

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, SEPTEMBER 12, 2005, AT 1 P.M.

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

Also present:

R. D. Steinke	Executive Director
S. B. Rubin	Managing Director
T. Teofilo	Managing Director
G. T. Hein	Executive Officer to the Board
D. A. Thiessen	Chief Harbor Engineer
T. K. Whitesell	Director of Administration
H. C. Morris	Director of Communications
M. J. Slavin	Chief Financial Officer
D. L. Albrecht	Director of Information Management
R. Rich	Director of Maintenance
R. G. Kanter	Director of Planning
K. J. Adamowicz	Manager of Leasing Sales
C. Perrone	Director of Security
D. B. Snyder	Director of Trade & Maritime Services
C. A. Kemp	Director of Community Relations
D. T. Holzhaus	Principal Deputy City Attorney

COMMISSIONER CORDERO PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Upon motion by Commissioner Walter, seconded by Commissioner Hancock and unanimously carried, the amended minutes of the regular meeting of August 29, 2005, were declared read and approved as read.

Upon motion by Commissioner Walter, seconded by Commissioner Hancock and unanimously carried, the minutes of the regular meeting of September 6, 2005, were declared read and approved as read.

CONSENT CALENDAR – ITEMS NOS. 1-4.

1. TIDELANDS OIL PRODUCTION COMPANY – CONTRACT PURCHASE ORDER FOR OIL FIELD OPERATIONS – APPROVED.

Communication from Robert Kanter, Director of Planning, dated September 7, 2005, requesting approval of a Contract Purchase Order with Tidelands Oil Production

Company for oil field operations for the period of October 1, 2005, to March 31, 2006, in the amount of \$15.474 million, was presented to the Board. The request was approved by the Acting Executive Director.

2. SIALIC CONTRACTORS CORPORATION, DBA SHAWNAN – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE, UPON SATISFACTION OF CERTAIN CONDITIONS BY CONTRACTOR, CONTRACT FOR RENTAL OF CONSTRUCTION EQUIPMENT AND OTHER RELATED SERVICES UNDER SPECIFICATION NO. HD-S2290 – CITY ATTORNEY REQUESTED TO PREPARE CONTRACT – DOCUMENT NO. HD-6969.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated September 7, 2005, requesting conditional authorization of a Contract with Sialic Contractors Corporation, dba Shawnan, for the rental of construction equipment and other related services under Specification No. HD-S2290, in the amount of \$1,458,900, was presented to the Board. The request was approved by the Acting Executive Director.

3. CWO NO. 1273, SUPPLEMENT NO. 2 – PIER A WEST SITE REMEDIATION – APPROVED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated September 7, 2005, requesting approval of CWO No. 1273, Supplement No. 2, for the preliminary engineering by TOPKO to plan for the consolidation of existing Pier A West oilfield infrastructure for the Pier A West site remediation, in the amount of \$140,000, was presented to the Board. The request was approved by the Acting Executive Director.

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

Communication from Michael J. Slavin, Chief Financial Officer, dated September 7, 2005, submitting the following Fund Transfer Journals received from the Department of Financial Management:

<u>AMOUNT</u>	<u>DESCRIPTION</u>
698,799.55	Employee Benefits and Insurance Funds – transfer of the August 2005 cost of employees' fringe benefits
115,670.50	Employee Benefits Fund – Pension obligation bonds for September 2005
156,303.25	General Fund – Transfer of the September 2005 estimated City general administration costs
15,063.15	Planning and Building Permits for June 2005

903.63

Service Pins for fiscal year 2005-06

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

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

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

REGULAR AGENDA.

5. RESOLUTION RESETTING THE REGULAR MEETING OF MONDAY, SEPTEMBER 19, 2005 – RESOLUTION NO. HD-2272 - ADOPTED.

Communication from Gustav T. Hein, Executive Officer to the Board, dated September 7, 2005, recommending adoption of a resolution authorizing resetting the regular meeting time of the Monday, September 19, 2005, Board meeting to 9:00 a.m., was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Acting Executive Director.

Commissioner Hancock moved, seconded by Commissioner Walter that the communication be received and filed and that the resolution entitled "A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH SUSPENDING RULE 1(B) AS SET FORTH IN HARBOR DEPARTMENT RESOLUTION NO. HD-519, AS AMENDED, RELATING TO THE MEETING SCHEDULE OF THE BOARD OF HARBOR COMMISSIONERS, AND RESETTING THE TIME OF THE REGULAR MEETING OF SEPTEMBER 19, 2005," be declared read and adopted as read. Carried by the following vote:

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

6. PACIFIC HARBOR LINE - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SECOND AMENDMENT TO LONG BEACH RAIL OPERATING AGREEMENT FOR REPLACEMENT OF THE LOCOMOTIVE FLEET – FIRST READING OF ORDINANCE.

Communication from Robert Kanter, Director of Planning, dated September 7, 2005, recommending approval of the Second Amendment to Long Beach Rail Operating Agreement extending the term of the Contract to July 31, 2018, and providing not more than \$5,000,000, for the replacement of the Pacific Harbor Line locomotive

fleet, was presented to the Board together with the authorizing ordinance therefore. The recommendation was approved by the Acting Executive Director.

Commissioner Hancock moved, seconded by Commissioner Walter that the communication be received and filed and that the ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A SECOND AMENDMENT TO LONG BEACH RAIL OPERATING AGREEMENT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND PACIFIC HARBOR LINE, INC. FOR THE OPERATION OF PORT RAIL FACILITIES AND RAIL PROPERTY IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," be declared read for the first time and laid over for its second and final reading. Carried by the following vote:

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

7. SOUTHERN CALIFORNIA EDISON COMPANY – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE EIGHTH AMENDMENT TO LEASE FOR SUBSTATIONS ON PIER T AND 190 SOUTH HARBOR SCENIC DRIVE – DOCUMENT NO. HD-6970 – ORDINANCE NO. HD-1950 – ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN EIGHTH AMENDMENT TO LEASE BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND SOUTHERN CALIFORNIA EDISON COMPANY 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 Hancock moved, seconded by Commissioner Walter that said ordinance be declared read for the second time and adopted as read. Carried by the following vote:

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

8. PORT OF LONG BEACH TARIFF NO. 4 – LISTINGS FOR THE BOARD OF HARBOR COMMISSIONERS, PORT STAFF AND PARTICIPATING PORT TERMINALS – ORDINANCE NO. HD-1951 – ADOPTED.

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 AMENDING THE LISTS OF HARBOR COMMISSIONERS, STAFF AND PARTICIPATING TERMINALS," was presented to the Board for its second and final reading.

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

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

NEW BUSINESS.

A) Commissioner Cordero kicked off the Port of Long Beach's "Dress in Denim" week benefiting the American Red Cross Hurricane Katrina relief efforts. He stated that the employees who donated to the fund were given stickers allowing them to wear denim the week of September 12 – 16, and on Monday, September 19, 2005.

B) Carl Kemp, Director of Community Relations & Government Affairs, announced a luncheon honoring Congresswoman Juanita Millender-McDonald for her efforts to fund important Long Beach projects, to be held on Monday, September 19, 2005, at the Long Beach Museum of Art.

C) Commissioner Cordero requested Staff identify policy and report back to the Board with regard to the needs of infrastructure funding.

Executive Director Steinke suggested requesting Staff from various agencies, such as the State of California, the LAEDC, the California Association of Governments, ACTA, and most importantly, the Department of Transportation, to discuss the need to combine forces regarding Federal and State funding for major infrastructure projects. He suggested Staff prepare a report for the Board with a recommendation on how to proceed and present that information to the Board.

Commissioner Walter commented that the government needs to recognize and invest in a solid infrastructure for goods movement. Carl Kemp stated that we have plans to relay this message to Sacramento on a sooner rather than later basis.

CLOSED SESSION.

Laid over one week.

ADJOURNED.

At 1:50 p.m, Commissioner Hancock moved, seconded by Commissioner Walter that the meeting be adjourned sine die. Carried by the following vote:

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

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, SEPTEMBER 19, 2005, AT 9 A.M.

Present: Commissioners: Walter, Hancock, Cordero, Hankla, Topsy-Elvord
Absent: " None

Also present:

R. D. Steinke	Executive Director
G. Knatz	Managing Director
S. B. Rubin	Managing Director
D. A. Thiessen	Chief Harbor Engineer
C. Lewis	Administrative Analyst
H. C. Morris	Director of Communications
M. J. Slavin	Chief Financial Officer
D. L. Albrecht	Director of Information Management
R. Rich	Director of Maintenance
R. G. Kanter	Director of Planning
K. J. McDermott	Director of Properties
D. B. Snyder	Director of Trade & Maritime Services
C. A. Kemp	Director of Community Relations
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT TOPSY-ELVORD PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Upon motion by Commissioner Hankla, seconded by Commissioner Walter and unanimously carried, the corrected minutes of the regular meeting of September 12, 2005, were declared read and approved as read.

PRESENTATION.

President Topsy-Elvord stated to reach out to the victims along the Gulf Coast, the Port of Long Beach launched an "I PAID TO DRESS IN DEMIN" fundraising campaign to help raise funds and increase awareness for the hurricane Katrina relief efforts. She added with this campaign, in making a donation to the American Red Cross Disaster Relief Fund, all Port staff and officials were encouraged to dress in denim, from September 12 through September 19, 2005.

President Topsy-Elvord announced, at this time, over \$6,080 had been raised for the relief effort.

Ms. Morris presented a check to Ms. Margaret Arbini Madonna, Public Support Officer for the American Red Cross.

Ms. Arbini Madonna thanked the Board and the Port staff for their generous donation. She stated there are 200 families sheltered here in Long Beach and those families account for over 600 people.

WELCOME.

President Topsy-Elvord welcomed Ms. Claudia Lewis, Administrative Analyst.

CONSENT CALENDAR – ITEMS NOS. 1-4.

1. HAN-PADRON ASSOCIATES, LLP - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO CONTRACT FOR ASSIGNMENT AND ASSUMPTION OF CONTRACT TO HPA ENGINEERS, P.C. – DOCUMENT NO. HD-6758A.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated September 14, 2005, requesting approval of an amendment to Contract with Han-Padron Associates, LLP, for an assignment and assumption of Contract to HPA Engineers, P.C., for the Back Channel Navigation Safety Improvements, was presented to the Board. The request was approved by the Executive Director.

2. CWO NO. 1490 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated September 14, 2005, submitting the following project for closing action:

		<u>BHC Approval</u>	<u>Expenditures</u>
CWO No. 1490	Anaheim Street Grade Separation	\$41,415,381	\$41,406,760

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

Communication from Robert Kanter, Director of Planning, dated September 13, 2005, recommending approval of the application submitted by Tidelands Oil Production Company for a permit to drill one slurry well (SLI-001), was presented to the Board. The recommendation was approved by the Executive Director.

4. EWO NO. 5052 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.

Communication from Heather Morris, Director of Communications, dated September 14, 2005, submitting the following project for closing action:

		<u>BHC Approval</u>	<u>Expenditures</u>
EWO No. 5052	AAPA Conference 2004	\$1,225,000	\$1,066,041

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.

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

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

REGULAR AGENDA.

5. CONGRESSWOMAN JUANITA MILLENDER-MCDONALD - RESOLUTION IN RECOGNITION OF HER CONTINUING SUPPORT OF THE GOODS MOVEMENT INDUSTRY – RESOLUTION NO. HD-2273 - ADOPTED.

Communication from Carl Kemp, Director of Community Relations and Government Affairs, dated September 12, 2005, recommending adoption of a resolution in recognition of Congresswoman Juanita Millender-McDonald for her continuing support of the goods movement industry locally, regionally, and nationally, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

Commissioner Hancock moved, seconded by Commissioner Cordero that the communication be received and filed and that the resolution entitled "A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, HONORING JUANITA MILLENDER-MCDONALD, REPRESENTATIVE OF THE 37TH DISTRICT OF THE UNITED STATES HOUSE OF REPRESENTATIVES," be declared read and adopted as read. Carried by the following vote:

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

6. PACIFIC TOWBOAT & SALVAGE COMPANY, DBA FOSS MARITIME COMPANY – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO LEASE FOR TUGBOAT, SALVAGE AND REPAIR BUSINESS ON PIER D – DOCUMENT NO. HD6834A - RESOLUTION NO. HD-2274 - ADOPTED.

Communication from Kathryn McDermott, Director of Properties, dated September 12, 2005, recommending approval of the First Amendment to Lease with Pacific Towboat & Salvage Company, dba Foss Maritime Company, for a tugboat, salvage and repair business on Pier D, 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 Walter that the communication be received and filed and that the resolution entitled "A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A FIRST AMENDMENT TO LEASE BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND PACIFIC TOWBOAT & SALVAGE COMPANY FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," be declared read and adopted as read. Carried by the following vote:

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

7. PACIFIC COAST RECYCLING, LLC – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SECOND AMENDMENT TO LEASE FOR A STEEL IMPORT AND EXPORT TERMINAL – FIRST READING OF ORDINANCE.

Communication from Kathryn McDermott, Director of Properties, dated September 13, 2005, recommending approval of the Second Amendment to lease with Pacific Coast Recycling, LLC, for the operation of a recyclable steel & non-ferrous metal, and finished steel import and export terminal at Pier T, Berths 118-119, was presented to the Board together with the authorizing ordinance therefore. The recommendation was approved by the Executive Director.

Commissioner Cordero 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 AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A SECOND AMENDMENT TO LEASE BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND PACIFIC COAST RECYCLING FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT,

AND MAKING A DETERMINATION RELATING THERETO," be declared read for the first time and laid over for its second and final reading. Carried by the following vote:

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

8. PACIFIC HARBOR LINE - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SECOND AMENDMENT TO LONG BEACH RAIL OPERATING AGREEMENT FOR REPLACEMENT OF THE LOCOMOTIVE FLEET – DOCUMENT NO. HD-6580B – ORDINANCE NO. HD-1952 - ADOPTED.

Ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A SECOND AMENDMENT TO LONG BEACH RAIL OPERATING AGREEMENT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND PACIFIC HARBOR LINE, INC. FOR THE OPERATION OF PORT RAIL FACILITIES AND RAIL PROPERTY IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," was presented to the Board for its second and final reading.

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

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

NEW BUSINESS.

President Topsy-Elvord announced the Green Port Open House event will take place on October 1 from 9 a.m. to NOON at the Port Administration Building. The event will showcase the efforts being made to improve the environment and there will be harbor cruises, information and interaction booths, entertainment, and food.

Ms. Morris stated the tenants of the Port are also coming aboard and supporting the event.

Commissioner Cordero stated he had recently attended the opening of the sculpture garden at the Museum of Latin American Art and was impressed with one of the pieces that showed a city on top of a ship. He stated the artist noted that Long Beach is the Port City. Commissioner Cordero stated, on his invitation, the artist, Mr. Noe Katz and Mr. Alex Slato, Associate Director of the Museum of Latin American Art are present.

Mr. Slato stated MoLAA is under construction and expanding to twice its size, and when finished, it will be the largest Latin Museum in the country. He stated seven of the garden sculpture pieces came in through the Port. Additionally, Mr. Slato commended the Port on its commitment of supporting community events and services and he extended an invitation to the Commissioners to visit the museum.

Mr. Katz stated he is an artist from Mexico City and he gets inspiration from the City and the Port. He stated his idea for his piece was to show how cities and ports work together. Mr. Katz stated his sculpture was designed and donated to MoLAA specifically for the garden.

Commissioner Cordero thanked Mr. Slato and Mr. Katz for their comments.

CLOSED SESSION

At 10:50 a.m., President Topsy-Elvord recessed the Board meeting to hold a closed session:

A) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Closed session pursuant to Section 54956.9(a) of the Government Code regarding *Brutoco Engineering & Construction, Inc., v. City of Long Beach, et al.*, Superior Court Case No. NC034761.

B) PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT

Closed Session pursuant to Section 54957 of the Government Code to consider appointment of a Risk Manager.

At 11:40 a.m., the meeting was again called to order by President Topsy-Elvord.

ADJOURNED.

At 11:41 a.m., Commissioner Walter moved, seconded by Commissioner Cordero that the meeting be adjourned sine die. Carried by the following vote:

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

**CITY OF LONG BEACH
DEPARTMENT OF PARKS, RECREATION AND MARINE
PARKS AND RECREATION COMMISSION MINUTES
AUGUST 18, 2005**

I. CALL TO ORDER

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

Present: Chris Kozaites, President
Harry Saltzgaver, Vice President
Bea Antenore
Raymond Chavarria
Brett Waterfield

Absent: Simon George (excused)
Drew Satariano (excused)

Staff: Phil Hester, Director of Parks, Recreation and Marine
Dennis Eschen, Manager, Planning and Development Bureau
Thomas Shippey, Manager, Maintenance Operations Bureau
Janet Day-Anselmo, Manager, Business Operations Bureau
Cristina Cota, Superintendent of Personnel and Training
Diane Lewis, Manager, Community Enrichment Programs Bureau
Steven Neal, Chief Ranger
Chrissy Marshall, Manager, Community Recreation Programs
Robin Black, Executive Secretary to the Director
Vivian Crook, Secretary, Marine Bureau

Guests: Kirsten Autry, Save LBC Skyline

It was moved by Vice President Saltzgaver and seconded by Commissioner Antenore to excuse the absences of Commissioner George and Commissioner Satariano. The motion carried unanimously.

Commissioner Brett Waterfield introduced himself as the new Commissioner.

II. APPROVAL OF MINUTES – JULY 21, 2005

It was moved by Commissioner Chavarria and seconded by Commissioner Antenore to approve the July 21, 2005 Parks and Recreation Commission minutes. The motion carried unanimously.

III. SAMMY AWARD PRESENTATION – LACHONDA LARD

Mr. Hester stated that Ms. Lard had a family emergency and the Sammy Award would be presented next month.

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

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

Vice President Saltzgaver announced Barry Baldwin as the Field Operations Employee of the Month, from the Community Recreation Programs Bureau.

Ms. Elyse Garcia, as his supervisor, spoke about Barry Baldwin.

Ms. Diane Lewis introduced Zoot Velasco, the new supervisor at MacArthur Park/Homeland.

V. COMMISSION ACTION ITEMS

#05-0801

PERSONAL SERVICES/INSTRUCTION AGREEMENTS-MONTHLY APPROVAL

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

#05-0802

RECOMMENDATION REGARDING "GRACE PARK" AS THE POTENTIAL NAME FOR THE MINI-PARK BEING CONSTRUCTED AT PLYMOUTH STREET AND ELM AVENUE

Mr. Dennis Eschen explained that the name "Grace Park" was suggested for two reasons. The first is because there used to be a church at this site. The second is to honor Grace Olive Wiley, who lived nearby and was a nationally known Herpetologist.

It was moved by Commissioner Chavarria and seconded by Vice President Saltzgaver to recommend to the Housing and Neighborhood Committee and the full City Council that Grace Park is an appropriate name for the new mini-park being developed at Plymouth Street and Elm Avenue. The motion carried unanimously.

#05-0803

RECOMMENDATION REGARDING ACQUISITION OF OPEN SPACE AND "MOLINA PARK" AS THE POTENTIAL NAME FOR THE MINI-PARK BEING PROPOSED AT NORTHEAST CORNER OF 20TH STREET AND SANTA FE AVENUE

Mr. Dennis Eschen explained that the site is not at the corner, it is the third lot in from Santa Fe Avenue on 20th Street.

It was moved by Commissioner Chavarria and seconded by Commissioner Antenore to recommend to the Housing and Neighborhood Committee and the full City Council that a park site on 20th Street, three lots east of Santa Fe Avenue is needed and appropriate and Molina Park is an appropriate name per the Administrative Regulations relative to facility naming. The motion carried unanimously.

VI. COMMITTEE STATUS REPORTS

**A. EXECUTIVE COMMITTEE
President Kozaites, Chair**

1. NEW COMMITTEE DUTIES – SPECIAL EVENTS AND RECREATION

Commissioner Chavarria mentioned that some Commissioners are on two committees, some on three, and some on four committees, and that he would like to drop the Park Safety Committee since he serves on four committees.

Vice President Saltzgaver stated that he would like to drop the City Schools/Joint Committee.

After discussion, President Kozaites stated that recommendations to the committees would be considered and any changes would be discussed at the next Parks and Recreation Commission meeting.

**B. FINANCE AND APPEALS COMMITTEE
Commissioner Satariano, Chair**

President Kozaites discussed the year-to-date statement of revenue and expenditures included in the packet.

**C. PARK SAFETY COMMITTEE
Commissioner Waterfield, Chair**

Commissioner Waterfield stated that the Committee would meet next Thursday.

Commissioner Antenore discussed the July 22 shooting near Silverado Park.

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

Commissioner Chavarria discussed the customer comment cards received and distributed the "life of a customer comment card." He thanked Cristina Cota for working on this project.

E. CAPITAL IMPROVEMENT PROJECTS COMMITTEE
Commissioner George, Chair

Vice President Saltzgaver stated that there was no quorum for the committee and they set a meeting for September 1.

Mr. Hester mentioned that the item for universally accessible playgrounds was brought before the City Council at their meeting on August 16.

F. CITY SCHOOLS/JOINT COMMITTEE
Commissioner Antenore, Chair

Commissioner Antenore stated that several meetings have been postponed.

G. SPECIAL EVENTS AND RECREATION COMMITTEE
Commissioner Satariano, Chair

Commissioner Satariano stated that the first meeting has not yet been scheduled.

VII. DIRECTOR'S REPORT TO COMMISSION

A. DIRECTOR'S MONTHLY REPORT – JULY 2005

Mr. Hester stated that he would get a list of park openings to the Parks and Recreation Commissioners soon.

President Kozaites stated that the Sea Festival events were very successful.

President Kozaites read a thank-you card from William Marmion for the lunch on July 21 and to Commissioner George for the trophy from California State University, Long Beach. He stated that the thank-you card should be sent to Commissioner George.

VIII. CORRESPONDENCE

President Kozaites stated that there was no correspondence.

IX. UNFINISHED BUSINESS

President Kozaites stated that there was no unfinished business.

X. NEW BUSINESS

A. PARK IMPACT FEE ANNUAL REPORT FOR FISCAL YEAR 2004 (CITYWIDE)

It was moved by Vice President Saltzgaver and seconded by Commissioner Chavarria to table the Park Impact Fee Annual Report for one month. The motion carried unanimously.

XI. COMMENTS

A. AUDIENCE

There were no comments from the audience.

B. STAFF

Ms. Diane Lewis distributed flyers for the Miracle on 4th Street Park open house and neighborhood clean up on August 27.

C. COMMISSIONERS

Vice President Saltzgaver encouraged the Commissioners to pay close attention to the budget and to stay on top of the Municipal Band issue.

Mr. Hester stated that the City Manager would like to have the budget approved on September 6.

Vice President Saltzgaver stated that he wants to maintain as many programs as possible, particularly the PAL program, and to keep the Municipal Band out of the General Fund – to have it funded properly.

Vice President Saltzgaver stated that he would like the Parks and Recreation Commission President to attend the next two budget meetings and speak to the Parks and Recreation issues. President Kozaites stated that he would attend those meetings.

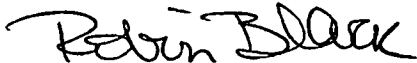
XII. NEXT MEETING

The next meeting will be held at 9:00 a.m. on Thursday, September 15, 2005, at the El Dorado Park West Community Center, in the Senior Center Library, 2800 Studebaker Rd., Long Beach.

XIII. ADJOURNMENT

President Kozaites adjourned the meeting at 10:20 a.m.

Respectfully submitted,



Robin Black
Executive Secretary
to the Director

c: Phil T. Hester, Director of Parks, Recreation and Marine

**MINUTES
REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS
LONG BEACH, CALIFORNIA
SEPTEMBER 1, 2005**

The Board of Water Commissioners of the City of Long Beach met in the Board Room of the Administration Building, 1800 E. Wardlow Road, Long Beach, California, on September 1, 2005. The meeting was called to order at 9:15 a.m. by President Hansen.

PRESENT:	Helen Z. Hansen	Commissioner
	Frank Clarke	Commissioner
	William B. Townsend	Commissioner
	Lillian Y. Kawasaki	Commissioner
	Donna F. Gwin	Senior Deputy City Attorney
	Kevin L. Wattier	General Manager
	Lynnette L. French	Secretary to the Board of Water Commissioners
	Robert C. Cheng	Deputy General Manager
	Ryan J. Alsop	Manager, Government & Public Affairs
	Kenneth A. Walker	Manager, Administration
	Matthew P. Lyons	Manager, Planning and Conservation
	K. Eric Leung	Manager, Water Resources
	Isaac C. Pai	Director of Engineering
	Robert Villanueva	Division Engineer
	Robert V. Swain	Division Engineer
	Reymundo Trejo	Civil Engineer
	John E. Wills	Administrative Analyst III
	Juan F. Garza	Administrative Analyst I
	Johnnie D. Miller	Engineering Technician II
	Carolyn A. Hill	Senior Secretary
ABSENT:	Stephen T. Conley	Commissioner (Excused)

PLEDGE OF ALLEGIANCE

President Hansen, on behalf of the Board and staff welcomed newly appointed Water Commissioner Lillian Kawasaki to the Long Beach Water Department (LBWD) and invited Commissioner Kawasaki to lead the Board and audience in the Pledge of Allegiance.

2. APPROVAL OF MINUTES

August 11, 2005

Upon motion by Commissioner Clarke, seconded by Commissioner Townsend, and unanimously carried, the Minutes of the Regular Meeting of August 11, 2005, were approved.

August 18, 2005

Upon motion by Commissioner Clarke, seconded by Commissioner Townsend, and unanimously carried, the Minutes of the Regular Meeting of August 18, 2005, were approved.

3. PUBLIC COMMENT

President Hansen opened the public comment period.

Johnnie D. Miller, Engineering Technician II, stated that he is an employee of the LBWD and also a resident of the city of Long Beach. He expressed an interest in developing initiatives to address water and sewer needs in underdeveloped countries of the world and requested information about possible efforts in this area by the City and the Water Department.

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

PRESIDENT'S REPORT

- **Helen Z. Hansen, President, Board of Water Commissioners**

Water Conservation

President Hansen called the Board's attention to the July/August edition of "The Wave", a newsletter distributed to the City's residents with utility bills, and noted an excellent description of the Department's water conservation rebate program. She encouraged the Water Department to ensure that future articles of this type craft a clear connection between water conservation programs and the LBWD.

President Hansen also noted an article in the August 27th edition of "The Orange County Register" that gave an account of the new types of synthetic turf which are available to consumers. She stated that the article would be on file at the Water Department.

GENERAL MANAGER'S REPORT

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

Urban Water Institute Annual Conference

Mr. Wattier reported that he attended the Urban Water Institute annual conference August 24th-26th in San Diego, California, along with Frank Clarke, Board of Water Commissioner, Bill Townsend, Board of Water Commissioner, and Ryan Alsop, Manager,

Government and Public Affairs. He stated that the speakers this year were exceptionally outstanding and the topics included a number of important water-related issues.

Metropolitan Water District (MWD) Member Agency Managers

On Monday, August 29th, the LBWD hosted a meeting of Member Agency Managers from the Metropolitan Water District (MWD). The discussion focused on future options for Metropolitan with regards to seawater desalination.

Groundwater Basin Replenishment

Mr. Wattier explained that the Los Angeles County Public Works Department may be contemplating entering into contracts with the cities of Downey and Lakewood for the use of the spreading grounds which are utilized to replenish the Central Groundwater Basin. Mr. Wattier has contacted the Los Angeles County Board of Supervisors to request additional information about the project.

LBWD Personnel

Mr. Wattier announced that Ken Walker, Manager, Administration, has been offered and accepted the position of Manager of Personnel Operations, Department of Human Resources, for the City of Long Beach and will be leaving the LBWD mid-September. Mr. Walker's personal integrity, diligent work ethic, and professional demeanor have been appreciated by the Board and staff at the LBWD.

Mr. Wattier also reported that Reymundo Trejo, Civil Engineer, has been selected for a position in the City of Ontario and will be leaving the Water Department at the end of September. Mr. Trejo has been an important member of the team working on our seawater desalination project. His professional conduct and technical expertise have earned him the esteem of his colleagues at the Water Department.

Presentation of Budget to City Council

Mr. Wattier stated that the Water Department will present its Fiscal Year 2005-2006 annual budget to the Mayor and City Council on Tuesday, September 6th, at 3:00 p.m. in City Council chambers. He invited the Board to attend as their schedules permit.

Capital Improvement Program(CIP)

The Water Department's 5-Year CIP bulletin was distributed to the Board. For the benefit of the new Water Commissioners, Mr. Wattier explained that the staff will be providing routine updates on the CIP during Committee of the Whole meetings throughout the year.

Hurricane Katrina Relief Efforts

The City of Long Beach will partner with the American Red Cross to host a fundraiser from 2:00 p.m. to 6:00 p.m. on Friday, September 2nd at the Groundwater Treatment Plant. Mayor O'Neill, the City Council, and Red Cross volunteers will be on hand to meet and greet residents interested in contributing towards disaster relief efforts for the victims of Hurricane Katrina.

LEGAL COUNSEL REPORT

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

No report was given.

CONSENT CALENDAR

- 7a. Approval of Transfer of Funds by Journal Entry Dated September 1, 2005**

Transfers No. 245 through No. 251 in the total amount of \$273,299.07 covering the Water and Sewer Revenue Funds, were submitted to the Board for approval.

- 7b. Receive and File the List of Vendor Payments for the Month of July 2005**

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

Action Requested:

- That the Board receive and file the list of vendor payments for the month of July 2005.

The payments were made in accordance with City and Water Department policies and were reviewed and approved by the City Auditor's office.

- 7c. Request Authorization for the General Manager to Execute the Third Amendment to Agreement No. WD-2659 with F.M. Thomas Air Conditioning, Inc., to Extend the Contract for One Year**

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

Action Requested:

- That the Board authorize the General Manager to execute the Third Amendment to Agreement No. WD-2659 to extend the contract for one (1) year at the current prices for an amount not to exceed \$90,852.00 annually.

Funds for the contract extension are included in the Fiscal Year 2005-2006 annual budget.

- 7d. Adopt Specifications No. WD-08-05 for the Magnolia Trunk Sewer and S-25 Sewer Lift Station Modifications Project and Request Authorization for the General Manager to Sign a Construction Contract with Steve Bubalo Construction Co., Inc.**

At the request of President Hansen, Agenda Item 7d was removed for separate discussion and action.

Board Action Agenda Items 7a-7c

It was moved by Commissioner Townsend and seconded by Commissioner Kawasaki that the Board approve Consent Calendar items 7a-7c. The motion was carried by the following vote:

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

- 7d. Adopt Specifications No. WD-08-05 for the Magnolia Trunk Sewer and S-25 Sewer Lift Station Modifications Project and Request Authorization for the General Manager to Sign a Construction Contract with Steve Bubalo Construction Company., Inc.**

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

Action Requested:

- That the Board adopt Specifications WD-08-05 for the Magnolia Trunk Sewer and S-25 Sewer Lift Station Modifications project and authorize the General Manager to sign a Construction Contract with

Steve Bubalo Construction Company, Inc., in the amount of \$1,525,440.

Funds for the project are included in the Fiscal Year 2005-2006 CIP budget.

Public Comment

Jim Jackson, representing Garcia Juarez Construction, Inc., recommended that the Board award the construction contract for the Magnolia Trunk Sewer and S-25 Sewer Lift Station Modification Project to Garcia Juarez Construction, Inc., although the company did not submit the name of an approved subcontractor to perform the relocation of gas lines.

Board Action – Agenda Item 7d

After hearing comments by the staff, a motion was made by Commissioner Townsend and seconded by Commissioner Kawasaki to adopt Specifications WD-08-05 for the Magnolia Trunk Sewer and S-25 Sewer Lift Station Modifications Project and authorize the General Manager to sign a Construction Contract with Steve Bubalo Construction Company, Inc., in the amount of \$1,525,440. The motion was carried by the following vote:

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

8. REQUEST AUTHORIZATION TO MODIFY BOARD POLICY STATEMENT 2003-33, SUCCESSION PLAN, AND INCORPORATE INTO SALARY RESOLUTION

- **Kenneth A. Walker, Manager, Administration**

Action Requested:

That the Board modify Board Policy Statement 2003-33, Succession Plan, and maintain the City Charter-required succession plan through the LBWD Salary Resolution.

Executive Summary:

Mr. Walker explained that in accordance with the revised Section 1403 of the City Charter, the Board of Water Commissioners established a plan of succession on July 18, 2002, in the form of Board Policy Statement 2003-33. Staff is recommending that the Board of Water Commissioners' Board Policy Statement 2003-33 be modified and the

Charter requirement to develop and maintain a succession plan be accomplished through the salary resolution process.

Board Action:

It was moved by Commissioner Townsend and seconded by Commissioner Kawasaki that the Board modify Board Policy Statement 2003-33, Succession Plan, and maintain the City Charter-required succession plan through the LBWD Salary Resolution. The motion was carried by the following vote:

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

9. AUTHORIZE SUPPORT FOR REGION 8 OFFICERS AND BOARDMEMBERS RECOMMENDED BY THE ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA) FOR THE 2006-2007 TERM

- Kevin L. Wattier, General Manager

Action Requested:

That the Board authorize support for Region 8 officers and boardmembers recommended by the ACWA for the 2006-2007 Term including Daniel E. Griset as Region 8 Board Representative.

Executive Summary:

The ACWA is currently soliciting interest from candidates who are interested in serving as officers and boardmembers of the ACWA Region 8. The primary charge of the ACWA regions is to provide a structure where agencies may come together and discuss issues of mutual concern and interest.

The LBWD recommends that the Board support the slate of candidates endorsed by the ACWA, which includes Daniel E. Griset, a member of the Board of Directors of the Metropolitan Water District, for Region 8 Board Representative.

Board Action:

It was moved by Commissioner Townsend and seconded by Commissioner Clarke that the Board authorize support for Region 8 Officers and Boardmembers as

recommended by the ACWA for the 2006-2007 term including Daniel E. Griset for Region 8 Board Representative. The motion was carried by the following vote:

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

10. REQUEST AUTHORIZATION TO RATIFY THE APPOINTMENT OF DR. ROBERT C. CHENG TO THE POSITION OF DEPUTY GENERAL MANAGER OF THE LONG BEACH WATER DEPARTMENT

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

Action Requested:

That the Board ratify the appointment of Dr. Robert C. Cheng, Director of Operations, to the position of Deputy General Manager of the LBWD.

Executive Summary:

Mr. Wattier explained that Section 1403(2) of the Long Beach City Charter states that the Board of Water Commissioner shall have the duty to "...ratify the employment by the General Manager of an Assistant General Manager and of Deputy General Managers." Dr. Cheng is currently the Director of Operations for the LBWD and oversees the Water Department's water and sewer operations, reclaimed water projects, and water conservation efforts. The change in Dr. Cheng's title is consistent with the consolidation of these programs and reflects the responsibilities that Dr. Cheng has assumed.

Board Action:

It was moved by Commissioner Clarke and seconded by Commissioner Townsend that the Board ratify the appointment of Dr. Robert C. Cheng, Director of Operations, to the position of Deputy General Manager of the LBWD, effective immediately. The motion was carried by the following vote:

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

11. REQUEST AUTHORIZATION TO RATIFY THE APPOINTMENT OF BERNARD A. "ANATOLE" FALAGAN TO THE POSITION OF DEPUTY GENERAL MANAGER OF THE LONG BEACH WATER DEPARTMENT

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

Action Requested:

That the Board ratify the appointment of Bernard A. "Anatole" Falagan to the position of Deputy General Manager of the LBWD.

Executive Summary:

Mr. Wattier reported that Roberts Consulting Group, Inc., (RCG), a search firm with extensive experience recruiting senior level water/utility executives, was retained to conduct a search for a new Deputy General Manager of the LBWD following the retirement of the former Deputy General Manager who oversaw the Water Department's business and finance divisions..

After an extensive search process, final interviews of the leading candidates were conducted on August 3rd and Bernard A. "Anatole" Falagan was the overwhelming choice of the interview panel. Mr. Falagan has served the Metropolitan Water District for the past 16 years and in his most recent assignment was responsible for a staff of 86 employees and a \$22 million budget.

Board Action:

It was moved by Commissioner Clarke and seconded by Commissioner Kawasaki that the Board ratify the appointment of Bernard A. "Anatole" Falagan to the position of Deputy General Manager of the LBWD, contingent upon the successful completion of all City and Department employment requirements, at a salary of \$150,000 annually and a car allowance of \$450 per month. The motion carried by the following vote:

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

12. LEGISLATIVE ISSUES/ACTIONS/BILLS

- 12a. **Request Authorization to Adopt Policy Position on HR 3182, the National Water Supply Enhancement Act, by Representative Richard Pombo**
- **Ryan J. Alsop, Manager, Government & Public Affairs**

Action Requested:

That the Board adopt a policy position on HR 3182, the National Water Supply Enhancement Act, by Representative Richard Pombo, Chairman of the Committee on Resources, United States House of Representatives.

Executive Summary:

Mr. Alsop explained that on June 30, 2005, Representative Richard Pombo, Chairman of the Committee on Resources of the United States House of Representatives, introduced HR 3182, the National Water Supply Enhancement Act. The measure provides for the development of economically viable, advanced water supply enhancement demonstration projects, including desalination, that would provide access to untapped water sources; facilitate the widespread commercialization of newly developed water supplies for use in real-world applications; and support collaboration among Federal agencies.

The Water Department staff believes this is the appropriate direction for Federal seawater desalination policy. It is concurrent with the practiced and advocated policy of the Water Department and is most conducive to moving the Long Beach Desalination Project forward successfully.

Board Action:

It was moved by Commissioner Townsend and seconded by Commissioner Clarke that the Board authorize support for HR 3182, the National Water Supply Enhancement Act, and communicate this position to the United States Congress. The motion was carried by the following vote:

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

12b. Request Authorization to Adopt Policy Position on ACR 84 by Assemblywoman Mimi Walters Intended to Memorialize the Importance of Desalination and Encourage the Development of State Policy

Action Requested

That the Board adopt a policy position on ACR 84 by Assemblywoman Mimi Walters.

Executive Summary:

Mr. Alsop explained that ACR 84 is intended to memorialize the importance of seawater desalination and to encourage the development of a state policy. The resolution is written and sponsored by the Metropolitan Water District of Orange County (MWDOC).

Specifically, the resolution reaffirms the state's support for the development of desalination where environmentally and economically appropriate; encourages the wisest possible use of existing resources by ensuring full consideration of the impacts on future projects; and seeks to limit potential environmental impacts from future project development by using existing facilities where appropriate.

Board Action:

A motion was made by Commissioner Kawasaki and seconded by Commissioner Clarke to authorize support for ACR 84 and communicate this position to the State Legislature. The motion was carried by the following vote:

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

Legislative Update

- 21st Annual California Coastal Cleanup Day

Mr. Alsop invited the Board and staff to join fellow volunteers from the LBWD to clean up Bluff Park Beach on Saturday, September 17th, from 9:00 a.m. to 12:00 p.m. Mr. Alsop explained that the 21st annual California Coastal Cleanup Day is a statewide beach cleanup day sponsored by the California Coastal Commission with local sponsorship and

support from the Long Beach Department of Parks, Recreation and Marine. The LBWD is proud to be a co-sponsor of this year's event.

- Seawater Desalination

Mr. Alsop announced that the LBWD will host a Grand Opening ceremony for its prototype seawater desalination plant on Friday, September 30th, at 10:00 a.m. at the site facility located at the Haynes Generation Power Station owned and operated by the Los Angeles Department of Water and Power. The ceremony will launch the technology and demonstration research phase of the LBWD's seawater desalination project.

13. **NEW BUSINESS**

Water Supply

President Hansen commented on the tragedy in the city of New Orleans following Hurricane Katrina, including the ruin of two levees which resulted in an estimated 80 percent of the below-sea-level city being under water.

President Hansen observed that in California's Sacramento-San Joaquin Delta, an aging levee system separates Delta water from below-sea-level islands putting the water supply of more than 22 million Californians in jeopardy. She briefly discussed the problems which occurred when the levee protecting the Jones Tract in the southern Delta broke in June 2004 and encouraged the Board to be proactive on this issue as opportunities arise.

Board Meeting Schedule

President Hansen explained that the official Board photograph is scheduled to be taken on Thursday, September 29th, prior to the Committee of the Whole meeting. She added that during the meeting the Board will have an opportunity to tour the prototype seawater desalination plant. The Board briefly discussed the schedule and agreed to plan for both activities on September 29th.

Colorado River Inspection Tour

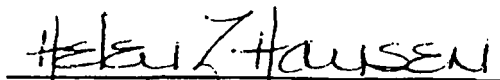
President Hansen stated that a tour of the Colorado River Aqueduct will be hosted by the Metropolitan Water District May 5-7, 2006. Space on the tour is limited and she encouraged the Board to submit the names of their invited guests at the earliest opportunity.

14. ADJOURNMENT

There being no further business to come before the Board, it was moved by Commissioner Clarke, seconded by Commissioner Townsend, and unanimously carried, that the meeting be adjourned at 10:50 a.m. to the next Regular Meeting of the Water Commission to be held on Thursday, September 15, 2005, at 9:15 a.m., in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California.


Frank Clarke, Secretary

Attest:


Helen Z. Hansen, President

MINUTES
REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS
LONG BEACH, CALIFORNIA
SEPTEMBER 15, 2005

The Board of Water Commissioners of the City of Long Beach met in the Board Room of the Administration Building, 1800 E. Wardlow Road, Long Beach, California, on September 15, 2005.

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

PRESENT:	Helen Z. Hansen	Commissioner
	Stephen T. Conley	Commissioner
	Frank Clarke	Commissioner
	William B. Townsend	Commissioner
	Lillian Y. Kawasaki	Commissioner
	Donna F. Gwin	Senior Deputy City Attorney
	Kevin L. Wattier	General Manager
	Lynnette L. French	Secretary to the Board of Water Commissioners
	Robert C. Cheng	Deputy General Manager
	Ryan J. Alsop	Manager, Government & Public Affairs
	Matthew P. Lyons	Manager, Planning and Conservation
	Paul T. Fujita	Director of Finance
	Robert Villanueva	Division Engineer
	Robert V. Swain	Division Engineer
	Abelardo J. Rendon	Civil Engineering Associate
	John E. Wills	Administrative Analyst III
	Melissa L. Keyes	Administrative Projects Coordinator
	Carolyn A. Hill	Senior Secretary

ABSENT: None

1. PLEDGE OF ALLEGIANCE

Frank Clarke, Board of Water Commissioner, led the Board and audience in the Pledge of Allegiance.

2. APPROVAL OF MINUTES

September 1, 2005

Upon motion by Commissioner Clarke, seconded by Commissioner Conley, and unanimously carried, the Minutes of the Regular Meeting of September 1, 2005, were approved.

PUBLIC COMMENT

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

PRESIDENT'S REPORT

- **Helen Z. Hansen, President, Board of Water Commissioners**

Retirement of Robert J. Valencia, Water Utility Supervisor I, with 30 Years and 6 Months of Service with the City of Long Beach and the Long Beach Water Department

President Hansen announced that Robert J. Valencia, Water Utility Supervisor I, will retire from the Long Beach Water Department (LBWD) on October 4, 2005, after a total of 30 years and 6 months of public service with the City of Long Beach and the Water Department. Mr. Valencia began his career with the City in 1975 having been hired as a Maintenance Assistant I. He transferred to the Water Department as a Water Utility Mechanic I in 1979 and was promoted to his current position as Water Utility Supervisor I in 2000.

President Hansen introduced Mr. Valencia and the members of his family who were in attendance. She then presented a resolution from the Board recognizing Mr. Valencia's years of service and, on behalf of the Board, wished him well in his new endeavors.

The LBWD in the News

President Hansen called the Board's attention to an article which appeared in the September 8th edition of the Grunion Gazette describing the Water Department's prototype seawater desalination project. She stated that the article did an excellent job of describing the project but erroneously referred to funding from the City of Long Beach. In actual fact, the LBWD will provide a portion of the costs in partnership with the United States Bureau of Reclamation and the Metropolitan Water District (MWD). She stressed the importance of clarifying that the financial operation of the Water Department, as mandated by the City Charter, is separate from the City's general fund.

President Hansen stated that the "Eco Link" insert in the September 11th Press Telegram featured a wonderful flyer announcing the details of the 21st Annual Coastal Cleanup Day on Saturday, September 17th, from 9:00 a.m. to 12:00 p.m. This is a statewide beach cleanup day sponsored by the California Coastal Commission with local sponsorship and support from the Long Beach Department of Parks, Recreation and Marine. The LBWD is proud to be a co-sponsor of this year's event.

**5. REPORT OF THE METROPOLITAN WATER DISTRICT (MWD)
BOARD MEETING ON SEPTEMBER 13, 2005**

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

President Hansen, in her capacity as the City of Long Beach MWD Director, provided the following report of the MWD Board of Directors' meeting on September 13, 2005:

Ethics Training

The MWD Board heard a report with regards to Assembly Bill 1234 (Salinas), which has passed both the Assembly and the Senate and has been sent to the Governor for signature. Included in the measure are provisions for ethics training for local government officials and designated employees.

A brief discussion ensued by the Board of Water Commissioners regarding the legislation's possible impact on the Board. The LBWD staff was asked to monitor the bill and report back to the Water Commission.

Three Valleys Agreement

The Board authorized entering into an agreement to allocate \$1.23 million in Proposition 13 funds for a conjunctive use program to be operated by Three Valleys Municipal Water District. The 25-year agreement will enable Metropolitan to store up to 3,000 acre-feet of water in the Upper Claremont Heights Basin when surplus water is available during wet years, and produce 1,000 acre-feet per year for three years to meet Three Valleys' water demands during dry, drought, or emergency periods.

Conservation Advertising Campaign

The Board authorized entering into a renewable one-year agreement for up to \$1.5 million annually with Johnson/Ukropina for regional advertising services and media buys related to planned outdoor water conservation efforts, as well as emergencies or unanticipated urgent needs. Of the \$1.5 million, 80 percent will go directly toward the purchase of advertising space and airtime, with the remainder to creative development, production costs, and agency commissions.

Colorado River, CalFed Reports

The Chief Executive Officer reported that a recent letter from the Colorado River Basin states to Interior Secretary Gale Norton showed a shift away from litigation towards cooperation, improved efficiencies, and shortage sharing. However, the General Counsel reported that the filing of lawsuits by environmental groups over the Bay-Delta program indicated a shift by some CalFed stakeholders away from discussion and towards litigation.

Water Project Investments

The Board took the following infrastructure-related actions:

- Appropriated \$2.33 million and authorized five improvement projects for the Colorado River Aqueduct conveyance system and pumping plants to rehabilitate pump plant water circulation systems, and pay for assessments of desert water tanks, pump motors, pump plant systems and dam sluiceways.
- Appropriated \$2.6 million and authorized final design of two facilities at Mills Water Treatment Plant that bring water into contact with ozone as part of the disinfection process, and allow the Riverside plant to operate at its full 326-million-gallon-per-day capacity.
- Appropriated \$2.67 million and awarded a \$1.85 million contract to Norman A. Olsson Construction, Inc. for the surface wash headers rehabilitation project at the Diemer Water Treatment Plant. It is one of 19 projects being undertaken as part of the Diemer Improvements Program.

Procurement Policies

The Board amended the Administrative Code to update contracting and procurement policies to conform with current practices in the procurement industry, which focus on obtaining "best value" as opposed to a low-cost basis only. A "best value" system allows for requests for proposals to take into account such factors such as the quality and benefits of the product or service, financial stability, and past performance. In another change, the posting of notice inviting bids for non-public works contract will be done on-line.

6. REVIEW BOARD MEETING SCHEDULE FOR OCTOBER 2005

The Board discussed their schedules for the month ahead, determined that a quorum would be available for each of the meetings, and agreed to the following schedule:

Thursday, October 6 th	Regular Meeting, 9:15 a.m.
Thursday, October 13 th	Committee of the Whole, 9:15 a.m.
Thursday, October 20 th	Regular Meeting, 9:15 a.m.
Thursday, October 27 th	Committee of the Whole, 9:15 a.m.

7. GENERAL MANAGER'S REPORT

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

Water Replenishment District

On Friday, September 9th, Mr. Wattier attended a meeting at the Water Replenishment District with other stakeholders in the Central Groundwater Basin. The focus of the discussion was interest expressed by the cities of Lakewood and Downey in the use of the spreading grounds to replenish the Central Groundwater Basin with imported water.

LBWD Budget

On Tuesday, September 13, 2005, the City Council approved the Fiscal Year 2005-2006 (FY 06) annual budget which included the Water Department's FY 06 rate and budget resolution.

Emergency Preparedness

Mr. Wattier reported that in the aftermath of Hurricane Katrina, the American Red Cross plans to renew its efforts to educate the public about the importance of home emergency preparedness and has invited the LBWD to partner in this project. Initially, the Water Department will participate in a pilot project to distribute bottled water for emergency supplies to a small number of households. After the initial distribution, the Water Department will evaluate the costs and success of the program and determine whether to expand the program with the pursuit of state and federal funding.

8. LEGAL COUNSEL REPORT

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

No report was given.

CONSENT CALENDAR

9a. Approval of Transfer of Funds by Journal Entry Dated September 1, 2005

Transfers No. 252 through No. 274 in the total amount of \$1,769,349.29 covering the Water and Sewer Revenue Funds, were submitted to the Board for approval.

- 9b. Authorize the General Manager to Execute the First Amendment to Cooperation Agreement WD-2544 with the Los Angeles Department of Water and Power (LADWP) to Update LADWP Responsibilities and to Extend the Term of the Agreement (EO-2793)**

At the request of President Hansen, Agenda Item 9b was removed for separate discussion and action.

- 9c. Request Authorization for the General Manager to Execute Agreement No. WD-2713 Enabling the LBWD to Participate in the MWD's Program of Rebates for Commercial, Industrial, Institutional (CII) Water Consumers in Long Beach**

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

Action Requested:

- That the Board authorize the General Manager to execute Agreement No. WD-2713 enabling the LBWD to participate in the MWD's program of rebates for water-conserving devices to CII water consumers in Long Beach.

The LBWD's CII customers will receive the MWD's rebate against the purchase of water conserving devices. The cost of program administration and promotion will be absorbed by the MWD.

- 9d. Adopt Specifications No. WD-13-04 for the HVAC System Replacement Project, Phase 1, and Authorize the General Manager to Sign a Construction Contract with Los Angeles Air Conditioning**

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

Action Requested:

- That the Board adopt Specifications WD-13-04 for the HVAC System Replacement Project, Phase 1, and authorize the General Manager to sign a Construction Contract with Los Angeles Air Conditioning, Inc., in the amount of \$419,000.00.

Funds for the project are included in the Fiscal Year 2004-2005
Capital Improvement Program budget.

Board Action Agenda Items 9a, 9c, 9d

It was moved by Commissioner Conley and seconded by Commissioner Clarke that the Board approve Consent Calendar items 9a, 9c, 9d. The motion was carried by the following vote:

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

- 9b. Authorize the General Manager to Execute the First Amendment to Cooperation Agreement WD-2544 with the Los Angeles Department of Water and Power (LADWP) to Update LADWP's Responsibilities and to Extend the Term of the Agreement (EO-2793)**

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

Action Requested:

- That the Board authorize the General Manager to execute the First Amendment to Cooperative Agreement WD-2544 with the LADWP to update the LADWP's responsibilities and to extend the term of the Agreement to March 31, 2010.

The amendment will update the LADWP's responsibilities to provide up to 275 kilowatts of electrical power for the Seawater Desalination Prototype Project and extend the term to allow for extended research and site restoration made possible by Proposition 50 (water bond) funding.

Board Action – Agenda Item 9b

It was moved by Commissioner Conley and seconded by Commissioner Townsend that the Board approve Consent Calendar item 9b.

The motion was carried by the following vote:

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

10. RECEIVE AND FILE – FINANCIAL STATEMENTS AND FINANCIAL REPORTS FOR THE FIRST NINE MONTHS OF FISCAL YEAR 2004-2005

- **Paul T. Fujita, Director of Finance**

Executive Summary:

Mr. Fujita presented the Financial Statements and Financial Reports for the first nine months of Fiscal Year 2004-2005 (October 1, 2004, through June 30, 2005) and provided the following summary:

- **Water Fund**

Due to heavy winter rains, potable water demand for the first nine months of Fiscal Year 2005 (FY05) is down 4.8% compared to average demand during the same period for the past three years. Reclaimed water demand is also lower than last year, also due to the heavy rains and relatively mild weather through June.

The Water Fund balance as of June 30, 2005, was \$4.6 million and is estimated to close at \$6.3 million, close to the Board's established minimum reserve goal of \$6.0 million.

- **Sewer Fund**

Revenues for the period increased approximately 6.5% over the previous year mainly due to the receipt of sewer capacity fees from several large new condominium and apartment developments in the City. The Sewer Fund balance has been building and was \$7.6 million for the period compared to the Board's established minimum reserve goal of \$3 million. However, the Sewer Fund will be reduced through the next fiscal year as the Division Street/Bennett Avenue sewer improvement project is completed.

At the conclusion of the presentation, the Board asked several questions and made observations about the financial operations of the LBWD. Interest was expressed in a Board workshop with regards to the calculation and implementation of sewer capacity fees and the staff was asked to agendize this for a future meeting of the Committee of the Whole.

**11. ELECTION OF OFFICERS – PRESIDENT, VICE PRESIDENT,
SECRETARY**

- **Helen Z. Hansen, President, Board of Water Commissioners**

President Hansen stated that she would accept nominations for the Board officers for FY 06 in accordance with Resolution WD-889, a Resolution Establishing Rules of Procedure for the Board of Water Commissioners.

President

President Hansen called for the nomination of the President of the Board of Water Commissioners.

It was moved by Commissioner Townsend, seconded by Commissioner Clarke, and unanimously carried, that Commissioner Conley be nominated for the office of President.

President Hansen asked if there were any other nominations, and, there being none, Commissioner Conley was unanimously elected as President for the term beginning October 1, 2005, and ending September 30, 2006.

Vice-President

President Hansen called for the nomination of the Vice President of the Board of Water Commissioners.

It was moved by Commissioner Conley, seconded by Commissioner Kawasaki, and unanimously carried, that Commissioner Clarke be nominated for the office of Vice President.

President Hansen asked if there were any other nominations, and, there being none, Commissioner Clarke was unanimously elected as Vice President for the term beginning October 1, 2005, and ending September 30, 2006.

Secretary

President Hansen called for the nomination of the Secretary of the Board of Water Commissioners.

It was moved by Commissioner Clarke, seconded by Commissioner Conley, and unanimously carried, that Commissioner Townsend be nominated for the office of Secretary.

President Hansen asked if there were any other nominations, and, there being none, Commissioner Townsend was unanimously elected as Secretary for the term beginning October 1, 2005, and ending September 30, 2006.

**12. STAFF PRESENTATION ON RESOLUTION NO. WD-1071 –
EMERGENCY WATER CONSERVATION PLAN**
• **Matthew P. Lyons, Manager of Planning and Conservation**

Executive Summary:

Mr. Lyons explained that in 1983, the California Legislature enacted the Urban Water Management Planning Act which states that urban water suppliers that provide water to 3,000 or more customers should make every effort to ensure that reliability in its water service is sufficient to meet the needs of its customers during normal, dry, and multiple dry years. As a result, every five years the LBWD must adopt an "Urban Water Management Plan," (UWMP) which, among other things, is a comprehensive look at future water demands and supplies. The Water Department must adopt its latest version of the UWMP by December 31, 2005, and must include a water-shortage emergency plan.

Mr. Lyons provided an overview of the current and proposed water conservation and emergency plans. He explained that since the time of the existing water conservation plan's adoption ten years ago, new and better ways of preparing for and managing water-shortage emergencies have been developed. The Board made several recommendations which will be incorporated into the proposed emergency water conservation plan and brought back to the Board for further review.

13. LEGISLATIVE ISSUES/ACTIONS/BILLS

Legislative Update

Mr. Alsop announced that several important water-related bills have been sent to the Governor for signature and that the Board will be kept informed about the status of the legislation.

14. NEW BUSINESS

Water Department Events

President Hansen observed that when the Water Department is planning an event, it would be helpful if the Water Commissioners had the opportunity to review the proposed guest list prior to the distribution of invitations.

Inspection Tour – LBWD Facilities

President Hansen asked for the Board's input with regards to tour various Water Department facilities. The Boardmembers expressed their support for the idea and the staff was asked to begin planning on-site inspection tours of the Water Department's wells, pump stations, and tank farms.

Excused Absence: Commissioner Conley

It was moved by Commissioner Townsend, seconded by Commissioner Clarke, and unanimously carried, that Commissioner Conley be excused from the Committee of the Whole meeting on Thursday, October 13, 2005.

Excused Absence: President Hansen

It was moved by Commissioner Townsend, seconded by Commissioner Clarke, and unanimously carried, that President Hansen be excused from the Committee of the Whole meeting on Thursday, October 27, 2005.

15. ADJOURNMENT

There being no further business to come before the Board, it was moved by Commissioner Clarke, seconded by Commissioner Conley, and unanimously carried, that the meeting be adjourned at 11:45 a.m. to the next Regular Meeting of the Water Commission to be held on Thursday, September 29, 2005, at 9:15 a.m., in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California.


Frank Clarke, Secretary

Attest:


Helen Z. Hansen, President