

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, APRIL 9, 2007, AT 1 P.M.

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

Also present:

| | |
|-----------------|-------------------------------------|
| R. D. Steinke | Executive Director |
| C. Lytle | Managing Director |
| D. A. Thiessen | Managing Director |
| R. G. Kanter | Managing Director |
| G. T. Hein | Executive Officer to the Board |
| S. Larson | Interim Director of Human Resources |
| H. C. Morris | Director of Communications |
| S. Joublat | Chief Financial Officer |
| D. L. Albrecht | Director of Information Management |
| R. Rich | Director of Maintenance |
| A. J. Moro | Acting Chief Harbor Engineer |
| K. J. Adamowicz | Acting Director of Real Estate |
| C. Perrone | Director of Security |
| D. B. Snyder | Director of Trade Relations |
| J. Garza | Government Affairs Analyst |
| R. S. Baratta | Director of Risk Management |
| D. T. Holzhaus | Principal Deputy City Attorney |

PRESIDENT HANKLA PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Without objection, the amended minutes of the regular meeting of April 2, 2007, were declared read and approved as read.

PUBLIC COMMENTS.

There was no one present to address the Board.

CONSENT CALENDAR – ITEMS NOS. 1-7.

1. CWO NO. 1250 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.

Communication from A. J. Moro, Acting Chief Harbor Engineer, dated April 4, 2007, submitting the following project for closing action:

| | | <u>BHC Approval</u> | <u>Expenditures</u> |
|--------------|--|---------------------|---------------------|
| CWO No. 1250 | Pier C, Berths C60-C72, Redevelopment | \$8,820,986 | \$8,249,685 |

and requesting that the expenditures made to said project be approved and that it be closed to all future charges, was presented to the Board. The request was approved by the Executive Director.

2. EWO NO. 5059 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.

Communication from A. J. Moro, Acting Chief Harbor Engineer, dated April 4, 2007, submitting the following project for closing action:

| | | <u>BHC Approval</u> | <u>Expenditures</u> |
|--------------|---|---------------------|---------------------|
| EWO No. 5059 | Sale of Paceco Crane 451 and IHI Crane 853 | \$1,032,030 | \$ 784,450 |

and requesting that the expenditures made to said project be approved and that it be closed to all future charges, was presented to the Board. The request was approved by the Executive Director.

3. PARKER DIVING SERVICES, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO CONTRACT FOR FURNISHING DIVING SERVICES – DOCUMENT NO. HD-6923A.

Communication from A. J. Moro, Acting Chief Harbor Engineer, dated April 4, 2007, requesting approval of an amendment to Contract with Parker Diving Services, Inc., for on-call diving services, extending the term of the contract to April 30, 2008, was presented to the Board. The request was approved by the Executive Director.

4. RRM DESIGN GROUP - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO CONTRACT FOR TERMINAL ISLAND FIRE STATION NO. 24 AND THE HENRY FORD STORAGE YARD UTILITY INFRASTRUCTURE, UNDER SPECIFICATION NO. HD-S2224 - DOCUMENT NO. HD-6718B – CWO NO. 1191, SUPPLEMENT NO. 8 AND CWO NO. 1258, SUPPLEMENT NO. 4 - APPROVED.

Communication from A. J. Moro, Acting Chief Harbor Engineer, dated April 4, 2007, requesting approval of an amendment to Contract with RRM Design Group for additional work for the Terminal Island Fire Station No. 24 and the Henry Ford Storage Yard Utility Infrastructure, CWO No. 1191, Supplement No. 8, and CWO No. 1258, Supplement No. 4, each in the amount of \$200,000, was presented to the Board. The request was approved by the Executive Director.

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

Communication from Richard D. Cameron, Manager of Environmental Planning, dated April 2, 2007, requesting that the following Level I Harbor Development Permits be received and filed:

| | |
|-------------|--|
| HDP #07-016 | California United Terminals – Camera Pedestals and Pole Installation |
| HDP #07-017 | Port of Long Beach – Bridge Girder Repair |
| HDP #07-018 | Port of Long Beach – Harbor Scenic Drive on-Ramp Modifications |
| HDP #07-019 | Weyerhaeuser – Temporary Power Pole Installation |
| HDP #07-020 | Southern California Edison – Lead Cable Replacement |
| HDP #07-022 | Tidelands Oil Production Company – Electrical Modifications |
| HDP #07-023 | Tidelands Oil Production Company – Rig Tie-Down Installation |
| EMP #07-024 | Tidelands Oil Production Company – Emergency Water Injection Line Repair |
| EMP #07-034 | Tidelands Oil Production Company – Emergency Water Injection Line Repair |

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

6. FINANCIAL STATEMENTS FOR THE LONG BEACH HARBOR DEPARTMENT FOR THE MONTH OF FEBRUARY 2007 – RECEIVED AND FILED.

Communication from Sam Joublat, Chief Financial Officer, dated March 28, 2007, transmitting financial statements for the Long Beach Harbor Department for the month of February 2007, was presented to the Board. The financial statements were approved by the Executive Director.

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

Communication from Sam Joumblat, Chief Financial Officer, dated April 4, 2007, submitting the following Fund Transfer Journals received from the Department of Financial Management:

| <u>AMOUNT</u> | <u>DESCRIPTION</u> |
|---------------|---|
| 96,950.08 | Insurance Fund – worker’s compensation for April 2007 |
| 133,183.92 | Employee Benefits Fund – pension obligation bonds for April 2007 |
| 186,152.33 | General Fund – transfer of the April 2007 estimated City general administration costs |
| 26,199.00 | General Fund – adjustment for additional cost of indirect overhead for prior year – F/Y 2005 |
| 163,388.00 | Technology Services Department – finance allocation for 1 st and 2 nd quarters for F/Y 2007 |
| 2,261.72 | Health Department – vector control & laboratory charges for November 2006 |
| 11,058.37 | Technical Systems – financial information system for April 2007 |

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

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

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

REGULAR AGENDA.

8. RESOLUTION CANCELLING THE REGULAR MEETING OF MONDAY, April 23, 2007 – RESOLUTION NO. HD-2359 - ADOPTED.

Communication from Gustav T. Hein, Executive Officer to the Board, dated April 3, 2007, recommending adoption of a resolution authorizing cancelling of the

regular meeting of Monday, April 23, 2007, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Walter that the communication be received and filed and that the resolution entitled "A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH SUSPENDING RULE 1(B) AS SET FORTH IN HARBOR DEPARTMENT RESOLUTION NO. HD-519, AS AMENDED, RELATING TO THE MEETING SCHEDULE OF THE BOARD OF HARBOR COMMISSIONERS, AND CANCELLING THE REGULAR MEETING OF APRIL 23, 2007," be declared read and adopted as read. Carried by the following vote:

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

9. ULTRAMAR, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE THIRD AMENDMENT TO LEASE FOR PROPERTY ON PIER G – DOCUMENT NO. HD-6406C - ORDINANCE NO. HD-1987 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A THIRD AMENDMENT TO LEASE BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS AND ULTRAMAR, INC., FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," was presented to the Board for its second and final reading.

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

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

10. CEMEX PACIFIC COAST CEMENT CORPORATION - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SEVENTH AMENDMENT TO LEASE FOR A BULK CEMENT TERMINAL ON PIER D – DOCUMENT NO. HD-7150 - ORDINANCE NO. HD-1988 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE

EXECUTIVE DIRECTOR TO EXECUTE A SEVENTH AMENDMENT TO LEASE AND PREFERENTIAL ASSIGNMENT AGREEMENT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND CEMEX PACIFIC COAST CEMENT CORPORATION FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," was presented to the Board for its second and final reading.

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

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

11. COUNTY SANITATION DISTRICT NO. 2 OF LOS ANGELES – EXECUTIVE DIRECTOR AUTHORIZED TO APPROVE UNDERGROUND EASEMENT DEED FOR THE SANITARY SEWER PIPELINE REPLACEMENT PROJECT – DOCUMENT NO. HD-7151 – ORDINANCE NO. HD-1989 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN UNDERGROUND EASEMENT DEED BY THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND THE CITY OF LOS ANGELES, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, GRANTING AN UNDERGROUND EASEMENT TO COUNTY SANITATION DISTRICT NO. 2 OF LOS ANGELES COUNTY, AND MAKING A DETERMINATION RELATING THERETO," was presented to the Board for its second and final reading.

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

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

NEW BUSINESS.

Commissioner Walter commented he would be speaking on ethics and leadership to students from California State University Long Beach, as part of their ethics training, on Wednesday, April 11, 2007, in the training room.

Ms. Morris showed a video clip from the Security Command and Control Center ground breaking ceremony covered by Channel 7 News.

CLOSED SESSION.

At 2:35 p.m., President Hankla recessed the Board meeting to hold a closed session:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (two cases).

At 3:00 p.m., the meeting was again called to order by President Hankla.

ADJOURNED.

At 3:01 p.m., Commissioner Walter moved, seconded by Commissioner Cordero that the meeting be adjourned sine die. Carried by the following vote:

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

MINUTES
 REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS
 LONG BEACH, CALIFORNIA
 MARCH 1, 2007

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 March 1, 2007.

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

| | | |
|----------|----------------------|---|
| PRESENT: | Frank Clarke | Commissioner |
| | William B. Townsend | Commissioner |
| | Helen Z. Hansen | Commissioner |
| | Lisa Peskay Malmsten | Deputy City Attorney |
| | Kevin L. Wattier | General Manager |
| | Sandra L. Fox | Secretary to the Board of Water Commissioners |
| | B. Anatole Falagan | Deputy General Manager – Business |
| | Ryan J. Alsop | Director, Government & Public Affairs |
| | Matthew P. Lyons | Director, Planning & Conservation |
| | Isaac C. Pai | Director of Engineering |
| | Eric Leung | Director of Water Resources |
| | Paul Fujita | Director of Finance |
| | David Honey | Administrative Officer |
| | Melissa L. Keyes | Administrative Analyst II/Special Projects Coordinator |
| | Robert V. Swain | Division Engineer |
| | Dynna Long | Senior Secretary |
| | Ken Bott | Administrative Analyst III |
| | | |
| ABSENT | Stephen T. Conley | Commissioner (EXCUSED) |
| | Robert C. Cheng | Deputy General Manager - Operations |

1. PLEDGE OF ALLEGIANCE

Melissa Keyes, led the Board and audience in the Pledge of Allegiance.

2. APPROVAL OF MINUTES

February 22, 2007

Upon motion by Commissioner Hansen, seconded by Commissioner Townsend, and unanimously carried, the Minutes of the Regular Meeting of February 22, 2007, were approved.

3. PUBLIC COMMENT

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

4. PRESIDENT'S REPORT

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

President Clarke reminded the Board that he and the General Manager would be having their quarterly meeting with Mayor Bob Foster later on in the day.

President Clarke appointed Helen Hansen as Acting Secretary for the March 1, 2007 board meeting due to the excused absence of Commissioner Conley.

5. GENERAL MANAGER'S REPORT

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

Mr. Wattier reviewed with the Board a recent opinion made by California Attorney General Edmund G. Brown, Jr., regarding the fact that a person may not simultaneously serve on the board of directors of two distinct water districts whose interests are incompatible.

There was general discussion regarding this topic by board members.

6. LEGAL COUNSEL REPORT

- **Lisa Peskay Malmsten, Deputy City Attorney**

No report was given.

7. CONSENT CALENDAR

It was moved by Commissioner Hansen and seconded by Commissioner Townsend that the Board approve Consent Calendar items 7a. and 7b. These consent calendar items were unanimously approved.

7a. Approval of Transfer of Funds by Journal Entry Dated March 1, 2007

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 sign a Grant Funding Agreement and all necessary documents with California Department of Water Resources (DWR) in connection with Mitigating Water Quality Effects of Desalinated Seawater (Post Treatment)

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

8. LEGISLATIVE ISSUES/ACTIONS/BILLS

• Ryan J. Alsop, Director, Government & Public Affairs

Mr. Alsop advised the Board that the Annual Long Beach Water Department Ratepayer Report should be received at homes and businesses this weekend.

Mr. Alsop reminded the Board of the following upcoming conference:

- Association of California Water Agencies (ACWA) State Symposium
March 21, 2007 – Sacramento, CA

Mr. Alsop reported that staff continues to work on Federal funding requests, and will keep the Board apprised of progress regarding this issue.

Mr. Alsop reported that some Water Management staff would be traveling to Washington, DC to attend the upcoming AMWA Water Conference. He also advised that during this trip staff had several important meetings scheduled with: 1) Pete Visclosky (Chair, of Appropriations Subcommittee on Energy & Water; 2) Staff from President's Office of Management and Budget to discuss President's '08 budget; 3) Commissioner Bob Johnson, of Bureau of Reclamation to follow-up on status of FY 07 funding; 4) with Senator Biden's staff to provide briefing on chlorine storage phase-out for densely populated urban areas; 5) a meeting with Representative Dan Lungren regarding Homeland Security and chlorine safety and policy.

Mr. Alsop advised that 2,800 bills had been introduced by the State legislature, and that staff was tracking the water-related items. He further advised he would be issuing tracking reports on these items as appropriate.

9. NEW BUSINESS

EXCUSED ABSENCES: COMMISSIONER CONLEY

President Clarke requested that Commissioner Conley be excused from the March 1st and March 8th Board meetings.

It was moved by Commissioner Hansen, seconded by Commissioner Townsend, and unanimously approved that Commissioner Conley be excused from the March 1st and March 8th Board meetings.

UPDATE ON REPLENISHMENT ASSESSMENT SPLIT LEGISLATION

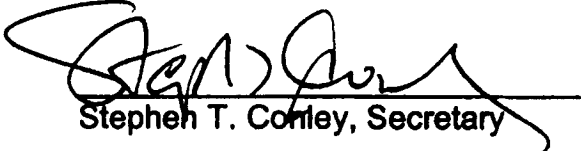
Mr. Wattier advised that a bill had been introduced but did not contain any anticipated language related to the Replenishment Assessment split. He did report that the author was considering amending the bill to include this specific issue. Mr. Wattier advised he would keep the Board members apprised of any changes regarding this matter.

WATER DEPARTMENT BEACH CLEAN-UP – SATURDAY, MARCH 3, 2007

Mr. Alsop reminded the Board that a LBWD beach clean-up was scheduled for Saturday, March 3, 2007 from 9AM – Noon, and invited the Commissioners to take part.

10. ADJOURNMENT

There being no further business to come before the Board, President Clarke adjourned the meeting at 9:44 a.m. to the next Regular Meeting of the Water Commission to be held on Thursday, March 15, 2007, at 9:15 a.m., in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California


Stephen T. Conley, Secretary

Attest:


Frank Clarke, President

MINUTES
REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS
LONG BEACH, CALIFORNIA
MARCH 15, 2007

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 March 15, 2007.

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

| | | |
|----------|----------------------|---|
| PRESENT: | Frank Clarke | Commissioner |
| | William B. Townsend | Commissioner |
| | Stephen T. Conley | Commissioner |
| | Helen Z. Hansen | Commissioner |
| | Lisa Peskay Malmsten | 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 |
| | Ryan J. Alsop | Director, Government & Public Affairs |
| | Eric Leung | Director of Water Resources |
| | Paul Fujita | Director of Finance |
| | David Honey | Administrative Officer |
| | Melissa L. Keyes | Administrative Analyst II/Special Projects Coordinator |
| | Dynna Long | Senior Secretary |
| | Ken Bott | Administrative Analyst III |
| | Ana Ananda | Senior Civil Engineer |
| | Daniel Shaye | Pardess Air, Inc. |
| ABSENT: | Matthew P. Lyons | Director, Planning & Conservation |
| | Isaac C. Pai | Director of Engineering |

1. PLEDGE OF ALLEGIANCE

B. Anatole Falagan, led the Board and audience in the Pledge of Allegiance.

2. APPROVAL OF MINUTES

March 1, 2007

Upon motion by Commissioner Townsend, seconded by Commissioner Hansen and unanimously carried, the Minutes of the Regular Meeting of March 1, 2007, were approved.

Commissioner Conley requested a short briefing (due to his excused absence from the March 1, 2007 board meeting) regarding the California Attorney General's opinion regarding the fact that a person may not simultaneously serve on the board of directors of two distinct water districts whose interests are incompatible as discussed at the March 1, 2007 board meeting. Mr. Wattier provided the background information regarding this matter.

3. PUBLIC COMMENT

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

4. PRESIDENT'S REPORT

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

None.

5. REVIEW BOARD MEETING SCHEDULE FOR APRIL 2007

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

The Board discussed the meeting schedule for the month of April 2007 and agreed to the following meeting schedule:

| | |
|----------------|-----------------------------------|
| April 5, 2007 | Regular Meeting, 9:15 A.M. |
| April 12, 2007 | Committee of the Whole, 9:15 A.M. |
| April 19, 2007 | Regular Meeting, 9:15 A.M. |
| April 26, 2007 | Committee of the Whole, 9:15 A.M. |

6. GENERAL MANAGER'S REPORT

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

Mr. Wattier provided a briefing on the recent legislative trip he, Mr. Alsop and Mr. Falagan made to Washington, DC and reported they had a good meeting with staff from the Office of Management and Budget. He also advised they had a dinner meeting with Bob Johnson, Commissioner of Reclamation to discuss funding issues. Mr. Wattier also reported that the LBWD group had several meetings with legislators to discuss the issue regarding chlorine security.

Mr. Wattier reported on the recent conference ("Danger on the Delta") held at the Aquarium of the Pacific on March 13, 2007. He advised he had focused on the conjunctive use breakout sessions, and advised that attendees had an opportunity to discuss issues with the Department of Water Resource watermaster. He reported that Stephen Flynn author of "The Edge of Disaster" was a speaker at the conference and he had reviewed the section of his book that considered the scenario of a San Francisco earthquake compromising the levees which could lead to massive flooding and disruption in water supplies.

Mr. Wattier advised the Board that members from the Association of California Water Agencies (ACWA) Region 8 group would be touring the LBWD Desal Prototype plant later in the afternoon following the board meeting, and that he and staff would be providing this group with a briefing on desalination issues.

7. LEGAL COUNSEL REPORT

- **Lisa Peskay Malmsten, Deputy City Attorney**

No report was given.

8. CONSENT CALENDAR

Staff pulled consent calendar item 8c. for separate discussion.

It was moved by Commissioner Hansen and seconded by Commissioner Townsend that the Board approve Consent Calendar items 8a. and 8b. These consent calendar items were unanimously approved.

8a. Approval of Transfer of Funds by Journal Entry Dated March 15, 2007

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

8b. Authorization to attend the Long Beach Area Chamber of Commerce "City National Bank Entrepreneur of the Year Awards Luncheon" to be held on Thursday, April 26, 2007, at the Hyatt Long Beach Hotel

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

Commissioner Townsend requested clarification for consent calendar item 8c. regarding the sub-contractor plumber's lapsed license as mentioned in the board letter. Mr. Pai provided a response. Mr. Pai also advised that if the plumber's license was not renewed that the General Contractor would be able to complete the work.

The Deputy City Attorney provided a legal opinion that this issue did not affect the awarding of the bid because it did not provide an advantage to the bidder.

The public was given an opportunity to speak regarding this matter. No public comments were made.

Mr. Wattier advised that, while the improvements to the Administration building air conditioning system were being completed, staff on the 3rd and 4th floors would be temporarily shifted to other work locations. He also advised that during this time Board

meetings would be temporarily held at the Treatment Plant, since access to the board room would be restricted during the construction period.

Commissioner Conley inquired why this work had not been included in the recent remodel of the Administration building. Mr. Wattier responded that this work had not been included in the Phase I remodel. Mr. Townsend asked if this work was being done in phases. Mr. Wattier advised yes, that this was Phase 2 and that Phase 3 was scheduled for next year.

It was moved by Commissioner Townsend and seconded by Commissioner Hansen that the Board approve Consent Calendar item 8c. This consent calendar item was unanimously approved.

9. RESOLUTION OF SUPPORT FOR BIFURCATING THE REPLENISHMENT ASSESSMENT FOR WEST BASIN AND CENTRAL BASIN

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

Mr. Alsop provided an overview of the Replenishment Assessment, which included origin and history of West and Central Groundwater basins. He provided the basis for a uniform charge, and noted the findings of a recent cost allocation study.

Mr. Wattier advised that the Mayor, Assemblymember Lowenthal and Councilmember Suja Lowenthal had been briefed regarding this matter.

There was general discussion regarding this issue.

It was moved by Commissioner Hansen and seconded by Commissioner Townsend to adopt a resolution of support for amending the California State Water Code to bifurcate the Replenishment Assessment for the Central Basin and the West Coast Basin, and establish a fair and equitable replenishment assessment based on the actual cost of services within each basin.

A roll call vote was taken as follows:

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

10. MAIN BREAKS UPDATE

- **Robert C. Cheng, Deputy General Manager - Operations**

Mr. Cheng provided a report on repair activity for water mains. His report included statistics on repair activities, locations of breaks, causes and responses. A copy of his presentation is on file at the Long Beach Water Department.

11. LEGISLATIVE ISSUES/ACTIONS/BILLS

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

Mr. Alsop reviewed the itinerary for the upcoming Association of California Water Agencies (ACWA) State Symposium scheduled for March 21, 2007 – Sacramento, CA and advised that Commissioner Conley and Townsend would be attending along with Mr. Wattier and Mr. Alsop. He reported that legislative meetings were confirmed with Assemblywoman Richardson; Assemblywoman Karnette and Senator Alan Lowenthal as part of this legislative trip.

Commissioner Conley suggested that staff set a meeting with Mike Arnold prior to the legislative meetings. Mr. Alsop advised he would schedule this meeting.

12. REPORT OF THE METROPOLITAN WATER DISTRICT (MWD) BOARD MEETING ON MARCH 13, 2007

- **Helen Z. Hansen, MWD Director**

Commissioner Hansen, in her capacity as the City of Long Beach MWD Director, provided a report of the MWD Board of Director's meeting of March 13, 2007, and highlighted the following agenda items: 1) High Efficiency Clothes Washer Rebates; 2) Colorado River Aqueduct three-week shutdown (unforeseen benefit is invasive mussels are dying off); 3) \$1.9 million technology upgrade for MWD headquarters was approved.

13. NEW BUSINESS

Commissioner Conley requested to be excused from the April 5, 2007 board meeting. Commissioner Townsend requested to be excused from the April 12, 2007 board meeting.

It was moved by Commissioner Hansen, seconded by Commissioner Townsend, and unanimously approved that Commissioner Conley be excused from the April 5th board meeting; and that Commissioner Townsend be excused from the April 12th Board meeting.

Commissioner Townsend complimented Melissa Keyes on the annual report, and advised he had been receiving lots of positive feedback from friends and neighbors regarding its content.

Commissioner Conley requested that local Long Beach nurseries be provided with copies of the annual report for their stores to assist customers in choosing native California-friendly plants for their spring planting season. Ms. Keyes reported that copies had already been distributed to the nurseries.

Commissioner Conley commented on a new publication "Long Beach Magazine" that is being distributed throughout the city, and provided copies to the board members. Commissioner Townsend inquired if future issues might include articles on water news and conservation. Commissioner Conley advised he would check into this.

14. ADJOURNMENT

There being no further business to come before the Board, President Clarke adjourned the meeting at 10:54 a.m. to the next Regular Meeting of the Water Commission to be held on Thursday, April 5, 2007, at 9:15 a.m., in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California


Helen Z. Hansen, Acting Secretary

Attest:


Frank Clarke, President