# LONG BEACH CIVIL SERVICE COMMISSION PATRICIA EYRES, PRESIDENT JUNE 16, 2004

The regular meeting of the Civil Service Commission was held at 8:00 a.m., Wednesday, June 16, 2004, in the Board Room of the Commission, 333 West Ocean Boulevard, Seventh Floor, Long Beach, California.

**MEMBERS PRESENT:** 

Patricia Eyres, Herbert Levi, Mary Islas,

**MEMBER EXCUSED:** 

F. Phil Infelise

**OTHERS PRESENT:** 

Mario R. Beas, Executive Director & Secretary

Herman M. Long, Deputy Director

Craig S. Haines, Employment Services Officer Christina Pizarro Winting, Recruitment Officer

Melinda George, Personnel Analyst Salvador Ambriz, Personnel Analyst Diane Dzodin, Personnel Analyst Christopher Daclan, Personnel Analyst Robert Pfingsthorn, Personnel Analyst Eleanor Salgado, Personnel Analyst Ana Aguilar, Personnel Analyst Caprice Brown, Personnel Analyst

Ken Bott, Personnel Analyst

Stephanie Kemp, Personnel Analyst, Human Resources

President Patricia Eyres presided.

MINUTES:

It was moved by Commissioner Levi, seconded by Commissioner Islas and carried that the minutes of the regular meeting of June 9, 2004, be approved as prepared.

The motion carried unanimously.

The minutes of the Maria Moran Dismissal Hearing were held over for one week.

REQUEST TO CREATE AND ADOPT NEW CLASSIFICATION SPECIFICATION:

### **PORT FINANCIAL ANALYST**

The Secretary presented a communication from Toni Whitesell, Director of Administration, requesting Commission authorization to create the new classification for Port Financial Analyst, In addition, the Secretary presented a staff report prepared by Melinda George, Personnel Analyst. Ms. George briefed the Commission regarding this request. After discussion, it was moved by Commissioner Islas, seconded by Commissioner Levi and

carried to approve the new classification for Port Financial Analyst in accordance with Section 1101(d) of the City Charter, and adopt the proposed duty statement as contained in the classification specification. The motion carried unanimously.

#### PROTEST OF EXAMINATION ITEMS: ACCOUNTING CLERK

The Secretary presented a staff report prepared by Diane Dzodin, Personnel Analyst, regarding the disposition of protested questions from the Accounting Clerk examination, administered on June 9 & 10, 2004. Ms. Dzodin briefed the Commission regarding the protests. After discussion, it was moved by Commissioner Islas, seconded by Commissioner Levi and carried that the recommended disposition of the protested questions be approved and the affected persons be so notified. The motion carried unanimously.

**BULLETINS:** 

It was moved by Commissioner Islas, seconded by Commissioner Levi and carried that the following Job Opportunity Bulletins be approved. The motion carried unanimously.

Port Financial Analyst Real Estate Technician

**EXAMINATION RESULTS:** 

It was moved by Commissioner Levi, seconded by Commissioner Islas and carried that the following examination results be approved. The motion carried unanimously.

Accountant – 39 Applied, 21 Qualified Civil Engineer – 5 Applied, 1 Qualified

Development Project Manager - 34 Applied, 25 Qualified

Park Ranger - 33 Applied, 3 Qualified

**RESIGNATIONS:** 

It was moved by Commissioner Islas, seconded by Commissioner Levi and carried that the following resignations be received and filed. The motion carried unanimously.

Jennifer Pavley/Firefighter/Fire

Walter Bortman/Electrical Supervisor/Harbor

#### MANAGER'S REPORT:

Herman Long, Deputy Director, informed the Commission that Commissioners Levi and Islas were reappointed to the Civil Service Commission on Tuesday, June 15, 2004. He also provided a brief overview of Tuesday's, June 15, 2004, City Council discussion on the City's Three Year Strategic Plan.

The Secretary provided the Commission with a brief summary of the Police Recruit Review Committee's meeting on Tuesday, June 15, 2004, stating that it was the last phase of the review, and that a report would be prepared with a summary of the recruitment, examination and training of Police Recruits. He also stated that some of the changes have already been implemented by the Police Department.

## RECOGNITION OF RETIRING MANAGEMENT EMPLOYEES:

On behalf of the Commission, the Secretary recognized the following management employees with Certificates of Appreciation:

Harold Simkins, Neighborhood Historic Preservation
Officer, Planning & Building
John Hough, Personnel & Training Officer – Long Beach
Energy
Ronald Walker, Manager – Property Services, Community
Development
Daniel Gooch, Manager – Administration, Fire Department

Commissioner Levi acknowledged the retirees and congratulated each of them and encouraged them to stay involved with the City.

President Eyres also congratulated the retirees and wished them well in their retirement.

ADJOURNMENT:

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

MARIO R. BEAS

Terry Harbour, Fire Chief

Secretary

MRB:meh

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, JUNE 14, 2004, AT 1 P.M.

Present: Absent: Commissioners:

Cordero, Hankla, Topsy-Elvord, Calhoun

" Hancock

#### Also present:

Steinke	Executive Director
Wylie	Managing Director
Hein	Executive Secretary
Thiessen	Chief Harbor Engineer
Whitesell	Director of Administration
Smith	Director of Communications
Slavin	Director of Finance
Albrecht	Director of Information Management
Bower	Assistant Director of Maintenance
Kanter	Director of Planning
McDermott	Director of Properties
Ellis	Interim Director of Security
Morgan	Manager of Maritime Services
Holzhaus	Principal Deputy City Attorney
	Steinke Wylie Hein Thiessen Whitesell Smith Slavin Albrecht Bower Kanter McDermott Ellis Morgan Holzhaus

VICE PRESIDENT CALHOUN PRESIDED AS CHAIRMAN.

#### APPROVAL OF MINUTES.

Upon motion by Commissioner Topsy-Elvord, seconded by Commissioner Cordero and unanimously carried, the minutes of the regular meeting of June 7, 2004, were declared read and approved as read.

#### PUBLIC COMMENTS.

Mr. Peter Gravett from Sentinel Systems, Inc., addressed the Board and stated he was here to introduce his company. He stated that his company has done security consulting for the City of Los Angeles, including the Los Angeles Harbor, the National Guard, trucking companies, port terminals, and a cruise ship line.

#### CONSENT CALENDAR - ITEMS NOS. 1-4.

LEVEL I HARBOR DEVELOPMENT PERMITS.

Communication from Robert Kanter, Director of Planning, dated June 9, 2004, requesting that the following Level I Harbor Development Permits be received and filed:

HDP #04-050	Crescent Terminals, Inc. – Guard Booth Replacement
HDP #04-054	Pacific Container Terminal – OCR Installation and Gate Modifications
HDP #04-057	NRC Environmental Services – Tent Installation
HDP #04-058	COLB Energy Department - Pipeline Repairs

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

2. PORT OF LONG BEACH - GERALD DESMOND BRIDGE REPLACEMENT PROGRAM DRAFT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL ASSESSMENT – APPLICATION SUMMARY REPORT AND PUBLIC HEARING NOTICE.

Communication from Robert Kanter, Director of Planning, by Thomas Johnson, dated June 9, 2004, requesting distribution of the draft Environmental Impact Report/Environmental Assessment, Application Summary Report, and schedule a Public Hearing for July 19, 2004, for the Gerald Desmond Bridge replacement project, was presented to the Board. The recommendation was approved by the Executive Director.

3. MERCATOR TRANSPORT GROUP - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR A FORECASTING VESSEL STUDY - DOCUMENT NO. HD-6825 - EXECUTE A COST SHARE AGREEMENT WITH THE CITY OF LOS ANGELES - DOCUMENT NO. HD-6826 - AND WO NO. 5061 - APPROVED.

Communication from Robert Kanter, Director of Planning, dated June 9, 2004, recommending authorization of a Contract with Mercator Transport Group for forecasting the number and type of container vessels expected to call at the San Pedro Bay Ports to 2020, in the amount of \$119,400, a Cost Share Agreement with the City of Los Angeles, and WO No. 5061, in the amount of \$130,000, was presented to the Board. The recommendation was approved by the Executive Director.

#### 4. MARIKO YAMAGAMI – NEMAIA G. SATELE - APPOINTMENTS.

Communication from Toni K. Whitesell, Director of Administration, dated June 8, 2004, requesting approval of the appointments of the following individuals:

<u>Appointment</u>	Classification	Range <u>&amp; Step</u>	Effective Date
Mariko Yamagami	Transportation Planner I	620/3	6/15/04
Nemaia G. Satele	Administrative Intern-NC	H28/1	6/15/04

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

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

AYES: Commrs: Cordero, Hankla, Topsy-Elvord, Calhoun

NOES: " None Hancock

REGULAR AGENDA.

5. RUTAN & TUCKER, LLP - INCREASE IN CONTRACT FOR LEGAL SERVICES.

Communication from Dominic T. Holzhaus, Principal Deputy City Attorney, dated June 9, 2004, requesting authorization of an increase to the Contract with Rutan & Tucker, LLP, for specialized environmental counsel, in the amount of \$200,000, was presented to the Board.

Commissioner Topsy-Elvord moved, seconded by Commissioner Cordero that the communication be received and filed and that said increase of Contract with Rutan & Tucker, LLP, be authorized. Carried by the following vote:

AYES: Commrs: Cordero, Hankla, Topsy-Elvord, Calhoun

NOES: " None Hancock

6. FOREIGN TRADE ZONES BOARD – OPERATIONS AGREEMENT FOR FOREIGN TRADE SUBZONE 50-1, SITE 2, WITH SKECHERS U.S.A., INC. – DOCUMENT NO. HD-6827 - RESOLUTION NO. HD-2200 - ADOPTED.

Communication from Kathryn McDermott, Director of Properties, dated June 9, 2004, recommending approval of an Operations Agreement for Foreign Trade Subzone 50-1, Site 2, with Skechers U.S.A., Inc., for various sites in the city of Ontario, 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 Topsy-Elvord that the communication be received and filed and that the resolution entitled, "A RESOLUTION OF THE BOARD OF HARBOR COMMISSINERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR OF THE LONG BEACH HARBOR DEPARTMENT TO ENTER INTO A FOREIGN-TRADE ZONE OPERATIONS AGREEMENT WITH SKECHERS U.S.A., INC., AND MAKING CERTAIN DETERMINATIONS RELATIVE THERETO," be declared read and adopted as read. Carried by the following vote:

AYES:

Commrs:

Cordero, Hankla, Topsy-Elvord, Calhoun

NOES: ABSENT:

None

Hancock

ADJOURNED.

At 2:10 p.m., Commissioner Cordero moved, seconded by Commissioner Hankla that the meeting be adjourned sine die. Carried by the following vote:

AYES:

Commrs:

Cordero, Hankla, Topsy-Elvord, Calhoun

NOES: ABSENT: "

None

Hancock

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, MONDAY, JUNE 21, 2004, AT 1 P.M.

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

#### Also present:

R. D.	Steinke	Executive Director
G.	Knatz	Managing Director
D. F.	Wylie	Managing Director
S.B.	Rubin	Managing Director
G. T.	Hein	Executive Secretary
D. A.	Thiessen	Chief Harbor Engineer
T. K.	Whitesell	Director of Administration
Y.R.	Smith	Director of Communications
J. A.	Urrutia	Assistant Director of Finance
D. L.	Albrecht	Director of Information Management
K.D.	Allen	Director of Maintenance
T. D.	Johnson	Assistant Director of Planning
K. J.	McDermott	Director of Properties
W. C.	Ellis	Interim Director of Security
J. A.	Morgan	Manager of Maritime Services
D. T.	Holzhaus	Principal Deputy City Attorney

### VICE PRESIDENT CALHOUN PRESIDED AS CHAIRMAN.

#### APPROVAL OF MINUTES.

Upon motion by Commissioner Topsy-Elvord, seconded by Commissioner Hankla and unanimously carried, the minutes of the regular meeting of June 14, 2004, were declared read and approved as read.

#### PUBLIC COMMENTS.

Mr. Del Smith from Smith, Esposito & Lyerly addressed the Board and stated he wanted to thank Mr. Bill Ellis for all his assistance in getting Secretary of Homeland Security, Mr. Tom Ridge here to visit the Port.

Additionally, Mr. Smith stated TEA21 is now in conference, and he gave a brief update on the project and he reviewed what efforts and steps his office is doing to keep the bill alive and to get it passed.

In response to a question from Commissioner Cordero, Mr. Smith stated Congressman Gary Miller is on the Committee on Transportation and Infrastructure, as well as Senator Barbara Boxer.

Commissioner Cordero suggested Congressman Miller be invited to the Port. He stated he is a key to this process.

Mr. Smith stated he would extend the invitation on behalf of Commissioner Cordero and then he could follow up with a personal invitation for Congressman Miller.

CONSENT CALENDAR - ITEMS NOS. 1-10.

1. TIDELANDS OIL PRODUCTION COMPANY – INCREASE AND EXTENSION OF TERM FOR CONTRACT PURCHASE ORDER FOR OIL FIELD OPERATIONS.

Communication from Kathryn McDermott, Director of Properties, dated June 15, 2004, requesting approval of an increase in the Contract Purchase Order with Tidelands Oil Production Company for oil field operations for the fourth quarter of the fiscal year 2003-2004, in the amount of \$3.57 million, and extend the term to September 30, 2004, was presented to the Board. The request was approved by the Acting Executive Director.

2. RWO NO. 9678 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated June 16, 2004, submitting the following project for closing action:

		BHC Approval	Expenditures
RWO NO. 9678	Pier E, Conduit for Slip 2 Future Reefer Slots	\$398,000	\$338,140

and requesting that the expenditure 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.

3. CWO NO. 1214, SUPPLEMENT NO. 5 - PIER J TERMINAL REDEVELOPMENT PROJECT – APPROVED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated June 16, 2004, requesting approval of CWO No.1214, Supplement No. 5, for additional master planning work associated with the Pier J terminal redevelopment project, in the amount of \$565,000, was presented to the Board. The request was approved by the Acting Executive Director.

4. DIAZ YOURMAN AND ASSOCIATES AND KLEINFELDER, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACTS FOR GEOTECHNICAL INVESTIGATION AND ENGINEERING SERVICES - DOCUMENT NO. HD-6828 AND DOCUMENT NO. HD-6829.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated June 16, 2004, recommending authorization of a Contract with Diaz Yourman and Associates and Kleinfelder, Inc., for geotechnical investigation and engineering services, in the amount of \$400,000 each, with a contract term ending June 30, 2006, was presented to the Board. The recommendation was approved by the Acting Executive Director.

5. SPECIFICATION NO. HD-S2243 - APPROVED AND NOTICE INVITING BIDS AUTHORIZED – PIER G, BERTH 236, LONGSHORE RESTROOM.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated June 16, 2004, submitting Specification No. HD-S2243 for Pier G, Berth 236, Longshore restroom and requesting authority to advertise for bids for said work, was presented to the Board. The request was approved by the Acting Executive Director.

6. REJECTION OF BIDS FOR SECURITY LIGHTING UNDER SPECIFICATION NO. HD-S2226 - AUTHORITY TO RE-ADVERTISE THE PROJECT.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated June 16, 2004, recommending the rejection of bids for security lighting at the Port of Long Beach under Specification No. HD-S2226 and authorization to re-advertise the project, was presented to the Board. The request was approved by the Acting Executive Director.

7. MM SMITH, INC. - REFUND.

Communication from Michael J. Slavin, Director of Finance, dated June 16, 2004, recommending authorization of a refund for filming permits to MM Smith, Inc., in the amount of \$15,138.64, was presented to the Board. The recommendation was approved by the Acting Executive Director.

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

Communication from Michael J. Slavin, Director of Finance, dated June 15, 2004, submitting the following Fund Transfer Journals received from the Department of Financial Management:

AMOUNT	DESCRIPTION	
\$61.35	Information Services Bureau – cellular phone charges for May 2004	

9.30	Information Services Bureau – wireless communication for May 2004
125,084.90	Gas, water, and sewer for May 2004
1,957.77	Health Department – vector control and laboratory charges for May 2004
2,264,423.50	Tidelands Fund – fourth installment of the operating transfer of 10% of fiscal year 2002 Harbor net income
59,621.00	Energy Department – additional deposit for WO 9659
224.00	Fingerprinting for March & April 2004
242.80	Utility user's tax billed for May 2004

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

9. RODNEY L. WILLIAMS, JR. – WADE J. FONG – SARA L. RUBENSTEIN – VERONICA L. JACKSON - APPOINTMENTS.

Communication from Toni K. Whitesell, Director of Administration, dated June 15, 2004, requesting approval of the appointments of the following individuals:

Appointment	<u>Classification</u>	Range <u>&amp; Step</u>	Effective <u>Date</u>
Rodney L. Williams, Jr.	Administrative Intern-NC	H34/1	6/22/04
Wade J. Fong	Administrative Intern-NC	H34/1	6/22/04
Sara L. Rubenstein	Administrative Intern-NC	H34/1	6/22/04
Veronica L. Jackson	Administrative Intern-NC	H34/1	6/22/04

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

10. VERIZON, CALIFORNIA - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE THIRD AMENDMENT TO CONTRACT FOR LOCAL DIAL TONE SERVICE AND A PURCHASE ORDER – DOCUMENT NO. HD-6184C.

Communication from Toni K. Whitesell, Director of Administration, dated June 16, 2004, requesting approval of an amendment to Contract with Verizon, California, for

local dial tone services through June 30, 2005, and approve a Purchase Order, in an amount not-to-exceed \$130,000, was presented to the Board. The request was approved by the Acting Executive Director.

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

AYES: Commrs: Cordero, Hankla, Topsy-Elvord, Calhoun

NOES: " None Hancock

REGULAR AGENDA.

11. RESOLUTION REQUESTING PUBLIC EMPLOYEES' RETIREMENT SYSTEM BOARD TO APPROVE EXTENSION OF TEMPORARY EMPLOYMENT FOR WILLIAM C. ELLIS – RESOLUTION NO. HD-2201 - ADOPTED.

Communication from Toni K. Whitesell, Director of Administration, dated June 13, 2004, recommending adoption of a resolution authorizing the Public Employees' Retirement System Board (PERS) to approve an extension of temporary employment for William C. Ellis, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Acting 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 CALIFORNIA, REQUESTING WAIVER OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM 960-HOUR RULE FOR WILLIAM C. ELLIS," be declared read and adopted as read. Carried by the following vote:

AYES: Commrs: Cordero, Hankla, Topsy-Elvord, Calhoun

NOES: " None Hancock

12. PORT OF LONG BEACH TARIFF NO. 4, ITEM NO. 758 – AMENDMENT FOR AIR EMISSION REDUCTION REQUIREMENTS – FIRST READING OF ORDINANCE.

Communication from Donald B. Snyder, Marketing Manager, dated June 21, 2004, recommending approval of the amendment of Item No. 758 in the Port of Long Beach Tariff No. 4, for air emission reduction requirements, was presented to the Board together with the authorizing ordinance therefore. The recommendation was approved by the Acting Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Hankla that the communication be received and filed and that the ordinance entitled "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AMENDING ORDINANCE NO. HD-1357, DESIGNATED TARIFF NO. 4, BY ADDING ITEM NO. 758," be declared read for the first time and laid over for its second and final reading. Carried by the following vote:

AYES:

Commrs:

Cordero, Hankla, Topsy-Elvord, Calhoun

NOES: ABSENT: None

" Hancock

#### CLOSED SESSION.

At 2:20 p.m., Vice President Calhoun recessed the Board meeting to hold a closed session pursuant to Section 54956.8 of the Government Code for a conference with real property negotiators regarding Pier A Container Terminal. The Port's negotiator is Kathryn McDermott. Instructions to negotiator may concern certain terms of the preferential assignment agreement with Mediterranean Shipping Company, which may include price and terms of payment.

At 3:40 p.m., the meeting was again called to order by Vice President Calhoun.

#### ADJOURNED.

At 3:45 p.m., Commissioner Hankla moved, seconded by Commissioner Cordero that the meeting be adjourned sine die. Carried by the following vote:

AYES:

Commrs:

Cordero, Hankla, Topsy-Elvord, Calhoun

NOES: ABSENT: 66

None

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### CITY PLANNING COMMISSION MINUTES

APRIL 15, 2004

A study session was held at 12:00pm in the City Council Lounge to discuss the Environmental Impact Report for the PacifiCenter project.

The regular meeting of the City Planning Commission convened Thursday, April 15, 2004, at 1:34pm in the City Council Chambers, 333 W. Ocean Boulevard.

PRESENT: COMMISSIONERS: Charles Greenberg, Nick Sramek, Lynn

Moyer, Morton Stuhlbarg, Charles Winn,

Matthew Jenkins

CHAIRMAN: Charles Greenberg

STAFF MEMBERS PRESENT: Fady Mattar, Acting Director

Carolyne Bihn, Senior Planner Angela Reynolds, Advance Planning

Joe Recker, Planner I Jamilla Vollmann, Planner Derek Burnham, Planner

OTHERS PRESENT: Mike Mais, Assistant City Attorney

Marcia Gold, Minutes Clerk

#### PLEDGE OF ALLEGIANCE

Minutes Clerk Gold led the pledge of allegiance.

#### MINUTES

Commissioner Sramek asked that a minor change be made to the Continued Items #2.

The minutes of March 18, 2004 were approved on a motion by Commissioner Stuhlbarg, seconded by Commissioner Sramek and passed 5-0-1. Commissioner Winn abstained.

#### SWEARING OF WITNESSES

#### CONSENT CALENDAR

New conditions of approval on Item 1A were read to the audience. In response to a query from Commissioner Winn regarding the

termination of the church's agreement with the RDA for the use of the adjacent property, Ms. Bihn replied that the church would receive assistance from the RDA in finding a replacement location. Commissioner Winn suggested that this offer for assistance be added as a condition of approval.

Both Items 1A and 1B were removed from the Consent Calendar at the request of audience members.

## 1A. Case No. 0401-24, Conditional Use Permit, Standards Variance, CE 04-19

Applicant: Robert Klar, First Congregational Church Subject Site: 333 & 345 W. 3<sup>rd</sup> Street (Council District 1) Description: Establishment of a courtesy parking lot in a residential district with code exceptions for the following: (1) Street setbacks of 6'0' (instead of not less than 15'0''); (2) Use of tandem parking (whereas tandem parking is prohibited for commercial uses); (3) Construction of a perimeter fence 6'6' high (instead of not more than 3'0' high in the required street setback.)

## Removed to the Regular Agenda.

## 1B. Case No. 0402-14, Conditional Use Permit, Standards Variance

Applicant: St. John Missionary Baptist Church

c/o Roger Peter Porter

Subject Site: 741 E. 10<sup>th</sup> Street (Council District 6) Description: Conditional Use Permit to allow the development of a courtesy parking lot (13 spaces) in a residential zone for an existing church; and Standards Variance to allow a fence 6 feet high along the Olive Avenue frontage of the parking lot (instead of not more than 3 feet high).

Removed to the Regular Agenda.

#### REGULAR AGENDA

## 1A. Case No. 0401-24, Conditional Use Permit, Standards Variance, CE 04-19

Applicant: Robert Klar, First Congregational Church Subject Site: 333 & 345 W. 3<sup>rd</sup> Street (Council District 1)

Description: Establishment of a courtesy parking lot in a residential district with code exceptions for the following: (1) Street setbacks of 6'0'' (instead of not less than 15'0''); (2) Use of tandem parking (whereas tandem parking is prohibited for commercial uses); (3) Construction of a perimeter fence 6'6'' high (instead of not more than 3'0'' high in the required street setback.)

Joe Recker presented the staff report recommending approval of the request since it would allow redevelopment of a convenient service to the community, and was compatible with the location and surrounding uses.

Elaine Hutchinson, 4543 E. Anaheim, adjacent building manager, stated that they were in support of the project since it would bring more parking to the area. Ms. Hutchinson asked that the applicant care for the landscaping and make sure that no lights would face into their units at night, and she also requested that she be allowed to rent two of the new parking spaces for her tenants' use.

Brian Biggers, 3610 E.  $2^{\rm nd}$  Street, owner of multiple units east of the subject property, spoke against the request, citing concerns about parking noise and obstruction of light, saying he thought the use might be infringing into the setbacks.

T. J. Norcutt, 330 Chestnut, manager of adjacent building, expressed concern about lights at night, but said he was happy to see the church clean up the property.

In response to a query from Chairman Greenberg, Mr. Recker confirmed that the parking lot lights would not be shining into adjacent buildings at night, and that the lot would be locked.

Alex Fain, 325 W. 3<sup>rd</sup> Street, nearby property owner, expressed support for the project, and was also glad to see the property upgraded.

John Troup, JT & Associates, applicant representative, noted that the only lights in the parking lot would be non-intrusive sconce lights on decorative pillars. Mr. Troup added that they had already presented the project to the Board at the Californian, and had successfully addressed all their concerns.

In response to a query from Chairman Greenberg, Mr. Troup said that the original design had a block wall along the edge of the property to keep headlights from shining into lower level units,

but that the planning staff had changed it into a decorative wrought iron fence to avoid creating a dark and unsafe alley. Mr. Troup said that there would be landscaping to help block headlights and noise.

Gary Stinson, 767 Los Altos, Senior Administrator, First Congregational Church, said that the greatest use of the parking lot would be during the weekend daytime, weekday morning meetings, and for some evening meetings over by 9pm. Regarding leasing spaces to the Californian, Mr. Stinson said that would be a possibility for short-term daytime vendor use, but otherwise, they needed the parking for church functions.

Ms. Bihn clarified that the setback on the east side of the property meets code requirements, and that conditions of approval address landscaping, maintenance and low-level lighting.

Commissioner Winn moved to approve the Conditional Use Permit and Standards Variances, subject to the revised conditions of approval. Commissioner Stuhlbarg seconded the motion.

Chairman Greenberg commented that he understood frustrations with the project, but that this was an urban area, and a parking lot would be the least intrusive use of the property.

The question was called, and the motion passed unanimously.

## 1B. Case No. 0402-14, Conditional Use Permit, Standards Variance

Applicant: St. John Missionary Baptist Church

c/o Roger Peter Porter

Subject Site: 741 E. 10<sup>th</sup> Street (Council District 6) Description: Conditional Use Permit to allow the development of a courtesy parking lot (13 spaces) in a residential zone for an existing church; and Standards Variance to allow a fence 6 feet high along the Olive Avenue frontage of the parking lot (instead of not more than 3 feet high).

Derek Burnham presented the staff report recommending approval of the requests since the parking lot would bring the church up to code and replace an existing lot with a well-screened and landscaped one.

Roger Peter Porter, 3837 E.  $7^{\rm th}$  Street, asked that the condition requiring a ten-foot wide driveway connecting the two parking lots be eliminated, since it was expensive to construct, and because the issue of congestion would be addressed by assisted valet parking at busy times.

Ms. Bihn explained that the issue was also one of circulation, which could only be achieved with a smooth traffic flow between the two lots through the driveway.

Commissioner Winn suggested a condition requiring an attendant for Sunday parking.

Jeff Mackins, 13538 Droxford, Cerritos, church representative, stated they would have no objection to such a condition.

Chairman Greenberg asked staff if the parking attendant instead of the driveway would address staff concerns about traffic flow while giving the applicant a chance to maximize parking. Ms. Bihn said she thought it was a good solution.

Commissioner Jenkins moved to approve the Conditional Use Permit and Standards Variance, subject to the revised conditions.

Commissioner Moyer seconded the motion, which passed unanimously.

## 2. Case No. 0310-19, Conditional Use Permit, CE 03-197

Applicant: Thomas Hwang

c/o Tom Serna, Heady Design & Associates

Subject Site: 1625 W. Willow Street (Council Dist. 7)
Description: Conversion of a former gas station to an

automated car wash.

Joe Recker presented the staff report recommending approval of the request, since the proposed project would provide a service to local residents while providing aesthetic improvement to the neighborhood, and was sufficiently buffered from adjacent residential uses.

Commissioner Sramek expressed concern that the ongoing problem of dangerous turns across Santa Fe would continue. Mr. Recker noted that cars would only be allowed to exit onto Willow. Commissioner Sramek suggested signage to prevent dangerous left turns into the property, and a right-turn-only sign at the exit.

Harry Heady, 7365 Carnelian, Rancho Cucamonga, 91730, applicant representative, stated that they had already discussed the ingress and egress situation with the City Traffic Engineer, and that they would add the right-turn-only sign at the exit, and be proactive to make sure traffic rules were followed.

Ms. Bihn added that vehicles can also enter from the adjacent alley off of Willow, which can't be prohibited because it's not part of the project, and can't be fenced off because the two lots operate with cross-access circulation to relieve the burden on public streets.

Commissioner Moyer moved to approve the Conditional Use Permit, subject to conditions of approval, adding a condition requiring two right-turn-only signs at the Santa Fe and Willow exits.

Commissioner Winn seconded the motion, which passed unanimously.

## 3. Case No. 0401-03, Conditional Use Permit, Administrative Use Permit, CE 04-01

Applicant: Bella Via Coffee, c/o Tracie Linn-Tyrrell Subject Site: 5095 E. Pacific Coast Hwy. (Council Dist. 4) Description: A Conditional Use Permit to construct a new 450 sq.ft. commercial building that includes a fast-food restaurant with a drive-through lane and an Administrative Use Permit for a freestanding ATM machine.

Jamilla Vollmann presented the staff report recommending approval of the requests, since approval of this commercial building would allow the redevelopment of a convenient service to the community, and because the use was appropriate for the location and compatible with surrounding uses.

Rick Espinosa, 25655 Springbrook Avenue, Santa Clarita, Bella Via Coffee representative, stated that they had special windows to prevent vandalism and holdups, and asked that the condition requiring security bars and roll-up doors be eliminated. Ms. Bihn stated she would discuss the design with the applicant to see if it was appropriate.

Commissioner Moyer suggested amending the condition to add 'unless pre-approved in writing by the Department of Planning and Building.'

Commissioner Sramek moved to approve the Conditional Use Permit and Site Plan Review, subject to the amended conditions.

Commissioner Moyer seconded the motion, which passed 5-0. Commissioner Jenkins had left the meeting.

### MATTERS FROM THE AUDIENCE

There were no matters from the audience.

## MATTERS FROM THE DEPARTMENT OF PLANNING AND BUILDING

Ms. Bihn said that the group going on a field trip related to the Boeing project on April 22 was a small one, and Commissioner Winn suggested postponing the trip to try and get a larger group.

## MATTERS FROM THE PLANNING COMMISSION

There were no matters from the Planning Commission.

#### ADJOURN

The meeting adjourned at 2:54pm.

Respectfully submitted,

Marcia Gold Minutes Clerk

## **MINUTES** SPECIAL MEETING OF THE BOARD OF WATER COMMISSIONERS LONG BEACH, CA MAY 27, 2004

The Board of Water Commissioners of the City of Long Beach met in a Special Meeting in the Assembly Room of the Groundwater Treatment Plant, 2950 Redondo Avenue, Long Beach, California, on May 27, 2004. The meeting was called to order at 11:00 a.m. by President Long.

PRESENT: Bennett A. Long

Helen Z. Hansen Commissioner Stephen T. Conley Commissioner Frank Clarke Commissioner C.J. Mike Walter Commissioner

Donna F. Gwin Senior Deputy City Attorney

Kevin L. Wattier General Manager

Lynnette L. French Secretary to the Board of Water

Commissioner

Commissioners

Diem X. Vuong **Assistant General Manager** Kenneth A. Walker Manager, Administration

Robert C. Cheng Manager, Water Quality & Process Melissa L. Keyes **Administrative Projects Coordinator** Carolyn A. Hill

**Senior Secretary** 

ABSENT: None

#### 1. **CALL TO ORDER**

President Long called the meeting to order at 11:00 a.m. and welcomed the Board of Directors and Staff from the Central and West Basin Municipal Water Districts. Representing the Central Basin Municipal Water District were Robert Apodaca; Gary A. Morse; and Phillip D. Hawkins. Directors from the West Basin Municipal Water District included Carol W. Kwan; R. Keith McDonald; Jose A. Fernandez; Edward C. Little; and Donald L. Dear. Acting General Managers Art Aguilar and Rich Nagel from Central and West Basin Municipal Water Districts were also in attendance.

#### 2. **PUBLIC COMMENT**

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

#### TOUR OF THE LONG BEACH WATER DEPARTMENT SEAWATER 3. **DESALINATION PILOT PLANT**

Kevin Wattier, General Manager of the Long Beach Water Department (LBWD). provided an overview of the LBWD's phased-in approach to its seawater desalination project. He began by explaining that phase one of the project encompassed exhaustive research by Department scientists and water quality engineers in the operation of a 9,000 gallon per day pilot-scale facility. After nearly two years of testing, Long Beach is transitioning to the second phase of the project and has begun construction of a larger 300,000 gallon per day prototype facility in an exclusive public sector partnership with the Los Angeles Department of Water & Power and the United States Bureau of Reclamation. Phase two will focus on reducing the operational and environmental costs associated with seawater desalination through applied research based on a breakthrough membrane technology, known as the "Long Beach Method", developed by Diem Vuong, Assistant General Manager. Phase three, construction of a full-scale desalination facility, will be based on the outcome of the phase two research and the degree to which it can be determined that seawater desalination can be done cost-effectively with little or no impact upon the environment.

At the conclusion of the presentation, Mr. Wattier and Mr. Vuong provided a demonstration of the seawater desalination pilot facility.

#### 4. NEW BUSINESS

None.

#### 5. ADJOURNMENT

President Long adjourned the meeting at 12:00 p.m. to the next Regular Meeting of the Water Commission to be held on Thursday, June 3, 2004, at 9:15 a.m., in the Board Room of the Administration Building, 1800 E. Wardlow Road, in Long Beach, California.

Frank Clarke, Acting Secretary

Attest:

Bennett A. Long, President-

## **MINUTES** REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS LONG BEACH, CA JUNE 3, 2004

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 3, 2004. The meeting was called to order at 9:15 a.m. by President Long.

PRESENT: Bennett A. Long

Helen Z. Hansen Stephen T. Conley

Frank Clarke C.J. Mike Walter

Donna F. Gwin Kevin L. Wattier

Lynnette L. French

Diem X. Vuong John R. Kruse Paul T. Fuiita

Isaac C. Pai K. Eric Leung

Robert C. Cheng

Robert V. Swain

Reymundo Trejo Melissa L. Keyes

Carolyn A. Hill Juan F. Garza

Commissioner

Commissioner Commissioner

Commissioner Commissioner

Senior Deputy City Attorney

General Manager

Secretary to the Board of Water

Commissioners

**Assistant General Manager Deputy General Manager** 

**Director of Finance** Manager, Engineering Manager, Engineering

Manager, Water Quality & Process

**Division Engineer** 

Capital Projects Coordinator III

**Administrative Projects Coordinator** 

**Senior Secretary Public Affairs Intern** 

ABSENT: None

#### PLEDGE OF ALLEGIANCE 1.

Stephen T. Conley, Board of Water Commissioner, led the Board and audience in the Pledge of Allegiance.

#### **APPROVAL OF MINUTES** 2.

May 20, 2004

Upon motion by Commissioner Walter, seconded by Commissioner Clarke, and unanimously carried, the Minutes of the Regular Meeting of May 20, 2004, were approved.

### 3. PUBLIC COMMENT

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

### 4. PRESIDENT'S REPORT

• Bennett A. Long, President, Board of Water Commissioners

Long Beach Water Department (LBWD) Employee Recognition Luncheon

President Long reported that the LBWD held its annual Employee Recognition Luncheon on Wednesday, June 2, 2004, to honor staff members with 20 years plus of service to the Water Department. Special recognition was also awarded to several individuals for outstanding achievements in various divisions of the Water Department.

President Long stated that a number of City Officials and the Board of Water Commissioners were able to attend. He added that the presentation of remarks by Mayor Beverly O'Neill was particularly appreciated by those in the audience and that she was very complimentary of the Water Department Board and staff.

## 5. METROPOLITAN WATER DISTRICT (MWD) AGENDA ITEMS AND RECOMMENDATIONS FOR THE JUNE 8, 2004, BOARD MEETING

• Helen Z. Hansen, Director

In her capacity as the City of Long Beach MWD Director, Commissioner Hansen called the Board's attention to the MWD agenda for the Board of Directors' meeting on June 8, 2004. She requested input from the Board and several of the agenda items were briefly discussed.

Commissioner Hansen also noted a June 1<sup>st</sup> press release from the MWD calling upon residents and businesses in the Pomona Valley and western Inland Empire to make plans to suspend outdoor watering and non-essential indoor water use while a major regional water pipeline undergoes urgent repairs during a seven-day shutdown beginning June 7<sup>th</sup>.

## 6. GENERAL MANAGER'S REPORT

• Kevin L. Wattier, General Manager

#### Seawater Desalination

Mr. Wattier explained that the LBWD has been notified that the Los Angeles Regional Water Quality Control Board (LARWQCB) has completed its review of the LBWD's application to discharge waste at its seawater desalination prototype facility under the guidelines of the National Pollutant Discharge Elimination System. In accordance with

administrative procedures, the LARWQCB will conduct a public hearing on June 10, 2004, to hear any testimony pertinent to this discharge and the proposed requirements.

### Public Affairs

Mr. Wattier has been invited to tape a segment of the Long Beach Community television program, "View from Long Beach," in the near future. He will provide an overview of the operations of the LBWD and discuss the City's water supply portfolio.

#### Personnel

The recruitment process for the position of the Manager in Government and Public Affairs is moving forward expeditiously. The announcement for the position attracted a number of qualified applicants and the initial interviews are scheduled during the week of June 7<sup>th</sup>.

## CalFed Drinking Water Subcommittee

On June 2, 2004, Mr. Wattier attended the monthly meeting of the CalFed Drinking Water Subcommittee which provides policy advice to the Bay-Delta Public Advisory Committee on the implementation of CalFed's Drinking Water Quality Program. The subcommittee also recommends action plans to CalFed agencies on treatment technology, alternative water sources, conveyance improvements, storage, and water system operations, to meet CalFed's goal of improving water quality in the Bay-Delta watershed.

### 7. LEGAL COUNSEL REPORT

Donna F. Gwin, Senior Deputy City Attorney

Donna Gwin, Senior Deputy City Attorney, reported that a petition by the San Diego County Water Authority to the Supreme Court in the matter of the preferential rights lawsuit has been opposed by the MWD and the City of Los Angeles.

### 8. CONSENT CALENDAR

# 8a. Approval of Transfer of Funds by Journal Entry Dated June 3, 2004

Transfers No. 169 through No. 176 in the total amount of \$375,231.75 covering the Water and Sewer Revenue Funds, were submitted to the Board for approval.

## 8b. Authorization to Attend – Long Beach Area Chamber of Commerce 113<sup>th</sup> Inaugural Gala – June 17, 2004

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

#### **Actions Requested:**

- That the Board determine that an invitation to participate in the Long Beach Chamber 113<sup>th</sup> Inaugural Gala, June 17, 2004, at the Long Beach Hilton Hotel, complies with Board Policy Statement 1998-31, Expenditure of Water Department Funds; and
- That the Board approve participation in this event with the purchase of a table in the amount of \$1,600.

## 8c. Authorization to Attend – California Urban Water Institute 11<sup>th</sup> Annual Conference - August 25-27, 2004

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

#### Action Requested:

- That the Board determine that the invitation to attend the California Urban Water Institute 11<sup>th</sup> Annual Conference, August 25-27, 2004, in San Diego, California, complies with Board Policy Statement 1996-28, Travel Policy; and
- That the Board authorize attendance at the conference and approve the necessary and actual expenses to be paid by the Water Department for those who attend.

## 8d. Authorization to Attend - WateReuse Association 19<sup>th</sup> Annual Symposium - September 19-22, 2004

- That the Board determine that the invitation to attend the WateReuse 19<sup>th</sup> Annual WateReuse Symposium, September 19-22, 2004, in Phoenix, Arizona, complies with Board Policy Statement 1996-28, Travel Policy; and
- That the Board authorize attendance at the conference and approve the necessary and actual expenses to be paid by the Water Department for those who attend.

8e. Authorize the President and Secretary to Execute an Amendment to Agreement No. WD-2527 with Honeywell DMC Services for the Ultra Low Flush Toilet Program

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

## **Action Requested:**

 That the Board authorize the President and Secretary to execute an Amendment to Agreement No. WD-2527 with Honeywell DMC Services for the Ultra Low Flush Toilet Program.

It is necessary to amend the term of the Agreement, which expired April 30, 2004, in order to finalize and complete the program. No additional funding is necessary.

8f. Terminate Agreement No. WD-2629 with Solvay Fluorides, Inc., and Authorize the General Manager to Execute an Agreement with Pennco, Inc., to Furnish and Deliver Hydrofluosilicic Acid

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

## **Action Requested:**

 That the Board terminate Agreement No. WD-2629 with Solvay Fluorides, Inc., and authorize the General Manager to execute an Agreement with Pennco, Inc., in the amount of \$58,781.25, to furnish and deliver hydrofluosilicic acid.

Pennco, Inc., was the second low bidder for this purchase under the bid process held for Specification WD-04-04. The cost for the purchase of the chemicals has been included in the FY 2003-2004 budget.

It was moved by Commissioner Walter and seconded by Commissioner Conley that the Board approve Consent Calendar Items 8a-8f.

The motion was carried by the following vote:

BENNETT LONG, HELEN HANSEN, **COMMISSIONERS:** AYES:

STEPHEN CONLEY, FRANK CLARKE,

C.J. MIKE WALTER

COMMISSIONERS: NOES:

NONE

**COMMISSIONERS:** ABSENT:

NONE

COMMISSIONERS: ABSTAIN:

NONE

#### APPROVE DELETION OF BOARD POLICY STATEMENT 1991-18, 9. CHANGE ORDER AUTHORIZATION, FROM THE BOARD POLICY **HANDBOOK**

John R. Kruse, Deputy General Manager

### **Executive Summary**

Board Policy Statement 1991-18, Change Order Authorization, was adopted by the Board on January 9, 1992, and was rescinded by Board Policy Statement 1994-23 on May 19, 1994. Board Policy Statement 1991-18 should have been eliminated from the Board Policy Handbook at that time.

This issue was discussed by the Water Commission during the Committee of the Whole meeting on May 27, 2004, and the Board agreed that for purposes of clarity, this policy statement needs to be rescinded.

#### **Board Action:**

It was moved by Commissioner Hansen and seconded by Commissioner Conley that the Board approve the deletion of Board Policy Statement 1991-18 from the Board Policy Handbook.

The motion was carried by the following vote:

BENNETT LONG, HELEN HANSEN, COMMISSIONERS: AYES:

STEPHEN CONLEY, FRANK CLARKE,

C.J. MIKE WALTER

**COMMISSIONERS:** NOES: **COMMISSIONERS:** ABSENT:

NONE NONE

COMMISSIONERS: ABSTAIN:

NONE

## 10. LEGISLATIVE ISSUES/ACTIONS/BILLS

Kevin L. Wattier, General Manager

Mr. Wattier summarized key water-related legislative issues as follows:

## Federal Legislative Update

CalFed Legislation

Congressman Richard Pombo and Senator Dianne Feinstein are negotiating over their individual bills to reauthorize the California Bay-Delta Restoration Program known as CalFed. Marked up in their respective committees, H.R. 2828 and S. 1097 would authorize \$389 million through 2008 for CalFed projects to increase California's water supply and restore waters and habitats harmed by withdrawals for irrigation and other uses. If an agreement can be worked out, a compromise measure could have a final vote this summer.

### State Legislative Update

Assembly Bill 2528 (Lowenthal)

This bill was introduced to clarify and strengthen the requirements for providing governing body notification and for guidance from the California Department of Health Services (DHS) to reduce public exposure to listed emerging drinking water contaminants. On March 4, 2004, the Board of Water Commissioners adopted a support position. Subsequently, Mr. Wattier wrote to Senator Byron Sher, Chair, Senate Environmental Quality Committee, to request his support for the measure.

#### 11. NEW BUSINESS

## Excused Absence - Commissioner Walter

It was moved by Commissioner Hansen, seconded by Commissioner Conley, and unanimously carried, that Commissioner Walter be excused from the Committee of the Whole meeting on Thursday, June 10, 2004.

## Excused Absence - Commissioner Conley

It was moved by Commissioner Clarke, seconded by Commissioner Walter, and unanimously carried, that Commissioner Conley be excused from the Committee of the Whole meeting on June 10, 2004, and the Regular Board Meeting of June 17, 2004.

## Excused Absence - Commissioner Hansen

It was moved by Commissioner Walter, seconded by Commissioner Clarke, and unanimously carried, that Commissioner Hansen be excused from the Regular Board Meetings of June 17, 2004, and July 1, 2004, and the Committee of the Whole Meeting of June 24, 2004.

### 12. ADJOURNMENT

There being no further business to come before the Board, it was moved by Commissioner Clarke, seconded by Commissioner Walter, and unanimously carried, that the meeting be adjourned at 10:00 a.m. to the next Regular Meeting of the Water Commission to be held on Thursday, June 17, 2004, at 9:15 a.m., in the Assembly Room of the Administration Building, 1800 E. Wardlow Avenue, in Long Beach, California.

Frank Clarke, Acting Secretary

Attest:

Bennett A. Long, President