

**LONG BEACH CIVIL SERVICE COMMISSION
F. PHIL INFELISE, PRESIDENT
FEBRUARY 3, 2010**

The regular meeting of the Civil Service Commission was held at 8:00 a.m., Wednesday, February 3, 2010, in the Board Room of the Commission, 333 West Ocean Boulevard, Seventh Floor, Long Beach, California.

MEMBERS PRESENT: F. Phil Infelise, Ahmed Saafir, Jeanne Karatsu

MEMBER EXCUSED: Douglas Haubert

OTHERS PRESENT: Mario R. Beas, Executive Director & Secretary
Melinda George, Deputy Director
Diane Dzodin, Administrative Officer
Marilyn Hall, Executive Assistant
Donna de Araujo, Assistant Administrative Analyst
Ken Walker, Personnel Operations Manager, Human Resources

President F. Phil Infelise presided.

MINUTES: It was moved by Commissioner Saafir, seconded by Commissioner Karatsu and carried that the minutes of the regular meeting of January 27, 2010, be approved as prepared. The motion carried by a unanimous roll call vote.

It was moved by Commissioner Saafir, seconded by Commissioner Karatsu and carried that Dismissal Appeal 19-D-78 Minutes of December 9 & 16, 2009 and January 6 & 13, 2010, be approved as prepared. The motion carried by a unanimous roll call vote.

**REQUEST TO RETURN TO
FORMER CLASSIFICATION:**

**CLAUDIA ESCOBEDO/ASSISTANT ADMINISTRATIVE
ANALYST TO HOUSING SPECIALIST**

The Secretary presented a communication from Claudia Escobedo, Assistant Administrative Analyst, requesting Commission authorization to return to her former classification of Housing Specialist. The Secretary informed the Commission that Human Resources informed staff that there is a position available for Ms. Escobedo as a Housing Specialist in the Community Development Department. After discussion, it was moved by Commissioner Saafir, seconded by Commissioner Infelise and carried that the request to return Claudia Escobedo to the classified service and to her former classification of

Housing Specialist be approved, pursuant to Section 91 of the Civil Service Rules and Regulations. The motion carried by a unanimous roll call vote.

REQUEST FOR ORDER OF LAYOFF: The Secretary presented a communication from Patrick H. West, City Manager, requesting an Order of Layoff. The Secretary informed the Commission that at their direction staff would prepare the Order of Layoff. After discussion, it was moved by Commissioner Saafir, seconded by Commissioner Karatsu and carried to refer the Order of Layoff to staff to prepare the Order of Layoff. The motion carried by a unanimous roll call vote.

PROTEST OF WRITTEN EXAMINATION ITEMS:

HOUSING SPECIALIST

The Secretary presented a staff report prepared by Donna de Araujo, Assistant Administrative Analyst regarding the protested question from the Housing Specialist examination, which was administered on January 22, 2010. Ms. de Araujo briefed the Commission regarding this protest. After discussion, it was moved by Commissioner Saafir, seconded by Commissioner Karatsu and carried to approve the recommended disposition of the protested item. The motion carried by a unanimous roll call vote.

BULLETIN:

BUSINESS SYSTEMS SPECIALIST

It was moved by Commissioner Saafir, seconded by Commissioner Karatsu and carried that the subject Job Opportunity Bulletin be approved. The motion carried by a unanimous roll call vote.

EXTENSION OF EXPIRING ELIGIBLE LISTS:

It was moved by Commissioner Karatsu, seconded by Commissioner Saafir and carried that the following eligible lists be extended for an additional six months, with the exception of Systems Technician, to be extended for two months. The motion carried by a unanimous roll call vote.

Civil Engineering Assistant (8/5/09 & 8/19/09)
Microbiologist
Systems Support Specialist
Systems Technician (2/4/09, 2/11/09 & 2/18/09)
(2 months)
Water Treatment Operator

RETIREMENTS:

President Infelise presented Certificates of Appreciation to the following employees in recognition of their dedicated service to the City and citizens of Long Beach. Matherine Glover, Maintenance Assistant (25 years), John Garry, Police Sergeant (30 years), Barry Fowks, Police Officer (30 years) and Michael White, Police Sergeant (31 years), all of the Police Department. Representatives from the Police Department were present and spoke on their behalf.

It was moved by Commissioner Saafir, seconded by Commissioner Karatsu and carried that the following retirements be received and filed. The motion carried by a unanimous roll call vote.

Francisco Lizarde/Construction Inspector II/Harbor
Charles Rice/Electrician/Harbor
Scott Demari/Electrician/Airport

DISABILITY RETIREMENT:

DONNA ROBINSON/SCHOOL GUARD/POLICE

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

RESIGNATIONS:

It was moved by Commissioner Karatsu, seconded by Commissioner Saafir and carried that the following resignations be received and filed. The motion carried by a unanimous roll call vote.

Christine Culhno/Animal Health Technician/Health
Jason Wong/Police Officer/Police

MANAGERS' REPORT:

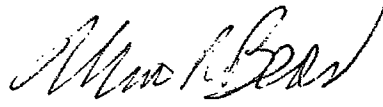
Diane Dzodin, Administrative Officer, thanked Suanne Swan and Beatriz Lacerda for the excellent job they did in preparing the retirements for the Commission agenda.

Melinda George, Deputy Director, informed the Commission that most of the staff analysts were attending a Supervisory Leadership Class today. She also stated that the Police and Fire promotional preparation and application intake are going well.

The Secretary informed the Commission that he attended the IPMA-Human Resources Big Cities and Counties Conference in Marina Del Rey.

ADJOURNMENT:

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

A handwritten signature in black ink, appearing to read "Mario R. Beas". The signature is written in a cursive style with a large, sweeping initial "M".

MARIO R. BEAS
Secretary

MRB:meh

Karen Highberger, Chair
Laura H. Brassler, Vice Chair
Shannon Carmack, Commissioner
Irma Hernandez, Commissioner



Louise Ivers, Commissioner
Harvey Keller, Commissioner
Richard Powers, Commissioner

FINISHED AGENDA AND MINUTES

CALL TO ORDER

At 5:36 p.m., Chair Highberger called the meeting to order.

ROLL CALL

see media

Boardmembers Laura H. Brassler, Karen L. Highberger, Irma Hernandez, Louise

Present: Ivers, Harvey Keller and Richard Powers

Boardmembers Shannon Carmack

Absent:

Also present: Derek Burnham, Current Planning Officer; Angie Zetterquist, Project Planner; Heidi Eidson, Planning Bureau Secretary.

FLAG SALUTE

see media

Commissioner Hernandez led the flag salute.

MINUTES

see media

see media

10-002CH

Recommendation to receive and file the Cultural Heritage Commission minutes of December 14, 2009.

A motion was made by Commissioner Keller, seconded by Commissioner Powers, to approve the recommendation. The motion carried by the following vote:

Yes: 5 - Laura H. Brassler, Karen L. Highberger, Louise Ivers, Harvey Keller and Richard Powers

Abstain: 1 - Irma Hernandez

Absent: 1 - Shannon Carmack

DIRECTOR'S REPORT

see media

There was no Director's Report given.

PUBLIC PARTICIPATION

see media

SWEARING OF WITNESS

see media

Do you solemnly swear or affirm that the evidence you shall give in this Cultural Heritage Commission Meeting shall be the truth, the whole truth, and nothing but the truth.

REGULAR AGENDA

see media

see media

1. 09-012CH Recommendation to deny a Certificate of Appropriateness to install four wrought iron railings on the 15th floor of the Villa Riviera for unit #1508. (District 2) (Application No. HP 09-0141)
A motion was made by Chair Highberger, seconded by Commissioner Powers, to continue the item to the Cultural Heritage Commission meeting of February 8, 2010. The motion carried by the following vote:

Yes: 6 - Laura H. Brasser, Karen L. Highberger, Irma Hernandez, Louise Ivers, Harvey Keller and Richard Powers

Absent: 1 - Shannon Carmack

see media

2. 10-001CH Recommendation to approve a Certificate of Appropriateness to install a 2-foot-6-inch-high black wrought iron fence behind the existing stone retaining wall along the front property line and a pedestrian gate and a vehicle gate across the driveway of the Bembridge House, a designated City landmark at 953 Park Circle Drive, in the Wilmore City Planned Development District. (District 1) (Application No. HP 09-0227)

Derek Burnham, Current Planning Officer, presented the staff report.

Derek Burnham responded to a query from Chair Highberger.

Charlotte Mitchell, applicant, 876 Hillside Drive, spoke.

A dialogue ensued between Ms. Mitchell, Chair Highberger and Derek Burnham.

A dialogue ensued between Ms. Mitchell, Derek Burnham, and Commissioner Hernandez.

Stan Poe, 144 Savonna Walk, spoke.

Commissioner Brassler recused herself from the item.

Derek Burnham and Ms. Mitchell responded to a query from Commissioner Hernandez.

A motion was made by Chair Highberger, seconded by Commissioner Keller, to approve the recommendation with an amendment that the details of the handrails go back to Staff for approval. The motion carried by the following vote:

Yes: 5 - Karen L. Highberger, Irma Hernandez, Louise Ivers, Harvey Keller and Richard Powers

Abstain: 1 - Laura H. Brassler

Absent: 1 - Shannon Carmack

3. 09-021CH

Recommendation to approve a Certificate of Appropriateness request to allow the construction of an 800-square-foot accessory residential unit above a new four-car garage located at 340 Gladys Avenue within the R-2-A zone and the Bluff Heights Historic District. (District 2) (HP09-0200)

Derek Burnham, Current Planning Officer, introduced the item and Angie Zetterquist, Project Planner, presented the staff report.

Domingo Ottolia, applicant's representative, 5533 Bayridge Road, Rancho Palos Verdes, spoke.

Melinda Brady, 334 Gladys Avenue, #104, spoke.

Commissioner Hernandez recused herself.

Commissioner Ivers spoke.

Commissioner Keller spoke.

Janice Thim-Pederson, applicant, 340 Gladys Avenue, spoke.

Chair Highberger spoke.

Commissioner Brassler spoke.

Commissioner Ivers spoke.

Mr. Ottolia responded to a query from Commissioner Brassler.

Chair Highberger responded to a query from Commissioner Powers.

Mr. Ottolia responded to a query from Commissioner Brassler.

A substitute motion was made by Commissioner Keller to approve the recommendation accepting option #2, but eliminating the three windows. The motion failed due to lack of a second.

Derek Burnham spoke.

A motion was made by Commissioner Brassler, seconded by Commissioner Ivers, to approve the recommendation accepting option #2, as described in the plans submitted, subject to conditions of approval as proposed by staff. The motion carried by the following vote:

Yes: 4 - Laura H. Brassler, Karen L. Highberger, Louise Ivers and Richard Powers

No: 1 - Harvey Keller

Abstain: 1 - Irma Hernandez

Absent: 1 - Shannon Carmack

COMMENTS FROM THE CULTURAL HERITAGE COMMISSION

see media

There were no comments from the Cultural Heritage Commission.

Derek Burnham spoke.

ADJOURNMENT

At 6:09 p.m., Chair Highberger adjourned the meeting.

NEXT REGULAR MEETING: February 8, 2010 - 5:30 P.M.

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**CITY OF LONG BEACH
DEPARTMENT OF PARKS, RECREATION AND MARINE
PARKS AND RECREATION COMMISSION MINUTES
JANUARY 21, 2010**

I. CALL TO ORDER

The Parks and Recreation Commission meeting was called to order by Drew Satariano, President, at 9:04 a.m., at the 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: Drew Satariano, President
Brett Waterfield, Vice President
Simon George
Albert Guerra
Harry Saltzgaver
Sarah Sangmeister
Brett Waterfield

Absent: None

Staff: Phil Hester, Director of Parks, Recreation and Marine
Sherri Nixon-Joiner, Manager, Community Recreation Services
JC Squires, Manager of Business Operations
Sandra Gonzalez, Manager, Planning and Development
Ramon Arevalo, Manager, Maintenance Operations
Gladys Kaiser, General Superintendent
Robin Black, Executive Assistant to the Director

Guests: Seema Gaur, Long Beach Boot Camp

II. APPROVAL OF MINUTES – DECEMBER 17, 2009

It was moved by Commissioner Sangmeister and seconded by Commissioner George to approve the December 17, 2009 Parks and Recreation Commission minutes. The motion carried unanimously.

III. PRESENTATION ON CAMERAS IN THE PARKS

Mr. Arevalo said he was asked to give a quick update on what the department is doing regarding cameras in the parks. He distributed a handout on the camera system used. The cameras are currently installed at Grace, Chavez, and Admiral Kidd Parks. There is a lot less graffiti, especially at Admiral Kidd Parks, he believes, due to the cameras. He said that staff is working with the Police Department on the type of signage to put up, letting people know that cameras are in the parks and keeping the public and property safe. Scherer Park is the next location for cameras to be installed. He said if something happens in the parks, there is a recording of what happened and the superintendents can also monitor the cameras from their offices. The Department is working with the Technology Services Department to access the cameras off-site.

Commissioner Guerra said you hear about cameras in stores, but no one maintains them. Are there service agreements with these cameras?

Mr. Arevalo responded that we do not have a service agreement for the cameras. One of our employees checks the cameras once a week to make sure they are working properly.

Commissioner Saltzgaver said this has been discussed for about a year in the Park Safety Committee. He commended staff for getting this done and being proactive. When they discussed this, the cost was about \$40,000. The system was recently purchased for about \$10,000 per park. The prices keep going down.

President Satariano asked if this ties in to the Park Watch program.

Mr. Arevalo responded that this does help with the Park Watch program. There are signs all over listing numbers for the public to call. We are now getting more calls letting us know when a bench is tipped over, graffiti, etc.

Ms. Nixon-Joiner said one of the products of the cameras is that staff is safer. Every spring, since Cabrillo High School was built, there have been gang issues at Admiral Kidd Park. They would go to the park and jump people into the gangs. This spring we did not have that issue, for the first time. It might have to do with the fact there are cameras there. Staff can view the parks from a safe distance and call the police. It is making a difference.

Mr. Arevalo said the Admiral Kidd Park restrooms have not been graffitied in over nine months, so it is really helping.

Vice President Waterfield said the report mentions a system at the senior center. He asked if that was that up yet?

Mr. Arevalo responded that a purchase order has been put in to purchase it, so staff is working on getting that.

Commissioner Saltzgaver said in a lot of ways this just pushes activity away. We have to do what we can and where we can do it. The issue now is to get more of them in more places, like the skate park in particular.

Mr. Arevalo responded that the ability is there; it is just a little more expensive.

Mr. Hester said staff is discussing this with the Technology Services Department. He is checking to see if police seizure dollars would possibly be available to use to put cameras in parks.

IV. COMMISSION ACTION ITEMS

#10-0101

Recommendation to authorize the Director, or his or her management designee to execute the Personal Services and Instruction Agreements and amend Attachment "A" of the agreements as needed.

It was moved by Commissioner Saltzgaver and seconded by Commissioner George to approve the recommendation. The motion carried unanimously.

#10-0102

Recommendation to approve the placement and installation of a memorial bench at Treasure Island Park along Florence Walk, to honor Betty Nelson.

It was moved by Commissioner Saltzgaver and seconded by Commissioner George to approve the recommendation. The motion carried unanimously.

#10-0103

Recommendation to authorize the Director of Parks, Recreation and Marine to execute all documents necessary to issue a facility use permit to Fitness Through Motion, Inc., for the provision and operation of an outdoor fitness program at Los Cerritos and Recreation Parks for a term of one year, with two one-year renewal options, at the discretion of the Director or his designee, beginning February 1, 2010.

President Satariano said Ms. Seema Gaur was here, if there were any questions.

Vice President Waterfield asked the age range of the attendees.

Ms. Gaur responded that they would be 18 and older.

Commissioner Saltzgaver asked if she had an idea on how many people would attend?

Ms. Gaur responded that they have no idea yet.

Mr. Squires said we think there is a pretty good market for this and may look to expand to other locations.

Vice President Waterfield asked about those without permit?

Mr. Squires responded that it continues to be a challenge to catch those who do not have a permit. We are working with the Marine Patrol to identify those groups. We will step up our enforcement and do not want those businesses to compete against those who have permits.

It was moved by Vice President Waterfield and seconded by Commissioner Saltzgaver to approve the recommendation. The motion carried unanimously.

V. COMMITTEE STATUS REPORTS

A. EXECUTIVE COMMITTEE
President Satariano, Chair

President Satariano said the committee met and discussed the agenda.

1) Commission Retreat

President Satariano said he felt the retreat went very well. Our focus seems to be getting better and we understand what areas we can help with.

Commissioner Saltzgaver asked if we managed to capture what has taken place? Do we have a record of what we said we are going to do?

Mr. Hester said he and Mr. Squires took notes and they would go through those.

President Satariano asked for bullet points from that day.

2) Announcement of Public Meeting concerning possible sports lights on El Dorado Park West soccer field #2.

There is a public meeting next Wednesday to hear AYSO's proposal.

Commissioner Saltzgaver said it is in the paper today.

President Satariano said that Councilwoman Schipske sent out an e-mail blast also.

Commissioner Sangmeister asked if they would be getting a packet before the meeting?

Mr. Hester said we could send the PowerPoint presentation.

Mr. Squires said it is not a complicated agreement. AYSO would be installing lights on the field at their complete cost. They will bring a contract to pull the permits, etc. There would be a 25-year service agreement attached to that. Once it would be installed, it would become an asset donated to the City. We are negotiating points in exchange for that. Some of the things we are talking about are a long-term field permit, etc. There is not much more attached to that agreement. They are going to be creating practice times and field space where there really is none now, because of the light. They will be creating anywhere from three to four hours of lighted field play that doesn't exist now, five days a week, for their kids. It is not going to create

incapacity for the Department because they will be the primary user during the season when there is the least amount of light.

Mr. Hester said the agreement is not completed yet. Questions can be asked during the meeting.

B. FINANCE AND APPEALS COMMITTEE
President Satariano, Chair

President Satariano said the Committee has not met recently. The statement is included in the packet.

Mr. Squires went over the statement.

C. PARK SAFETY COMMITTEE
Commissioner Saltzgaver, Chair

Commissioner Saltzgaver said the Committee did not meet. You saw what they have been working on in the last several months with the cameras in the parks. The park rangers report is included in the packet. We saw a full presentation from Maintenance Operations on the cameras.

Commissioner Sangmeister asked if there is a way to get a report on the statistic sheet on how the cameras are working?

Commissioner Saltzgaver said that this information comes directly from the park rangers and they are not tied to the cameras, so it would have to be a separate report.

D. MARKETING AND CUSTOMER SERVICE COMMITTEE
Commissioner Guerra, Chair

Commissioner Guerra said the Committee did not meet.

E. CAPITAL IMPROVEMENT AND INFRASTRUCTURE COMMITTEE
Vice President Waterfield, Chair

Vice President Waterfield said the Committee met this morning. Ms. Gonzalez shared the project status report update. She is keeping the committee informed on what projects are hot topics. It is a busy department.

Ms. Gonzalez distributed a document they discussed in the meeting listing all the active projects and went over what was discussed at the committee meeting.

President Satariano said one initiative that came out of the retreat was to make a commitment to redesign the subcommittees, to take a look at each one of them and make sure they are actually doing what is timely in 2010. Subcommittee chairmen should keep that in mind.

Vice President Waterfield said we discussed putting ourselves in position to speak to City Council about department challenges. We need to keep those lines of communication open.

F. **SPECIAL EVENTS AND RECREATION COMMITTEE**
Vice President Brett Waterfield, Chair

Vice President Waterfield said they have not met. They are scheduled for a meeting on February 10, at 3:00 p.m.

VI. **DIRECTOR'S REPORT TO COMMISSION**

A. Recommendation to receive and file the Director's Monthly Highlights Report for December 2009.

President Satariano said it always amazes him the amount of tonnage of trash removed from the beach.

Commissioner Guerra asked about the Daisy Lane Parade. Did we have the same amount of attendance?

Mr. Hester responded that Dave Ashman said there were a smaller amount of entrants. There was a bit of rain that evening and the number of attendees were slightly down.

Mr. Hester said this takes a tremendous amount of staff time and we are looking at changing the format, maybe just hitting the high points and photographs. We want to present something we can present to the public and this one is a bit cumbersome.

Mr. Squires said we are about a quarter away and Jane Grobaty has some ideas.

Commissioner Guerra asked if this could be viewed through the Marketing and Customer Service Committee?

Mr. Squires said that would be a good place to bring this back to.

It was moved by Commissioner Saltzgaver and seconded by Commissioner Sangmeister to approve the recommendation. The motion carried unanimously.

VII. CORRESPONDENCE

President Satariano said that there was no correspondence.

VIII. UNFINISHED BUSINESS

President Satariano said there was no unfinished business. He said that maybe the March meeting would be a good time for the Commission to go to another location. We need to take into consideration the pre-meetings.

IX. NEW BUSINESS

President Satariano said there was no new business.

X. COMMENTS

A. AUDIENCE

President Satariano asked for comments from the audience. There were none.

B. STAFF

President Satariano asked for comments from staff.

Ms. Gonzalez said on Tuesday, at 11:00 a.m., the Rancho Los Cerritos groundbreaking would be held. She said that the Admiral Kidd Park Groundbreaking would be held on Saturday, February 6.

Mr. Squires said the retreat was great.

Mr. Arevalo said the storm is creating a lot of issues. We have 13 facilities that are leaking. Staff started cleaning the roofs about three weeks ago, when we heard about the upcoming storm. There are a lot of repairs ahead of us.

Commissioner Saltzgaver asked how the trees are holding up?

Mr. Arevalo said we lost 16 trees so far, mostly with shallow roots. Water is being pumped out of the lakes 24 hours a day. Staff was out at the peninsula all night. Staff has attended some seminars about beach erosion, which is helping.

President Satariano asked about Blair Field.

Mr. Arevalo said staff is in constant contact with CSULB about taking care of Blair Field.

Mr. Hester said the Martin Luther King, Jr. Parade was very successful. We should get the Parks and Recreation Commission in the parade next year. Sunday was the opening for the 14th Street skate park. Gladys Kaiser and staff put together a good event. Everyone was happy with that. There will be an issue coming forward to rename the park. PEG funds went to City Council from the fees on cable. We have been meeting with Technology Services staff to make sure the Department gets some of those funds. Ms. Nixon-Joiner is working with staff on looking to replace equipment at Houghton Park.

C. COMMISSIONERS

Commissioner Saltzgaver officially handed a letter to Mr. Hester. He announced that Phil Hester was officially named "Professional of the Year" by the California Association of Parks and Recreation Commissioners and Board Members. He said the meeting in San Clemente went well. About 25 people attended, mostly from that area.

President Satariano said the California Park and Recreation Society Conference will be held in Palm Springs and there would be a banquet honoring Mr. Hester at the dinner. He said he would drive out that afternoon.

Commissioner Guerra said he attended the skate park opening and his boys had a wonderful time. In another city, Glendale, they have a park that has a skate park in it and they offer hours during the day where the Parks and Recreation Department staff teaches skate boarding. Could we visit that and offer it as a contract class? I don't know what the liability is. They have a fence around the park with hours posted.

Ms. Nixon-Joiner responded that the Department has skating classes. We don't do them at the skate park. We have an instructor who brings his own elements and we are looking to expand the program and use the uptown community center parking lot.

Commissioner Guerra said there are now more requests for more skate parks because of how well this one went.

Commissioner Saltzgaver said when he first started on the Commission nine years ago, the first committee he was on discussed skate parks. They went around the entire city and discussed skate parks and who wanted what, where, when, why and how. There is a Commission approved list of priorities for new skate parks. It might be time to dust that off. I don't think 14th Street was on that list.

President Satariano said he went on Sunday with his son and appreciated the hospitality. Mike Donelon did a good job. He complemented Gladys Kaiser.

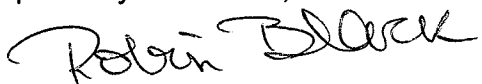
XI. NEXT MEETING

President Satariano stated that the next meeting would be held at 9:00 a.m., on Thursday, February 18, 2010, at the El Dorado Park West Community Center, in the Senior Center Library, 2800 Studebaker Road, Long Beach, California.

XIII. ADJOURNMENT

President Satariano adjourned the meeting at 9:59 a.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Robin Black". The signature is written in a cursive style with a large, sweeping initial "R".

Robin Black
Executive Assistant to the Director

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

Melani Smith, Chair
Charles Durnin, Vice-Chair



Becky Blair, Commissioner
Alan Fox, Commissioner
Leslie Gentile, Commissioner
Phil Saumur, Commissioner
Donita Van Horik, Commissioner

FINISHED AGENDA AND MINUTES

CALL TO ORDER (5:02 PM)

At 5:02 p.m., Chair Smith called the meeting to order.

ROLL CALL (5:02 PM)

Boardmembers Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie
Present: Fernald Gentile, Melani Smith, Donita Van Horik and Becky Blair

Also present: Larry Brugger, Superintendent of Building and Safety; Derek Burnham, Current Planning Officer; Jill Griffiths, Advance Planning Officer; Michael Mais, Assistant City Attorney; Ira Brown, Project Planner; Steven Valdez, Project Planner; Cuentin Jackson, Project Planner; Lynette Ferenczy, Project Planner; Heidi Eidson, Planning Bureau Secretary.

FLAG SALUTE (5:02 PM)

Commissioner Gentile led the flag salute.

MINUTES (5:03 PM)

09-063PL Recommendation to receive and file the Planning Commission minutes of November 19, 2009.

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

Yes: 7 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith, Donita Van Horik and Becky Blair

09-067PL Recommendation to receive and file the Planning Commission minutes of December 3, 2009.

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

Yes: 5 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Donita Van Horik and Becky Blair

Abstain: 2 - Leslie Fernald Gentile and Melani Smith

DIRECTOR'S REPORT (5:08 PM)

There was no Director's Report given.

Derek Burnham, Current Planning Officer, introduced Larry Brugger, Superintendent of Building and Safety.

PUBLIC PARTICIPATION (5:08 PM)

The was no public comment given.

SWEARING OF WITNESSES (5:08 PM)

Do you solemnly swear or affirm that the evidence you shall give in this Planning Commission Meeting shall be the truth, the whole truth, and nothing but the truth.

REGULAR AGENDA (5:09 PM)

1. 09-059PL Recommendation to approve a Conditional Use Permit to allow the installation of a roof-mounted telecommunications site consisting of six panel antennas, three microwave dishes and an equipment cabinet located at 4540 Orange Avenue within the R-4-N zone. (District 7) (Application No. 0907-08A)

Derek Burnham, Current Planning Officer, introduced Cuentin Jackson, Project Planner, who presented the staff report.

Derek Burnham responded to a query from Commissioner Saumur.

Derek Burnham responded to a query from Chair Smith.

Lynn Van Aken, applicant's representative, spoke.

Lynn Van Aken responded to a query from Commissioner Van Horik.

Eyal Shlomot, 216 Quincy Avenue, spoke.

Eyal Shlomot responded to a query from Chair Smith.

Derek Burnham and Lynn Van Aken responded to Mr. Shlomot's comment.

Lynn Van Aken responded to a query from Commissioner Durnin.

Lynn Van Aken responded to a query from Chair Smith.

Michael Mais, Assistant City Attorney, spoke.

Tony Rivera, Chair of West PAC, spoke.

Michael Mais responded to a query from Chair Smith.

Tony Rivera responded to Mr. Mais's comment.

Eyal Shlomot clarified his earlier comments.

Chair Smith spoke.

Derek Burnham spoke.

Commissioner Van Horik spoke.

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

Yes: 7 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith, Donita Van Horik and Becky Blair

2. 09-060PL

Recommendation to approve a Conditional Use Permit to allow a check cashing use at 1425 Magnolia Avenue located in the Light Industrial (IL) zoning district. (District 1) (Application No. 0904-04)

Derek Burnham, Current Planning Officer, introduced the item.

Steven Valdez, Project Planner, presented the staff report.

Derek Burnham responded to a query from Commissioner Fox.

A dialogue ensued between Derek Burnham and Commissioner Fox.

Derek Burnham responded to a query from Commissioner Saumur.

Derek Burnham and Steven Valdez responded to a query from Commissioner Blair.

Derek Burnham responded to queries from Commissioner Van Horik.

Steven Valdez responded to a query from Commissioner Van Horik.

Derek Burnham responded to a comment from Chair Smith spoke.

Derek Burnham responded to a query from Commissioner Saumur.

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

Yes: 7 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith, Donita Van Horik and Becky Blair

3. 09-062PL

Recommendation to approve a request for a modification to an approved permit to upgrade an unmanned telecommunication facility at the Gaytonia Apartment Building, a designated historic landmark located at 212 Quincy Avenue in the R-1-N zone. (District 3) (Application No. 0906-17)

Commissioner Gentile recused herself from the item.

Jill Griffiths, Advance Planning Officer, introduced Lynette Ferenczy, Project Planner, who presented the staff report.

Lynn Van Aken, applicant's representative, spoke.

Lynn Van Aken and Michael Mais, Assistant City Attorney, responded to a query from Commissioner Durnin.

Lynn Van Aken responded to queries from Commissioner Saumur.

Eyal Shlomot, 216 Quincy Avenue, spoke.

Staff responded to a query from Commissioner Van Horik.

Lynn Van Aken responded to public comment.

Chair Smith spoke.

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

Yes: 6 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Melani Smith, Donita Van Horik and Becky Blair

4. 09-064PL

Recommendation to certify an Environmental Impact Report and approve a Resolution with a Statement of Overriding Considerations; recommend approval of a Site Plan Review and Local Coastal Development Permit for rehabilitation of the Alamitos Bay Marina basins 1-7 located on the Peninsula, Naples Island, Marina Pacifica and Marina Drive. (District 3) (Application No. 0801-08)

Chair Smith and Commissioner Gentile recused themselves from the item.

Jill Griffiths, Advance Planning Officer, introduced the item.

Mark Sandoval, Manager of the Marine Bureau, introduced members of the Marine Bureau staff, LSA representatives and Marine Advisory Commissioners. He then presented the staff report.

Lynette Ferenczy, Project Planner, presented the Planning Bureau portion of the staff report.

Jill Griffiths, presented the environmental component of the staff report.

Mark Sandoval responded to queries from Commissioner Saumur.

Mark Sandoval responded to queries from Commissioner Van Horik.

Michael Lesner, 203 N. Marina Drive, spoke.

Harry Hutton, 3151 Marna Avenue, Chair of the Marine Advisory Commission, spoke.

Ron Wood, 241 The Toledo, Staff Commodore of the Alamitos Bay Yacht Club, spoke.

Jim Litzinger, 99 - 63rd Place, President of Long Beach Rowing Association, spoke.

Bob Ladd, 645 Chestnut, spoke.

Bill Waterhouse, 119 Bayshore Avenue, spoke.

Larry Goodhue, address on file, spoke.

John Cowess, no address given, spoke.

Willard May, 5875 Appian Way, President of the Long Beach Marine Institute, spoke.

Ron Warren, 12040 Paramount Boulevard, Commodore of the Navy Yacht Club, spoke.

Drew Satarino, no address given, Staff Commodore of the Long Beach Yacht Club, spoke.

Roger Gripe, 23467 Coyotes Springs Drive, Diamond Bar, spoke.

Jeff Dawson, no address given, Vice Commodore of the Seal Beach Yacht Club, spoke.

Alfredo Fernandez, 293 N. Marina Drive, Long Beach Marina Boat Owners Association, spoke.

Michael Larrison, no address given, spoke.

Alfredo Fernandez responded to a query from Commissioner Saumur.

A dialogue ensued between Mark Sandoval and Commissioner Saumur.

Mark Sandoval responded to public comment.

Mark Sandoval responded to a query from Commissioner Van Horik.

Commissioner Fox spoke.

A motion was made by Commissioner Blair, seconded by Commissioner Saumur, to approve the recommendation including the adoption of a Mitigation Monitoring and Reporting Program. The motion carried by the following vote:

Yes: 5 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Donita Van Horik and Becky Blair

5. 09-065PL Recommendation to recommend that the City Council amend Zoning Regulations governing truck transfer and distribution uses in the Industrial Zoning Districts to require a Conditional Use Permit and special development standards including landscaping buffers, adequate paving, parking-stall striping, sufficient lighting, and adequate screening from the public right-of-way. (Citywide) (Application No. 0810-13)

Derek Burnham, Current Planning Officer, introduced the item.

Steven Valdez, Project Planner, presented the staff report.

Derek Burnham spoke.

Derek Burnham and Michael Mais, Assistant City Attorney, responded to queries from Commissioner Van Horik.

A dialogue ensued between Derek Burnham and Commissioner Blair.

Tony Rivera, Chair of West PAC, spoke.

Tony Rivera responded to a query from Commissioner Saumur.

Tony Rivera responded to queries from Commissioner Durnin.

Paul Collins, 1415 Cota Avenue, spoke.

Paul Collins responded to a query from Chair Smith.

Ernest Rivera, West PAC, spoke and read a letter from Bill Townsend, President of the Magnolia Industrial Group.

A dialogue ensued between Derek Burnham and Commissioner Gentile.

Derek Burnham responded to queries from Commissioner Saumur.

Chair Smith spoke.

Michael Mais responded to queries from Commissioner Blair spoke.

Derek Burnham responded to a query from Commissioner Blair.

Commissioner Van Horik spoke.

Commissioner Durnin spoke.

Chair Smith spoke.

Commissioner Saumur spoke.

Derek Burnham spoke.

Michael Mais spoke.

Commissioner Gentile spoke.

Commissioner Blair spoke.

A motion was made by Commissioner Saumur, seconded by Commissioner Durnin, to continue the item to the Planning Commission meeting of January 21, 2010, to allow staff time to work with the community to draft development standards to bring back to the Planning Commission for consideration, not including a requirement for a Conditional Use Permit.

Yes: 7 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith, Donita Van Horik and Becky Blair

6. 09-066PL

Recommendation to approve finding of conformity with the adopted General Plan for the vacation of three alley portions between Argonne and Pomona Avenues. (District 3) (Application No. 121709-1)

(ITEM TAKEN OUT OF ORDER)

Derek Burnham, Current Planning Officer, introduced Ira Brown, Project Planner, who presented the staff report.

Ira Brown responded to a query from Commissioner Saumur.

Philip Balmeo, Public Works, responded to a query from Commissioner Van Horik.

A motion was made by Commissioner Gentile, seconded by Commissioner Durnin, to approve the recommendation. The motion carried by the following vote:

Yes: 7 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith, Donita Van Horik and Becky Blair

COMMENTS FROM THE PLANNING COMMISSION (8:52 PM)

Jill Griffiths and Derek Burnham responded to a query from Commissioner Saumur.

ADJOURNMENT (8:55 PM)

At 8:55 p.m., Chair Smith adjourned the meeting.

NEXT REGULAR MEETING: January 7, 2010 - 5:00 PM

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MINUTES
REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS
LONG BEACH, CALIFORNIA
DECEMBER 17, 2009

The Board of Water Commissioners of the City of Long Beach met in the Board Room of the Administration Building, 1800 E. Wardlow Road, Long Beach, California, on December 17, 2009.

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

PRESENT:	Paul Blanco	Commissioner
	Suzanne Dallman	Commissioner
	Frank Clarke	Commissioner
	John Allen	Commissioner
	Charles Parkin	Principal Deputy City Attorney
	Kevin L. Wattier	General Manager
	Sandra L. Fox	Secretary to the Board of Water Commissioners
	Robert C. Cheng	Deputy General Manager – Operations
	B. Anatole Falagan	Deputy General Manager – Business
	Matthew Lyons	Director, Planning & Conservation
	Matthew Veeh	Special Projects Officer
	Dynna Long	Office Administrator
ABSENT:	William B. Townsend	Commissioner (EXCUSED)

1. PLEDGE OF ALLEGIANCE

Matt Lyons led the Board and audience in the Pledge of Allegiance.

2. PUBLIC COMMENT

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

3. APPROVAL OF MINUTES

December 3, 2009

Upon motion by Commissioner Allen, seconded by Commissioner Dallman and unanimously carried, the minutes of the meeting of December 3, 2009 were unanimously approved.

Commissioner Allen noted incorrect date for minutes of November 19, 2009 was listed on December 17, 2009 agenda.

4. Public Hearing:

Open Public Hearing:

President Blanco opened the public hearing and reported the items for consideration were as follows: Adopt Resolution No. WD-1266 Amending and Restating Resolution No. WD-1232 which amends and restates the Water Conservation and Water Shortage Supply Plan, and Adopt Resolution No. WD-1267 Establishing the Base Prohibited Use of Water Charges for Violations of the Water Conservation and Water Shortage Supply Plan, and Authorize amendment of the Long Beach Water Department Rules, Regulations and Charges Governing Potable Water, Reclaimed Water, Sewer Service, and Water Conservation and Water Supply Shortage Plan (Rules and Regulations) adding Part 19 to the Rules and Regulations which amend and restate the rules and regulations for the enforcement of the Water Conservation and Water Shortage Supply Plan.

Charles Parkin, Principal Deputy City Attorney, reported the hearing was being conducted as a Public Hearing which was noticed pursuant to California Government Code Section 6066; copies of the advertisement and the dates of publication are contained within the file of the Long Beach Water Department.

Note: Commissioner Clarke joined the meeting at 7:05 p.m.

Introduction of public hearing items – Matthew Lyons, Director of Planning and Conservation:

Mr. Lyons reviewed the purpose of the Plan. He summarized Resolution WD-1266, and noted the expanded list of prohibited uses which were included in the revised resolution. He explained Resolution WD-1267 would establish the Base Prohibited Use of Water Charges for Violations of the Plan.

Mr. Lyons noted these changes would be incorporated in the Water Department's Rules and Regulations for enforcement of the Plan, and that the Board would be asked to take action on adding Part 19 to the Department's Rules and Regulations.

Public Comments:

President Blanco opened the public comment period. As there were no requests to address the Board on public hearing agenda items, the public comment period was closed.

Board Comments/Discussion:

Commissioner Allen suggested several changes to the language in Resolution WD-1266; Resolution WD-1267 and the Rules and Regulations. There was general discussion regarding these changes. The City Attorney advised the changes would be incorporated into the final documents.

Commissioner Allen questioned the need for additional Proposition 218 hearings. The City Attorney noted this change had been added by their office since it would be prudent to hold additional Proposition 218 hearings if rates were increased during Stage 1, Stage 2 or Stage 3 water supply shortages.

Commissioner Allen requested additional information related to the Hearing Officer noted in the updated Rules and Regulations Section 19. The City Attorney noted that the City Clerk's office maintains a list of available hearing officers who would be used if needed. The City Attorney noted this language would be added to the revised Section 19. of the Rules and Regulations.

It was moved by Commissioner Allen and seconded by Commissioner Dallman to adopt Resolution No. WD-1266 as amended during the public hearing, Amending and Restating Resolution No. WD-1232 which amends and restates the Water Conservation and Water Shortage Supply Plan.

President Blanco called for a Roll Call vote.

A roll call vote was taken as follows:

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

The motion carried unanimously.

It was moved by Commissioner Allen and seconded by Commissioner Dallman to adopt Resolution No. WD-1267 as amended during the public hearing, Establishing the Base Prohibited Use of Water Charges for Violations of the Water Conservation and Water Shortage Supply Plan.

President Blanco called for a Roll Call vote.

A roll call vote was taken as follows:

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

The motion carried unanimously.

It was moved by Commissioner Allen and seconded by Commissioner Dallman to authorize as amended at the public hearing, amendment of the Long Beach Water Department Rules, Regulations and Charges Governing Potable Water, Reclaimed Water, Sewer Service, and Water Conservation and Water Supply Shortage Plan (Rules and Regulations) adding Part 19 to the Rules and Regulations which amends and restates the rules and regulations for the enforcement of the Water Conservation and Water Shortage Supply Plan.

President Blanco called for a Roll Call vote.

A roll call vote was taken as follows:

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

The motion carried unanimously.

Close Public Hearing:

President Blanco closed the public hearing at 7:25 p.m.

5. REVIEW BOARD MEETING SCHEDULE FOR JANUARY 2009
• **Paul C. Blanco, President, Board of Water Commissioners**

The Board discussed the proposed meeting schedule for the month of January 2010.

The Board agreed to the following meeting schedule:

January 7, 2010	Regular Meeting – 9:00 A.M.
January 21, 2010	Regular Meeting – 7:00 P.M.

6. PRESIDENT'S REPORT

- **Paul C. Blanco, President, Board of Water Commissioners**

President Blanco reported that he and Commissioner Dallman had attended the Colorado River Water Users Association Conference December 9, 2009 – December 11, 2009 in Las Vegas, Nevada. President Blanco advised a major topic of discussion at the conference had been global warming and climate changes. President Blanco advised USBR Commissioner, Michael Connor had given a good presentation regarding the Bureau of Reclamation.

7. GENERAL MANAGER'S REPORT

Kevin L. Wattier, General Manager

COLORADO RIVER QSA – RECENT TENTATIVE RULING

Mr. Wattier provided a history of the Colorado River compact and water supply allocation.

He reported the Federal 4.4 Plan was set to establish 4.4 MAF as California's assured supplies, barring overall shortages on the Colorado River. He noted the QSA (Quantification Settlement Agreement of October 16, 2003) was to establish the basis for delivery surpluses on the river and to facilitate transfers between the California parties.

Mr. Wattier reported that on December 10, 2009, Judge Roland L. Candee of the Sacramento Superior Court issued a tentative ruling that, if adopted, would invalidate a series of accords that were intended to resolve disputes over the allocation of water from the Colorado River. He noted the court's ruling could jeopardize a whole network of agreements and water transfers executed in 2003 that would have reduced California's reliance on the waters of the Colorado River.

Mr. Wattier advised he expected the legal strategy to be used by the parties involved would be to seek a stay on this recent ruling.

8-STATION INDEX PRECIPITATION REPORT

Mr. Wattier reviewed the 8-Station Index precipitation report as of December 17, 2009. He noted that the current graph indicates that precipitation is below average, but still close to average for the year. He advised the Board that staff would be providing monthly drought update reports beginning in January 2010.

LEGAL SETTLEMENT

Mr. Wattier reported that the Long Beach Water Department (along with the State of California and numerous public water agencies) had received a legal settlement in the amount of \$222,770.45 from the James Jones Company. He noted a class action civil suit had been filed to recover damages and civil penalties. The James Jones Company was found to have sold and delivered substandard water works components which did not comply with Bid Specification WD-5-01 and part of Agreement WD-1836.

8. CONSENT CALENDAR

President Blanco asked the Board if any items were being pulled from the Consent Calendar for separate discussion and a vote.

It was moved by Commissioner Allen and seconded by Commissioner Dallman to approve Consent Calendar items 8a., 8b. and 8c. These items were unanimously approved.

8a. Approval of Transfer of Funds by Journal Entry Dated December 17, 2009

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

8b. Adopt Specifications WD-15-09 and authorize the General Manager to execute an agreement with Pacific Building Care (PBC) to provide janitorial services in an amount not to exceed \$135,000 for a period of one year and to exercise the options to renew during two additional one-year periods for amounts not to exceed 2% for each renewal period

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

8c. Adopt Specifications WD-19-09 and authorize the General Manager to execute an Agreement with Lucier Chemical Industries Ltd, dba LCI, Ltd, to furnish and deliver hydrofluosilicic acid in an amount not to exceed \$177,375.00 for a period of one year, and to exercise the options to renew during two additional one-year periods as long as the renewal price does not increase by more than 10 percent

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

- 9. Authorize the General Manager to execute an Agreement with Carpi, Clay & Smith, for Federal Liaison and Advocacy Services for the period beginning January 1, 2010 and ending December 31, 2010, with an option to extend the Agreement for one year**
- **Matthew Veeh, Acting Director of Government & Public Affairs**

Mr. Veeh noted retention of services for lobbying at the Federal and State levels by executing new agreements with Carpi, Clay & Smith for federal liaison and advocacy services; and Michael J. Arnold and Associates for State legislative and advocacy services.

He noted the efforts of Carpi, Clay & Smith in assisting in obtaining funding for desalination and reclaimed water projects, and also their assistance in LBWD receiving stimulus package funds.

Mr. Veeh reported their new agreement contained the same terms as their previous year's agreement.

It was moved by Commissioner Allen and seconded by Commissioner Dallman to Authorize the General Manager to execute an Agreement with Carpi, Clay & Smith, for Federal Liaison and Advocacy Services for the period beginning January 1, 2010 and ending December 31, 2010, with an option to extend the Agreement for one year.

Commissioner Allen commented positively on the work of this agency.

President Blanco for the question and a vote. Agenda item 9. was unanimously approved.

- 10. AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT WITH MICHAEL J. ARNOLD AND ASSOCIATES, FOR STATE LEGISLATIVE AND ADVOCACY SERVICES FOR THE PERIOD OF JANUARY 1, 2010 THROUGH DECEMBER 31, 2010, WITH AN OPTION TO EXTEND THE AGREEMENT FOR ONE YEAR**
- **Matthew R. Veeh, Acting Director of Government & Public Affairs**

Mr. Veeh noted that Michael J. Arnold and Associates were helpful in deliberations regarding the recent State Water Package, and removing language detrimental to LBWD's conservation efforts.

Mr. Veeh reported their new agreement contained the same terms as their previous year's agreement.

It was moved by Commissioner Dallman and seconded by Commissioner Clarke to Authorize the General Manager to execute an Agreement with Michael J. Arnold and Associates, for State Legislative and Advocacy Services for the period of January 1, 2010 through December 31, 2010, with an option to extend the Agreement for one year.

President Blanco called for the question and a vote. Agenda item 10. was unanimously approved.

11. LEGISLATIVE ISSUES/ACTIONS/BILLS

• **Matthew Veeh, Acting Director of Government & Public Affairs**

Mr. Veeh reported the House and the Senate had both passed a \$1.1 Trillion Omnibus package of bills that cover Transportation, HUD, Commerce/Justice/Science, Financial Services, Labor/Health & Human Services/Education, Military/VA an State and Foreign operations. He noted this package had moved to the President for final passage. He advised that Defense Appropriations were being carried by itself and had passed the House, but not the Senate as yet.

Mr. Veeh reported that H.R. 4349 (Napolitano) and companion bill, S 2891 (Reid), known as the Hoover Power Allocation Act had been introduced on December 16, 2009. He advised this Act would extend the Hoover Power allocations from 2017 to 2067. He advised this was important because the Metropolitan Water District (MWD) is the biggest user of the power, and giving them an extension on their allocation would help to keep their costs down and stable, benefiting all of their member agencies. He noted that at the January 7th board meeting staff would be asking that the Board take a policy position on this legislation.

12. REPORT OF THE METROPOLITAN WATER DISTRICT (MWD) BOARD MEETING ON DECEMBER 8, 2009

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

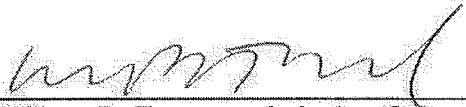
Mr. Wattier reported that the MWD board had authorized an agreement with the State Water Contractors, Inc. to pursue up to 100,000 acre-feet of Central Valley water transfer agreements for 2010, and approved providing an initial administrative deposit under the agreement (\$5.00/acre foot).

13. NEW BUSINESS

The Board Secretary, Sandy Fox reminded the Board to calendar, Thursday, January 21, 2010 at 6:30 P.M. for board photos.


14. ADJOURNMENT

There being no further business to come before the Board, President Blanco adjourned the meeting at 7:50 p.m. to the next regular meeting of the Water Commission to be held January 7, 2010, in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California.



William B. Townsend, Acting Secretary

Attest:



Paul C. Blanco, President

MINUTES
 REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS
 LONG BEACH, CALIFORNIA
 JANUARY 7, 2010

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 January 7, 2010.

The meeting was called to order at 9:00 a.m. by President Blanco.

PRESENT:	Paul Blanco	Commissioner
	Suzanne Dallman	Commissioner
	William B. Townsend	Commissioner
	John Allen	Commissioner
	Charles Parkin	Principal Deputy City Attorney
	Kevin L. Wattier	General Manager
	Sandra L. Fox	Secretary to the Board of Water Commissioners
	Robert C. Cheng	Deputy General Manager – Operations
	B. Anatole Falagan	Deputy General Manager – Business
	Paul T. Fujita	Director of Finance
	Matthew P. Lyons	Director, Planning & Conservation
	Isaac C. Pai	Director of Engineering
	Eric Leung	Director of Water Resources
	Matthew R. Veeh	Director of Government & Public Affairs
	Robert Verceles	Division Engineer
	Melissa L. Keyes	Administrative Analyst III/Special Projects Coordinator
	Dynna Long	Office Administrator
	Ken Bott	Administrative Officer
	Terry McAlpine	Administrative Analyst III
	Joyce Barkley	Water Conservation Specialist
	Patricia Robinson	Administrative Analyst III
	Cynthia Andrews-Tate	Laboratory Services Supervisor
	Daniel Cardoza	Conservation Intern

ABSENT: Frank Clarke Commissioner - EXCUSED

1. PLEDGE OF ALLEGIANCE

Paul Blanco led the Board and audience in the Pledge of Allegiance.

2. PUBLIC COMMENT

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

3. PRESIDENT'S REPORT

- **Paul C. Blanco, President, Board of Water Commissioners**

President Blanco advised that Commissioner Clarke was unable to attend the January 7, 2010 board meeting. He advised he would be excused under New Business.

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

DECEMBER 2009 WATER CONSERVATION

Mr. Wattier reported that December 2009 water conservation was 18-1/2 percent below the 10-year average for December, but not as low as last year.

METROPOLITAN WATER DISTRICT (MWD) RATE INCREASE

Mr. Wattier advised that MWD planned to set a 12.6 percent rate increase effective January 2011. He noted this was below last year's forecasted rate increase of 21 percent, due to favorable economic circumstances. However, he reported low State Water supplies could affect this 12.6 percent increase. He noted the MWD Board would begin debate regarding this matter on Monday, January 11, 2010 and that the rate was to be set in March 2010.

WEST BASIN JUDGMENT; CENTRAL BASIN GROUNDWATER CASE

Mr. Wattier reported that the Long Beach Water Department along with the other moving parties had received a favorable ruling from Judge Aragon in the West Basin case on January 4, 2010, to amend the West Basin groundwater judgment.

Mr. Parkin indicated there was a possibility that the ruling would be appealed by the losing parties.

Mr. Parkin provided a brief update on other legal matters, indicating that a preliminary hearing in the Central Basin groundwater case would be held on January 15, 2010, and the CEQA case relating to the Central Basin groundwater case will be held on January 25, 2010.

5. CONSENT CALENDAR

President Blanco asked the Board if any items were being pulled from the Consent Calendar for separate discussion and a vote.

It was moved by Commissioner Allen and seconded by Commissioner Dallman to approve Consent Calendar items 5a. – 5d.

Commissioner Dallman requested clarification regarding the increased dollar amount for Consent item 5b. Dr. Cheng provided a briefing regarding this item.

President Blanco asked if there were any further questions or discussion regarding the Consent Calendar items. Hearing none, he called for the vote. Consent Calendar items 5a. – 5d. were unanimously approved.

5a. Approval of Transfer of Funds by Journal Entry Dated January 7, 2010

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

5b. Authorize the General Manager to increase the existing purchase order BPWA09000083, with Weck Analytical Environmental Services by \$105,000 (total amount not to exceed \$185,000) to provide specialized water quality testing associated with the Seawater Desalination Research program and other required compliance monitoring for the two-year contract period from April 15, 2008 to April 14, 2010

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

5c. Authorize the General Manager to execute a five-year lease agreement with Corix Utilities, Inc. (US) for 1,000 square feet of office space and parking for 37 vehicles at 2400 E. Spring Street, Long Beach, 90806, site of the Long Beach Gas and Oil Department (LBGO) headquarters on Long Beach Water Department (LBWD) property

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

5d. Adopt Specifications WD-18-09 and authorize the General Manager to execute an agreement with Airgas Specialty Products, Inc. to furnish and deliver aqua ammonia (19.5% solution) in an amount not to exceed \$30,166.50 for a period of one year, and to exercise the options to renew during two additional one-year periods as long as the renewal price does not increase by more than 10 percent

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

6. ADOPT RESOLUTION WD-1268 TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT WITH THE CITY OF LONG BEACH AND AUTHORIZE THE GENERAL MANAGER TO ENTER INTO AN AGREEMENT WITH SULLY-MILLER CONTRACTING COMPANY (SULLY-MILLER) FOR FURNISHING AND DELIVERING SERVICE FOR STREET REPAIRS AND MINOR IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$2,500,000 FOR A PERIOD OF ONE YEAR

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

Dr. Cheng provided an overview of the LBWD history regarding using Sully Miller for street repairs. He noted that the City has usually taken the lead on this contract, since LBWD's need for this type of service is much smaller than that of the City. He reported that the City contract (which LBWD was a party to) had expired on December 31, 2009, and the City is in the process of soliciting quotations for a new contract. Dr. Cheng explained in order to minimize delays for street pavement restoration resulting from repairing mainline breaks, staff was recommending that services with Sully-Miller be continued for one year while LBWD examines options for future street-paving contracts.

Commissioner Townsend inquired if the requested not to exceed amount was sufficient to cover LBWD's pavement restoration for one year. Dr. Cheng confirmed yes, the requested amount was based on historical data.

It was moved by Commissioner Allen and seconded by Commissioner Dallman to Adopt Resolution WD-1268 to enter into a Cooperative Purchasing Agreement with the City of Long Beach and authorize the General Manager to enter into an agreement with Sully-Miller Contracting Company (Sully-Miller) for furnishing and delivering service for street repairs and minor improvements for an amount not to exceed \$2,500,000 for a period of one year.

President Blanco called for a Roll Call vote.

A roll call vote was taken as follows:

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

7. ADOPT A POLICY POSITION ON H.R. 4349, THE HOOVER POWER ALLOCATION ACT, BY CONGRESSWOMAN GRACE NAPOLITANO (D-NORWALK), CHAIRWOMAN OF THE NATURAL RESOURCES SUBCOMMITTEE ON WATER AND POWER, UNITED STATES HOUSE OF REPRESENTATIVES, AND COMMUNICATE SUPPORT TO THE UNITED STATES CONGRESS

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

Mr. Veeh provided background history regarding the allocation of electrical power from Hoover Dam. He reviewed objectives of the Act, and noted the benefits to the Metropolitan Water District and its member agencies.

It was moved by Commissioner Allen and seconded by Commissioner Townsend to Adopt a policy position on H.R. 4349, the Hoover Power Allocation Act, by Congresswoman Grace Napolitano (D-Norwalk), Chairwoman of the Natural Resources Subcommittee on Water and Power, United States House of Representatives, and communicate support to the United States Congress.

President Blanco asked if there were any further questions or discussion regarding this agenda item. Hearing none, he called for the vote. Agenda item 7. was unanimously approved.

8. LEGISLATIVE ISSUES/ACTIONS/BILLS

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

Mr. Veeh provided an overview of the Federal Jobs for Main Street Act of 2010. He noted this Act redirects unallocated Troubled Asset Relief Program (TARP) funds to targeted areas to fund infrastructure and job investments to further stabilize jobs and provide additional emergency funding to help families who are suffering during the longest and deepest economic downturn since the Great Depression.

Mr. Veeh commented on Governor Schwarzenegger's 2010 State of the State address and provided copies of the speech transcript to the Board members. He noted the Governor reported that California faces a \$19.9 billion deficit - \$6.6 billion for the rest of this budget year, and \$13.3 billion for upcoming budget year.

Mr. Veeh reported that Department of Water Resources Director, Lester Snow, had been recently been appointed the new Secretary for the California Natural Resources Agency. Mr. Veeh advised that Mr. Mark Cowin (twenty-nine years with DWR) had been appointed the new Director of the Department of Water Resources.

9. NEW BUSINESS

President Blanco called for a motion to excuse Commissioner Clarke from the January 7th, 2010 board meeting.

It was moved by Commissioner Allen, seconded by Commissioner Dallman, and unanimously approved to excuse Commissioner Clarke from the January 7, 2010 board meeting.

Commissioner Townsend thanked Dr. Cheng for the presentation he made on December 8, 2009 to the Harbor Association of Industry and Commerce regarding the Long Beach Water Department desalination research program.

President Blanco appointed William B. Townsend as Acting Secretary for the January 7, 2010 board meeting since Commissioner Clarke was excused from the January 7, 2010 meeting.

**10. BOARD OF WATER COMMISSIONERS ADJOURN TO CLOSED SESSION -
(ONE MATTER)**

A. CONFERENCE WITH LEGAL COUNSEL, pursuant to 54956.9 (b) of the California Government Code - ANTICIPATED LITIGATION
One Matter

President Blanco called for public comment regarding the closed session topic. Hearing none he adjourned the Board to the closed session.


The Board adjourned to the closed session at 9:36 a.m.

The Board reconvened at 9:47 a.m.

President Blanco advised no action had been taken during the closed session.

11. ADJOURNMENT

There being no further business to come before the Board, President Blanco adjourned the meeting at 9:48 a.m. to the next regular meeting of the Water Commission to be held January 21, 2010, in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California.



William B. Townsend, Acting Secretary

Attest:



Paul C. Blanco, President

MINUTES
REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS
LONG BEACH, CALIFORNIA
JANUARY 21, 2010

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 January 21, 2010.

The meeting was called to order at 7:03 p.m. by President Blanco.

PRESENT:	Paul Blanco	Commissioner
	Suzanne Dallman	Commissioner
	William B. Townsend	Commissioner
	John Allen	Commissioner
	Charles Parkin	Principal 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
	Matthew Lyons	Director, Planning & Conservation
	Eric Leung	Director of Water Resources
	Matthew Veeh	Director of Government & Public Affairs
	Joyce Barkley	Water Conservation Specialist

ABSENT:	Frank Clarke	Commissioner (EXCUSED)
	Robert C. Cheng	Deputy General Manager – Operations

1. PLEDGE OF ALLEGIANCE

John Allen led the Board and audience in the Pledge of Allegiance.

2. PUBLIC COMMENT

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

3. APPROVAL OF MINUTES

December 3, 2009 & January 7, 2010

Upon motion by Commissioner Allen, seconded by Commissioner Dallman and unanimously carried, the minutes of the meetings of December 17, 2009 and January 7, 2010 were unanimously approved.

Commissioner Dallman noted printing error under Adjournment section for the January 7, 2010 minutes.

4. REVIEW BOARD MEETING SCHEDULE FOR FEBRUARY 2010
• **Paul C. Blanco, President, Board of Water Commissioners**

The Board discussed the proposed meeting schedule for the month of February 2010.

The Board agreed to the following meeting schedule:

February 4, 2010	Regular Meeting – 9:00 A.M.
February 18, 2010	Regular Meeting – 7:00 P.M.

5. PRESIDENT'S REPORT
• **Paul C. Blanco, President, Board of Water Commissioners**

President Blanco reported that Commissioner Clarke would be absent from the January 21, 2010 board meeting. He noted Commissioner Clarke would be excused under New Business.

President Blanco appointed William B. Townsend as Acting Secretary for the January 21, 2010 board meeting.

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

ROBERT C. CHENG ACCIDENT UPDATE

Mr. Wattier provided an update on Robert Cheng's condition and provided general information regarding the incident that occurred at the Storm Pumping station near Lakewood and Spring Street the morning of January 21, 2010.

COLORADO RIVER QUANTIFICATION SETTLEMENT AGREEMENT RULING UPDATE

Mr. Wattier advised that the Judge had finalized the tentative ruling he made December 10, 2009, that could invalidate a series of accords that were intended to resolve disputes over the allocation of water from the Colorado River under the Colorado River QSA. He noted the court's ruling could jeopardize a whole network of agreements and water transfers executed in 2003 that would have reduced California's reliance on the waters of the Colorado River.

Mr. Wattier noted there was a 30-day appeal process related to this ruling. He advised he expected the decision to possibly be stayed one to two years.

7. CONSENT CALENDAR

President Blanco asked the Board if there was any discussion regarding the one Consent Calendar item. Hearing none, he called for a motion.

It was moved by Commissioner Allen and seconded by Commissioner Dallman to approve Consent Calendar item 7a. This item was unanimously approved.

7a. Approval of Transfer of Funds by Journal Entry Dated January 21, 2010

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

8. AUTHORIZE THE CREATION AND IMPLEMENTATION OF THE WATER CONSERVATION TURF REPLACEMENT PROGRAM

- **Matthew P. Lyons, Director of Planning and Conservation**

Mr. Wattier provided opening remarks regarding the program noting that the goal of the Long Beach Water Department was to instill a permanent change in behavior regarding water conservation. He noted the following: 1) Advised that staff had seen a leveling off for water conservation, at a peak rate of 17.5%; 2) He reported staff expected this proposed program may deliver additional awareness of the need for water conservation with water customers.

Mr. Lyons provided additional background regarding the program as follows: 1) Noted that landscape use at single family residences is a major area for conservation opportunities; 2) He summarized the extent of current conservation outreach activities and programs used to reduce landscape irrigation.

He then outlined the main aspects of the proposed Turf Replacement Program as follows: 1) Customers would sign up for the program via LBWD website; 2) Promotion for the program will begin in the near future; 3) Program would end once the \$250,000 program funds had been used; 4) Permanent reduction in water demand by promoting the importance of replacing grass lawns with drought tolerant landscapes; 5) By "seeding" neighborhoods with examples of beautiful non-turf landscapes.

There was general discussion by board members regarding program details such as an interest for this type of program; no reimbursement for artificial turf – program restricted to replacement of grass lawns with drought-tolerant plantings only; no eligibility for this program for applicants who are city employees or employees of the Long Beach Water Department.

Mr. Lyons explained applicants for this program would need to comply with the following guidelines: 1) Require online training for design of project; 2) Applicants would need to submit their landscaping plan in writing, including plantings to be used; 3) Landscape design plans would then need to be authorized by staff before any changes could be made; 4) Applicants would be reimbursed upon completion and inspection of replacement plan.

It was moved by Commissioner Dallman and seconded by Commissioner Townsend to Authorize the creation and implementation of the Water Conservation Turf Replacement Program.

President Blanco called for the question and a vote. Agenda item 8. was unanimously approved.

9. AUTHORIZE THE GENERAL MANAGER TO EXECUTE AGREEMENTS WITH OTHER PARTIES TO THE CENTRAL BASIN GROUNDWATER JUDGMENT TO LEASE UP TO 4,000 ACRE FEET OF PUMPING RIGHTS IN THE 2009-2010 WATER YEAR, AT A UNIT PRICE NOT TO EXCEED \$125.00 PER ACRE FOOT, FOR A TOTAL PRICE NOT TO EXCEED \$500,000

- **Eric Leung, Director of Water Resources**

Kevin Wattier provided a briefing regarding this matter. He noted there was a unique situation this year in the Central Basin, where many parties are experiencing full "accounts" in the groundwater basin. He advised that LBWD has the potential to be the only entity in the basin with the ability to lease rights in the basin due to the lower amounts of carryover for LBWD.

He noted there is the potential for this market to soon develop, enabling LBWD to market and negotiate with sellers, all the way up to July 2010, when these accounts will lose water.

Commissioner Allen asked for an explanation regarding spilling of accounts. Mr. Wattier explained the potential loss of carryover for other parties sets up an opportunity to lease this water and place it in LBWD's carryover account.

It was moved by Commissioner Allen and seconded by Commissioner Dallman to Authorize the General Manager to execute agreements with other Parties to the Central Basin Groundwater Judgment to lease up to 4,000 acre feet of pumping rights in the 2009-2010 water year, at a unit price not to exceed \$125.00 per acre foot, for a total price not to exceed \$500,000.

President Blanco called for the question and a vote. Agenda item 9. was unanimously approved.

10. PUBLICATION OF BOARD MEETING INFORMATION ON WATER DEPARTMENT NEWSLETTER

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

Mr. Veeh reviewed the January 2010 9OH2O LBWD newsletter (utility bill stuffer), and advised the Board that per their request, information regarding the Board meetings; location and website information had been included in the newsletter. He noted this information would be included on all future LBWD newsletter publications.

11. LEGISLATIVE ISSUES/ACTIONS/BILLS

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

Mr. Veeh provided a summary of the proposed State budget. He noted the magnitude of the State budget shortfall; explained factors contributing to the shortfall and noted proposed budget solutions by category.

He reported a fiscal emergency had been proclaimed on January 8, 2010. He advised the Legislature has 45 days from the date of the proclamation (until February 22, 2010) to pass and send the Governor a bill, or bills that will address and correct the fiscal emergency situation. He noted the Legislature cannot adjourn or act on any other legislation without resolving the fiscal emergency.

12. DROUGHT UPDATE

- **B. Anatole Falagan, Deputy General Manager - Business**

Mr. Falagan provided a drought update briefing which included: 1) Imported water supply update; 2) Summary of annual demands (water conservation response – Long Beach currently trending at 16.9% conservation); 3) Precipitation outlook for Northern California, Southern California and the Colorado Basin; 4) Reviewed timeline of actions in 2009-2010 that have affected (or will affect) water supply outlook (State water project allocation; biological opinions on Delta Smelt, Longfin Smelt and Salmon; State Water Project and Central Valley Project pumping curtailed due to environmental restrictions).

13. REPORT OF THE METROPOLITAN WATER DISTRICT (MWD) BOARD MEETING ON JANUARY 12, 2010

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

Mr. Wattier reported that the MWD board had begun their rate setting process. He noted they had set a March public hearing date and received a report on proposed revenue requirements, and water rates and charges for the 2010/11 fiscal year. He reported the board also directed MWD staff to draft a change to the Metropolitan Administrative Code providing that future votes for adoption of new rates and charges should take place in April of each year.

14. NEW BUSINESS

It was moved by Commissioner Allen, seconded by Commissioner Dallman, and unanimously approved to excuse Commissioner Clarke from the January 21, 2010 board meeting.

15. ADJOURNMENT

There being no further business to come before the Board, President Blanco adjourned the meeting at 8:11 p.m. to the next regular meeting of the Water Commission to be held February 4, 2010, in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California.


Frank Clarke, Secretary

Attest:


Paul C. Blanco, President