:**

#### PARKING METER TECHNICIAN

The Secretary presented a staff report prepared by Deborah McCluster, Personnel Analyst, requesting that the examination plan for Parking Meter Technician be changed from the Oral Interview weighted 100% to a qualifying application and supplemental application. Ms. McCluster provided the Commission with a detailed outline of why 152 candidates did not meet the minimum qualifications for the position and only two qualified. Commissioner Haubert asked if there was a representative from the Public Works Department present to answer Commission questions. There was no representative from the Public Works Department. After discussion, it was moved by Commissioner Haubert, seconded by Commissioner Karatsu and carried to hold the request for one week to allow a representative from the Public Works Department be present to answer questions from the Commission. The motion failed by the following roll call vote:

AYE: Douglas Haubert
Jeanne Karatsu

NO: Ahmed Saafir F. Phil Infelise Mary Islas

It was moved by Commissioner Infelise, seconded by Commissioner Saafir and carried that the change in

9/2/09 Page #2 examination plan be approved. The motion carried by the following roll call vote.

AYE: Ahmed Saafir Jeanne Karatsu F. Phil Infelise Mary Islas

NO: Douglas Haubert

#### **EXAMINATION RESULTS:**

It was moved by Commissioner Saafir, seconded by Commissioner Infelise and carried that the following examination results be approved. The motion carried by a unanimous roll call vote.

Civil Engineering Assistant – 36 Applied, 36 Qualified Equipment Operator – 100 Applied, 13 Qualified Parking Meter Technician – 154 Applied, 2 Qualified

## EXTENSION OF EXPIRING ELIGIBLE LISTS:

It was moved by Commissioner Karatsu, seconded by Commissioner Infelise and carried that the following eligible lists be extended for an additional six months. The motion carried by a unanimous roll call vote.

Civil Engineer (9/10/08, 10/1/08 & 3/25/09) Civil Engineering Assistant (9/10/08,10/1/08 & 3/18/09)

#### **RETIREMENT:**

## WESLEY WORRICK/SPECIAL SERVICES OFFICER III AIRPORT

It was moved by Commissioner Saafir, seconded by Commissioner Infelise and carried that the subject retirement be received and filed. The motion carried by a unanimous roll call vote.

President Islas presented a Certificate of Appreciation to Mark Armstrong, Engineering Aide, Public Works Department, in recognition of 28 years of dedicated service to the City and citizens of Long Beach. David Roseman, City Traffic Engineer, Public Works was present and spoke on behalf of Mr. Armstrong.

#### **MANAGERS' REPORT:**

Melinda George, Deputy Director, informed the Commission that Melissa Miller and Angela Collins, Hire a Youth Workers' last day is September 4, 2009. She thanked them for the outstanding work they contributed to

9/2/09 Page #3 the Civil Service Department, and presented them with Certificates of Appreciation for the excellent work they provided to the City of Long Beach. She stated that they were both exceptional and responsible young women.

The Secretary informed the Commission that at the Budget Oversight Committee meeting on Monday, August 31, 2009, he requested that the funds for Fire Recruit be held in reserve because of the chance of possibly having to conduct a Fire Recruit examination next fiscal year. He stated that the Civil Service Department has been asked to make a budget presentation on Tuesday, September 8, 2009.

President Islas acknowledged the Long Beach Fire Department for its assistance in fighting of the fires in Southern California.

There being no further business before the Commission, President Islas adjourned the meeting.

MARIO R. BEAS

Secretary

MRB:meh

**ADJOURNMENT:** 

### CITY OF LONG BEACH PLANNING COMMISSION MINUTES

Phil Saumur, Chair Melani Smith, Vice-Chair



THURSDAY, AUGUST 20, 2009 333 W. OCEAN BOULEVARD COUNCIL CHAMBER, 5:00 PM

Becky Blair, Commissioner Charles Durnin, Commissioner Alan Fox, Commissioner Leslie Gentile, Commissioner Donita Van Horik, Commissioner

#### **FINISHED AGENDA AND MINUTES**

#### CALL TO ORDER (5:10 PM)

see media

At 5:10 p.m., Vice Chair Smith called the meeting to order.

**ROLL CALL (5:10 P.M.)** 

Boardmembers Alan L. Fox, Charles Durnin, Donita Van Horik, Becky Blair and

Present: Melani Smith

**Boardmembers** Leslie Fernald Gentile and Phillip Joseph Saumur **Absent**:

Also present: Craig Beck, Director of Development Services; Jill Griffiths, Advance Planning Officer; Amy Burton, Deputy City Attorney; Jeff Winklepleck, Senior Planner; Ira Brown, Project Planner; Steven Valdez, Project Planner; Heidi Eidson, Bureau Secretary.

#### FLAG SALUTE (5:10 PM)

see media

Commissioner Durnin led the flag salute.

#### **DIRECTOR'S REPORT (5:11PM)**

see media

Craig Beck, Director of Development Services, provided the Director's Report.

#### **PUBLIC PARTICIPATION (5:15 PM)**

see media

#### **SWEARING OF WITNESSES (5:15 PM)**

see media

Do you solemnly swear or affirm that the evidence you shall give in this Planning

Commission Meeting shall be the truth, the whole truth, and nothing but the truth.

#### **REGULAR AGENDA (5:16 PM)**

see media

#### **1.** 09-031PL

Recommendation to approve a Conditional Use Permit to allow the sale of beer and wine (Type 20 License) for off-site consumption in conjunction with a full-service market at 450 The Promenade North. (District 2) (Application No. 0906-09)

Jeff Winklepleck, Senior Planner, presented the staff report.

Clay Toombs, Developer for Fresh and Easy, spoke and presented letters of support.

Craig Beck, Director of Development Services, spoke.

Mr. Toombs responded to a query from Commissioner Blair.

Craig Beck and Mr. Tombs responded to a query from Commissioner Fox.

Mr. Toombs responded to a query from Commissioner Blair.

Commissioner Van Horik spoke.

A motion was made by Commissioner Blair, seconded by Commissioner Van Horik, to approve recommendation. The motion carried by the following vote:

Yes: 5 - Alan L. Fox, Charles Durnin, Donita Van Horik, Becky Blair and Melani Smith

Absent: 2 - Leslie Fernald Gentile and Phillip Joseph Saumur

#### see media

#### **2.** 09-032PL

Recommendation to find the proposed projects listed in the Proposed Fiscal Year 2010 Capital Improvement Program in conformity with the General Plan. (Citywide) (Application No. CIP-10)

Ira Brown, Project Planner, presented the staff report.

Craig Beck, Director of Development Services, responded to queries from Vice Chair Smith.

Craig Beck responded to gueries from Commissioner Durnin.

Craig Beck responded to a query from Commissioner Van Horik.

A motion was made by Commissioner Van Horik, seconded by Commissioner Blair, to approve the recommendation. The motion carried by the following vote:

Yes: 5 - Alan L. Fox, Charles Durnin, Donita Van Horik, Becky Blair and Melani Smith

Absent: 2 - Leslie Fernald Gentile and Phillip Joseph Saumur

#### STUDY SESSION (5:39 PM)

see media

#### see media

**3.** 09-033PL

Senior housing project at 3290 Artesia Boulevard.

Craig Beck, Director of Development Services, introduced the study session item regarding the senior housing project at 3290 Artesia Boulevard.

Steven Valdez, Project Planner, presented the study session.

Tom Hodgins, Vice President of Palm Desert Development Company, discussed the project.

Mr. Hodgins responded to queries from Commissioner Durnin

Mr. Hodgins responded to a query from Commissioner Blair.

Amy Burton, Deputy City Attorney, responded to a query from Commissioner Blair.

Mr. Hodgins responded to queries from Vice Chair Smith.

Staff responded to gueries from Vice Chair Smith.

Mr. Hodgins responded to queries from Commissioner Van Horik.

Mr Hodgins responded to queries from Commissioner Fox.

Mr. Hodgins responded to a query from Vice Chair Smith.

Tony Rivera, Chair of West PAC, spoke.

Vice Chair Smith responded to comments from Mr. Rivera.

Paul Collins spoke.

Mr. Hodgins and Craig Beck responded to comments from the public.

Mr. Hodgins responded to queries from Commissioner Van Horik.

#### see media

#### **4.** 09-034PL

Truck transfer and distribution uses in the General Industrial (IG) zoning district.

Jeff Winklepleck, Senior Planner, introduced the study session item regarding truck transfer and distribution uses in the General Industrial (IG) zoning district.

Steven Valdez, Project Planner, presented the study session.

Craig Beck, Director of Development Services, spoke.

Commissioner Durnin spoke.

Craig Beck responded to gueries from Commissioner Van Horik.

Commissioner Blair spoke.

Craig Beck responded to queries from Commissioner Blair.

Commissioner Fox spoke.

Vice Chair Smith spoke.

Commissioner Durnin spoke.

Paul Collins spoke.

Mr. Collins responded to a query from Vice Chair Smith.

Tony Rivera, Chair of West PAC, spoke.

Commissioner Blair spoke.

Craig Beck responded to a query from Vice Chair Smith.

#### **COMMENTS FROM PLANNING COMMISSIONERS (7:25 PM)**

see media

A dialogue ensued between Commissioner Durnin and Craig Beck, Director of Development Services, regarding Planning Commission recommendations going to City Council.

A dialogue ensued between staff and the Commission with regards to the approval of minutes.

Vice Chair Smith spoke.

#### **ADJOURNMENT (7:38 PM)**

At 7:38 p.m., Vice Chair Smith adjourned the meeting.

NEXT REGULAR MEETING - September 3, 2009 at 5:00 p.m.

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# MINUTES REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS LONG BEACH, CALIFORNIA AUGUST 20, 2009

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 May 21, 2009.

The meeting was called to order at 7:00 p.m. by President Allen.

PRESENT: John Allen Commissioner

Paul Blanco Commissioner Frank Clarke 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

Isaac Pai Director of Engineering Matt Veeh Special Projects Officer

Melissa L. Keyes Administrative Analyst III/Special

**Projects Coordinator** 

Joyce Barkley Conservation Specialist

ABSENT: Suzanne Dallman Commissioner(EXCUSED)

William B. Townsend Commissioner (EXCUSED)

B. Anatole Falagan Deputy General Manager – Business

#### 1. PLEDGE OF ALLEGIANCE

Isaac Pai led the Board and audience in the Pledge of Allegiance.

#### 2. PUBLIC COMMENT

President Allen 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. APPROVAL OF MINUTES

#### August 6, 2009

Upon motion by Commissioner Blanco, seconded by Commissioner Clarke and unanimously carried, the minutes of the meeting of August 6, 2009 were unanimously approved.

#### 4. PRESIDENT'S REPORT

• John D. S. Allen, President, Board of Water Commissioners

President Allen commented on the recent 90H<sub>2</sub>O utility bill insert and complimented staff on the publication's content.

#### 5. REVIEW BOARD MEETING SCHEDULE FOR SEPTEMBER 2009

• John D. S. Allen, President, Board of Water Commissioners

The Board discussed the proposed meeting schedule for the month of September 2009.

President Allen reported that Commissioner Townsend had advised he would be unavailable for the September 3<sup>rd</sup>, 2009 meeting and requested to be excused from this meeting. President Allen advised this action would be covered under New Business later in the meeting.

The Board agreed to the following meeting schedule:

September 3, 2009 Regular Meeting – 9:00 A.M. September 17, 2009` Regular Meeting – 7:00 P.M.

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

#### CENTRAL BASIN MUNICIPAL WATER DISTRICT AUDIT UPDATE

Mr. Wattier advised the Board that California State Senator Curren D. Price, Jr. had requested that an audit be made of the Central Basin Municipal Water District (CBMWD) regarding its ongoing planning for a recycled water project, and the opposition to its adopted FY09/10 budget and rate increases. Mr. Wattier reported he had received updated information that the audit of CBMWD had been postponed, and that Senators Ron Calderon and Senator Curren D. Price, Jr., planned to hold a series of meetings in the next few months to facilitate a dialogue between the CBMWD and the affected agencies. If these meetings are not productive, Senator Price intends to reintroduce his audit request in January.

#### BAY DELTA LEGISLATIVE HEARINGS

Mr. Wattier reported that on Tuesday, August 18, 2009, the first of at least four legislative informational hearings related to the state's attempt to address the delta and water conservation issues had been held. He noted five bills, are currently in preprint form (PAB 1 - AB 39; PAB 2 - AB 49; PSB 1 - SB 12; PSB 2 - SB 229; PSB 3 - SB 458) and will be discussed over the next couple of weeks. He reported on Tuesday, August 25, 2009, three of the preprints would be discussed in detail; on Wednesday, August 26, 2009, Senator Wolk was scheduled to discuss water project financing; and that

Board of Water Commissioners August 20, 2009 Page 3

Thursday, August 27, 2009 the other two preprints would be heard (including PAB 2 - AB 49, which is the one that LBWD is following most closely and supports).

He also reported on Tuesday, that the Governor had advised he would not sign any legislation that did not include some kind of funding for infrastructure, including reservoirs and other storage mechanisms. Mr. Wattier noted this has the ability to completely stop anything from happening this year regarding water legislation.

## REVIEW OF "THE CENTER FOR BIOLOGICAL DIVERSITY" PRESS RELEASE REGARDING SACRAMENTO SPLITTAIL

Mr. Wattier reviewed a press release regarding a recent lawsuit that had been filed challenging an improper Bush-era removal of endangered species protection for the Sacramento splittail. He noted this is another fish species native to the Central Valley and San Francisco Bay-Delta. He advised he would keep the Board updated on further actions regarding this matter.

#### **CALIFORNIA COASTAL COMMISSION ACTION**

Mr. Wattier reported that the Long Beach Water Department (LBWD) had requested a two-year extension for their Under Ocean Intake permit related to the ongoing LBWD desalination research project. He noted this request had been approved last week by the California Coastal Commission. He advised this action would enable the LBWD to continue their successful research work at the Under Ocean intake research site.

#### CITY OF SIGNAL HILL REQUESTS

Mr. Wattier informed the Board that the Long Beach Water Department had received two recent requests for assistance from the City of Signal Hill related to a quitclaim request of an easement, and a request for LBWD to provide sewer service to a portion of their city. Mr. Wattier advised he had chosen not to process these requests at this time. He noted these issues could be revisited at a later time if the City of Signal Hill were to drop their lawsuit regarding the Groundwater Storage amendments.

#### 7. CONSENT CALENDAR

President Allen asked the Board if any items were being pulled from the Consent Calendar for separate discussion and a vote. Hearing none he called for a motion.

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

President Allen called for the question and a vote on the motion. Consent Calendar items 7a. through 7d. were unanimously approved.

#### 7a. Approval of Transfer of Funds by Journal Entry Dated August 20, 2009

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

7b. Adopt Specification WD-10-09 and Authorize the General Manager to Execute an agreement with Los Angeles Truck Center, dba Los Angeles Freightliner to furnish and deliver two (2) LNG, two-axle dump trucks in the amount of \$346,173.94

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

7c. Adopt Specifications WD-04-08 for the Cast Iron Main Replacement Artesia Boulevard – Phase Two Project and Authorize the General Manager to Sign a Construction Contract with Dominguez General Engineering, Inc., in the amount of \$1,578,756

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

7d. Authorization to attend the Long Beach Branch NAACP Centennial & 30<sup>th</sup> Founders Celebration Dinner & Awards Presentation, Saturday, October 17, 2009

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

#### 8. LEGISLATIVE ISSUES/ACTIONS/BILLS

• Matthew Veeh, Special Projects Officer

Mr. Veeh provided an update on the nine winners of the citywide landscape makeover giveaway contest, and displayed before and after pictures of the garden landscapes, and reported on comments made by the homeowners regarding their new water-saving landscapes. He also played a video which highlighted the converted landscape of the sixth district winner. He noted this video would be playing on the local cable channel (LBTV 8) as part of the communication piece advertising water conservation landscapes. Commissioner Clarke inquired if this video could be made available to be shown at local homeowner association and community meetings. Mr. Veeh advised staff would make DVD copies available.

Mr. Veeh also reported that a 30-minute video is currently in production, which will provide viewers a look at all of the homes, while specifically highlighting two of them.

## 9. REPORT OF THE METROPOLITAN WATER DISTRICT (MWD) BOARD MEETING ON AUGUST 18, 2009

Kevin L. Wattier, General Manager

Mr. Wattier provided the report in the absence of Suja Lowenthal, Metropolitan Water District Director.

Mr. Wattier provided a summary of the action taken at the MWD August 18, 2009 board meeting which included: 1) He reminded the Board that Director Lowenthal had requested an analysis be completed to possibly convert the MWD Conservation Grant Program to a Revolving Loan Fund Program instead. He reported that the staff report had been thorough and appeared to support her request. Mr. Wattier advised that directors from San Diego also supported this possible change. He noted unfortunately that her motion did not prevail; 2) New MWD board members were inducted from the city of Anaheim and Central Basin Municipal Water District.

#### 10. NEW BUSINESS

President Allen requested a motion be made to excuse Commissioner Townsend from the September 3, 2009 meeting.

It was moved by Commissioner Blanco, and seconded by Commissioner Clarke, to excuse Commissioner Townsend from the September 3, 2009 board meeting.

President Allen called for comments or discussion regarding this matter, and then called for a vote. It was unanimously approved to excuse Commissioner Townsend from the September 3, 2009 board meeting.

#### 11. ADJOURNMENT

There being no further business to come before the Board, President Allen adjourned the meeting at 7:35 p.m. to the next special meeting of the Water Commission to be held August 27, 2009, in the Assembly Room of the Treatment Plant, 2950 Redondo Avenue, in Long Beach, California.

Frank Clarke, Secretary

Attest

John/D. S. Allen President

#### **MINUTES**

PUBLIC HEARING OF THE BOARD OF WATER COMMISSIONERS CONSIDERATION OF ANY PUBLIC PROTEST OF PROPOSED INCREASES TO THE CITY'S WATER AND SEWER RATES FOR FISCAL YEAR 2009-2010 LONG BEACH TREATMENT PLANT

LONG BEACH TREATMENT FLA LONG BEACH, CALIFORNIA AUGUST 27, 2009

The Board of Water Commissioners of the City of Long Beach met in the Assembly Room of the Long Beach Treatment Plant, 2950 Redondo Avenue, Long Beach, California, on August 27, 2009.

The meeting was called to order at 7:00 p.m. by President John D. S. Allen.

PRESENT: John D. S. Allen Commissioner

Paul C. Blanco Commissioner
Frank Clarke Commissioner
Suzanne Dallman Commissioner
William B. Townsend 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

Matthew R. Veeh Special Projects Officer

Melissa L. Keyes Administrative Analyst II/Special

**Projects Coordinator** 

Dynna Long Office Administrator
Greg Sorensen Administrative Analyst III
Terry McAlpine Administrative Analyst III

#### 1. PLEDGE OF ALLEGIANCE

Robert Bryant led the Board and audience in the Pledge of Allegiance.

#### 2. ROLL CALL

Sandra Fox, Secretary to the Board called the roll.

Commissioners Present: Allen; Blanco; Clarke; Dallman; Townsend

#### 3. OPEN PUBLIC HEARING

President Allen opened the public hearing and reported the only item for business on the agenda was a public hearing on water and sewer rates. He advised the public if they wished to speak to protest, they should complete a speaker's card and complete all information requested on the card prior to speaking. He advised that speakers should identify themselves at the microphone, and limit their remarks to three minutes.

#### 4. PUBLIC COMMENT & COMMISSION COMMENTS

President Allen asked if there were any members of the public interested in speaking.

- Jenifer Centazzo spoke in protest of the rate increase and its negative effect on local businesses.
- Brock Satterthwaite recommended the LBWD could save money by eliminating the addition of fluoride to the water supply.
- Mary Gray spoke in protest of the rate increase; she also spoke regarding City
  of Long Beach parks wasting water and violating the Water Prohibition Rules.
- Joy Smith spoke in protest of the rate increase, and expressed her concerns that the rate increase was directly attributable to water conservation efforts.
- Joan Lyon spoke in protest of the rate increase and urged the Board to reconsider the rate increase.
- Maria C. Feldman spoke in protest of the rate increase; complained about Fire Department wasting water during drills and at ceremonial displays (such as spraying water into the Terrace Theater fountain).

Sandra Fox, Secretary to the Board, inquired if there was anyone else from the public who wished to speak. She noted there were no further speakers.

President Allen then commented on the Long Beach Water Department budget process. He noted it was an honor to serve as a Board of Water Commissioner.

President Allen asked if there were any additional speakers from the public. Hearing none, he asked if anyone from the Board wanted to comment. Hearing none, President Allen closed the public comment period, and announced the Board would recess for a few moments.

#### 5. PUBLIC HEARING RECESSED

President Allen recessed the public hearing at 7:23 P.M.

#### 6. REOPEN PUBLIC HEARING

President Allen reopened the public hearing at 7:29 P.M.

#### CITY ATTORNEY COMMENT

Mr. Charles Parkin, Principal Deputy City Attorney, reported that the Water Department had received seventeen written letters of protest. He advised that in adding the public speakers who had spoken in protest of the rate increase, and the written protests received at the Public Hearing, the number of protests (thirty-one) were not a majority of the ratepayers. He advised the new rates adopted by the Board of Water Commissioners, and subject to approval by the City Council will take effect on October 1, 2009.

#### 7. ADJOURNMENT

The Public Hearing was closed and adjourned by President Allen at 7:31 p.m.

Frank Clarke, Secretary

Attest:

John D. S. Allen, President