

**LONG BEACH CIVIL SERVICE COMMISSION  
F. PHIL INFELISE, PRESIDENT  
DECEMBER 15, 2010**

The regular meeting of the Civil Service Commission was held at 8:00 a.m., Wednesday, December 15, 2010, in the Board Room of the Commission, 333 West Ocean Boulevard, Seventh Floor, Long Beach, California.

**MEMBERS PRESENT:** F. Phil Infelise, Jeanne Karatsu, Carolyn Smith Watts  
Charles Hicks Jr., Gerald Good

**MEMBER EXCUSED:**

**OTHERS PRESENT:** Mario R. Beas, Executive Director & Secretary  
Melinda George, Deputy Director  
Marilyn Hall, Executive Assistant  
Salvador Ambriz, Personnel Analyst  
Caprice McDonald, Personnel Analyst  
Robert Pfingsthorn, Personnel Analyst  
Lourdes Ferrer, Personnel Analyst  
Donna de Araujo, Assistant Administrative Analyst  
Debbie Mills, Director of Human Resources

**President F. Phil Infelise presided.**

**MINUTES:** It was moved by Commissioner Good, seconded by Commissioner Karatsu and carried that the minutes of the regular meeting of December 8, 2010, be approved as prepared. The motion carried by a unanimous roll call vote.

**CONSENT CALENDAR (2-6)** It was moved by Commissioner Good, seconded by Commissioner Hicks and carried that the Consent Calendar items be approved. The motion carried by a unanimous roll call vote.

**EXAMINATION RESULTS:** Request to approve examination results.  
  
Marina Agent – 37 Applied, 8 Qualified  
Senior Civil Engineer – 40 Applied, 26 Qualified  
Senior Engineering Technician – 4 Applied, 3 Qualified

**The motion was made to approve on Consent Calendar.**

**RETIREMENTS:**

Request to receive and file retirements.

Thurmond Miller/Customer Services Supervisor I/Financial Management

TT Thackerson/General Maintenance Supervisor II/Long Beach Gas & Oil

Joseph Hahn/Firefighter/Fire

**The motion was made to receive and file on Consent Calendar.**

**RESIGNATIONS:**

Request to receive and file resignations.

Kimberly Glapion/Library Clerk I/Library

Raul Urtez/Water Utility Mechanic I/Water

Sokona Chap/Police Services Specialist III/Police

Mohideen Buharie/Civil Engineering Assistant/Water

**The motion was made to receive and file on Consent Calendar.**

**TRANSFER:**

**APRIL SILVERSTEIN/CUSTOMER SERVICE REPRESENTATIVE II/DEVELOPMENT SERVICES TO CUSTOMER SERVICE REPRESENTATIVE III/FINANCIAL MANAGEMENT**

Request to approve transfer.

**The motion was made to approve transfer on Consent Calendar.**

**SCHEDULE FOR HEARING:**

**DISABILITYU RETIREMENT APPEAL 18-DR-910 – March 17, 2011**

Request to approve hearing schedule.

**The motion was made to approve hearing schedule on Consent Calendar.**

**DISCUSSION ON THE ELIMINATION OF STAFF REPORTS FOR AGENDA ITEMS:**

The Secretary stated the item for the elimination of staff reports for agenda items is up for discussion. It was moved by Commissioner Good, seconded by Commissioner Hicks and carried to eliminate the requirement for staff reports prepared with agenda items and communicate to department heads what is required to submit a complete

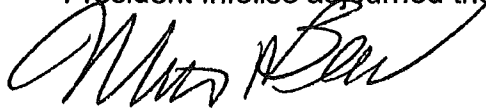
request for Commission action. Commissioner Karatsu questioned, with departments being specific in their request, will staff need to create a new form for requests. Commissioner Good indicated that a memo could be sent to departments with the steps required for a complete request. The Secretary stated that Civil Service staff would establish guidelines relating to the requests, because some requests are routine and some are more complex. He also stated that there might be times when a staff report is needed for more complex requests. The Secretary requested the Commission give staff some time to establish guidelines for requests for Commission action. He stated that staff would continue to do the investigation of facts for requests to confirm the accuracy of the information provided in the requests. The motion to eliminate staff reports for agenda items and require departments to submit completed requests was approved by a unanimous roll call vote.

**MANAGERS' REPORT:**

The Secretary informed the Commission that staff met with the Police Chief Jim McDonnell on last Friday regarding the Police Recruit examination. He stated that staff would be taking a different approach and more than likely be using the California POST examination for entry level Police Recruit. He stated that research needs to be conducted to determine the success of other agencies using the California Post examination.

**ADJOURNMENT:**

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



MARIO R. BEAS  
Secretary

MRB:meh

**LONG BEACH CIVIL SERVICE COMMISSION  
F. PHIL INFELISE, PRESIDENT  
JANUARY 5, 2011**

The regular meeting of the Civil Service Commission was held at 8:00 a.m., Wednesday, January 5, 2011, in the Board Room of the Commission, 333 West Ocean Boulevard, Seventh Floor, Long Beach, California.

**MEMBERS PRESENT:** F. Phil Infelise, Carolyn Smith Watts, Charles Hicks Jr., Gerald Good

**MEMBER EXCUSED:** Jeanne Karatsu

**OTHERS PRESENT:** Mario R. Beas, Executive Director & Secretary  
Melinda George, Deputy Director  
Marilyn Hall, Executive Assistant  
Salvador Ambriz, Personnel Analyst  
Caprice McDonald, Personnel Analyst  
Robert Pfingsthorn, Personnel Analyst  
Lourdes Ferrer, Personnel Analyst  
Donna de Araujo, Assistant Administrative Analyst  
Ken Walker, Personnel Operations Manager, Human Resources

**President F. Phil Infelise presided.**

President Infelise requested a moment of silence in memory of former Civil Service Commissioner Mary Islas.

**MINUTES:** It was moved by Commissioner Good, seconded by Commissioner Smith Watts and carried that the minutes of the regular meeting of December 15, 2010, be approved as prepared. The motion carried by a unanimous roll call vote.

It was moved by Commissioner Smith Watts, seconded by Commissioner Hicks and carried that Suspension Appeal 13-S-910 hearing minutes of December 15, 2010, be approved as prepared. The motion carried by a unanimous roll call vote.

**CONSENT CALENDAR (2-4)** It was moved by Commissioner Good, seconded by Commissioner Smith Watts and carried that the Consent Calendar items be approved. The motion carried by a unanimous roll call vote.

**EXTENSION OF EXPIRING ELIGIBLE LISTS:** Request to extend the following eligible list for an additional six months:

Airport Operations Specialist  
Assistant Administrative Analyst (3 months)  
Civil Engineer (7/15/09 & 7/29/09)  
Environmental Specialist Assistant  
Environmental Specialist Associate  
Firefighter – Lateral  
Helicopter Mechanic  
Petroleum Engineering Associate  
Police Officer – Lateral (7/14/10, 7/21/10)  
Program Scheduler  
School Guard  
Senior Combination Building Inspector  
Senior Electrical Inspector  
Senior Program Manager – Water (7/8/09, 7/15/09)  
Special Services Officer (1/6/10, 7/22/09)  
Supervisor - Stores & Property (3 months)  
Supervisor - Facilities Maintenance  
Transportation Planner

**The motion was made to approve request on Consent Calendar.**

**RETIREMENTS:**

Request to receive and file retirements.

Carolyn Hotze/Customer Service Representative  
III/Financial Management  
Randal Grimm/Fire Captain/Fire  
Steven Jensen/Firefighter/Fire  
Richard Finken/Petroleum Engineer II/Long Beach Gas &  
Oil  
Robert Bossler/Public Safety Dispatcher I/Police  
Marc Cobb/Police Sergeant/Police  
Rosalia Descargar/School Guard/Police  
Irma Garcia/School Guard/Police  
Manuel Lara/Forensic Specialist II/Police  
Dale Mukanos/Police Corporal/Police  
Craig Ogata/Forensic Specialist/Police  
George Reno/Police Sergeant/Police  
Catherine Gelder/Street Landscaping Supervisor I/Public  
Works  
Arthur Marquardt/Water Treatment Operator III/Water

**The motion was made to receive and file on Consent Calendar.**

**RESIGNATIONS:**

Request to receive and file resignations.

Michelle Hendricks/Public Safety Dispatcher I/Police  
Eric Swavely/Ambulance Operator/Fire  
James Cruz/Ambulance Operator/Fire

**The motion was made to receive and file on Consent Calendar.**

**REQUEST TO FILE LATE APPLICATIONS:**

**WATER UTILITY SUPERVISOR**

The Secretary presented communications from Kenneth J. Bott, Administrative Officer, Ruben Mendoza, Albert Pearce and Paul Richardson, Water Utility Mechanics, Water Department, requesting Commission approval to file late applications for Water Utility Supervisor. In addition, the Secretary presented a staff report prepared by Sal Ambriz, Personnel Analyst, briefed the Commission regarding this request, stating that based on the facts, staff is recommending denial of the requests. Anatole Falagan, Deputy General Manager – Business, Water Department, addressed the Commission, stating that the Water Department makes every effort to distribute notices properly so that everyone is properly notified in all divisions of the Water Department. However, he stated that in this instance, the Water Department failed to post in this one critical area, and the employees were not aware of the promotional opportunity. He stated that Civil Service Department staff did what it was supposed to do. He stated that when the employees found out about the promotional opportunity, they were not able to file an application because the position was closed. He stated that due to lack of communication on behalf of the Water Department, and the fact that this classification is specific to the Water Department, it would allow the department to have a complete list of candidates for current and future vacancies if they were allowed to participate in the examination process. He also informed the Commission that action has been taken for proper distribution of future opportunities. Commissioner Hicks questioned the notification options for employees regarding future openings. Ms. George informed the Commission that there is an online interest form that can be completed by an employee online to be notified when a position opens and Civil Service also has an Upcoming Job information sheet to notify employees of anticipated opening dates for

positions. Commissioner Good stated that it is the responsibility of the employee to stay on top of when a position is opened when they are interested in the position. After discussion, it was moved by Commissioner Smith Watts, seconded by Commissioner Hicks and carried to approve the request to file late applications. The motion failed by the following roll call vote.

AYE: Carolyn Smith-Watts

NAY: Charles Hicks Jr.  
Gerald Good  
F. Phil Infelise

**BULLETIN:**

**CIVIL ENGINEERING ASSOCIATE**

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

**EXAMINATION RESULTS:**

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

Registered Nurse – 3 Applied, 3 Qualified  
Water Utility Supervisor – 14 Applied, 14 Qualified

**MANAGERS' REPORT:**

The Secretary stated that former Commissioner Mary Islas was a big supporter of staff and, the Commission.

**NEW BUSINESS:**

Commissioner Hicks requested the Secretary provide the Commission with a copy of the report, when submitted from the Employee Assistance meeting with employees.

**COMMENTS FROM PUBLIC:**

Chris Ward, Business Representative, IAM, commended Mr. Falagan for advocating for his staff regarding the request to file late applications for Water Utility Supervisor.

**RECESS:**

The Commission recessed the meeting for five minutes before beginning the workshop.

**WORKSHOP:**

**CIVIL SERVICE COMMISSION OBJECTIVES AND  
DISCUSSION ON STAFFING**

The Secretary informed the Commission that he sent them a package that included staff and their duties, information on the work staff completed on the Rehire Report along with input from Human Resources on matters regarding them in the Rehire Report, and the basis for today's workshop, Civil Service Commission Core Service Objectives. The Secretary questioned the direction of the Commission regarding basic core objectives and performance for staff. He stated that the Commission requested simple and clear objectives for service delivery, which is the heart of what has been provided for today's discussion. The Secretary informed the Commission that the first objective, Recruit quality job candidates that reflect the diversity of the City of Long Beach, is hard to quantify in time where we no longer have Affirmative Action Plans and having basically Equal Employment Opportunity guidelines. He stated that you cannot use numbers in order to assess your progress, and as a result you use a global definition of trying to get job applicants that reflect the diversity of Long Beach. Commissioner Good questioned how many outside hires the City made last year. The Secretary indicated that he did not have that information readily available, but would obtain it for him. Commissioner Hicks questioned the direction of the department with its current staff level, what are the core functions and what kind of priority we have to make sure we service the City well. The Secretary stated that the objectives he provided to the Commission are the core services they perform and is requesting its approval to go forward. He also informed the Commission that staff has taken its directive and created a survey of customers, which has been provided to them, and that staff is ready to move forward with that. He also informed the Commission that staff has been discussing organizational change of how the department feels it can better serve departments with the concept of better serving the customers, and a draft is available to them. He stated that the objectives provided would touch 97% to 98% of the services the Commission provides to departments. Commissioner Good questioned what's involved in objective three, the certification of job candidates from an existing eligible list to vacant positions, and the time it takes to complete this process. The Secretary explained the process of certifying job



candidates to the Commission and the reasons for the time it takes to certify. Commissioner Hicks questioned which staff is responsible for the certification. The Secretary provided the Commission with the job description of the Senior Payroll/Personnel Assistant and the Payroll/Personnel Assistant, who are responsible for the certification of job applicants in the Civil Service Department. The Secretary informed the Commission that requisitions are received via hard copy, at which time certification verifies the information and certifies appropriately. Commissioner Hicks questioned ways to streamline the process for certifying candidates. Margaret Huebner, Director of Human Resources, Harbor, stated that she was surprised at the current process of obtaining applications of job candidates with requisitions. She suggested that in looking at the process, Civil Service should consider what systems are available to make the process easier. She stated that she was surprised how behind the City is on technology regarding the employment process. The Secretary informed the Commission that Civil Service Department has invested in NeoGov, and the process at the end is to get all departments onboard and to purchase the process. He also stated that regarding the services Ms. Huebner commented on, staff will be able to provide once everyone is onboard. He stated that staff has consulted NeoGov about the license of what the department purchased, but has not received the final word on if they are going to allow the department to allow other users in the systems without another license because we have so many departments. Commissioner Hicks questioned if all applications in Civil Service are filed online. The Secretary indicated that about 98% are filed online. Ms. George stated that staff is working on scanning the paper filed applications into NeoGov, making them a part of NeoGov. Commissioner Hicks questioned why certifying of job applicants is not available online since we have the necessary technology to do so. Commissioner Hicks proposed having a plan in place that would allow within some amount of time that the process of advising the department of an eligible list or providing them with the eligible list is done electronically through the NeoGov system such that each department can go into the system and identify whatever the criteria is for the first five candidates, and the process be converted electronically within a certain number of days. Commissioner Smith Watts also suggested that Civil Service establish a plan,

when appropriate, to connect Civil Service and Human Resources to the system. The Secretary informed the Commission that Civil Service has talked with Human Resources regarding this matter. He stated that when the department purchased NeoGov, it was with the intent that all departments would be users. It was moved by Commissioner Hicks and seconded by Commissioner Good, that staff will implement, within 60 days, access to eligibility lists in NeoGov for classified departments, once the requisition is approved by the City Manager or Appointing Authority and to limit the names according to the need. The motion carried by a unanimous roll call vote. Commissioner Good stated that given this change, objective three should be changed to 100% within three business days. Ken Walker, Manager – Personnel Operations, commented on the CSAC meetings and discussion of rule changes, and requested the discussion on a possible rule change on certification be tabled until the CSAC members could be present.

The President recessed the meeting for five minutes.

The Secretary informed the Commission regarding objective four, that he is on the Administrative Officer's staff meeting agenda to discuss a drafted memo regarding the process to be used in submitting requests for Commission action that will no longer require staff reports. He stated that the memo should be finalized by the end of the week. He stated that although we will not be doing staff reports, we will continue to do the research to make sure the information provided in the requests is accurate and in compliance with Civil Service Rules and Regulations.

Commissioner Good questioned why does it take 60 days to schedule an appeal hearing. The Secretary explained the process for the appeal and the documentation required before a file can be established. He explained the main scheduling problem lies with the attorneys. This item will be on next week's Commission agenda for discussion. Commissioner Hicks requested that some number of suspension hearings for a certain number of days, be conducted by hearing officers. The Secretary informed the Commission that he would have a dollar figure next week on what could be done by hearing officers, based on their recommendation to hold the Administrative Officer position open for 60 days.

Commissioner Good stated that we should identify and develop a creative method for efficiency and effectiveness on an ongoing basis that enables other departments to be better served by Civil Service. The Secretary stated that this has always been the desire of our department. Commissioner Good requested how can the department be more efficient and effective within the resources we have to get things done in less time and with less work be added as objective six.

The Secretary briefed the Commission regarding objective two and stated that if it was an acceptable objective for the Commission, staff would go forward to accomplish its work. Commissioner Hicks suggested that before this objective is accepted, that he would like to get feedback from departments regarding their needs. The Secretary stated that the drafted survey provided to the Commission would address the needs of departments. He stated that the survey is almost complete. Commissioner Smith Watts questioned Human Resources if the City Manager is encouraging all department heads to complete this survey. The Secretary stated that he has had a positive response from department heads regarding responding to the survey. Commissioner Hicks requested that this objective be held until the results of the survey is received.

**EXECUTIVE SESSION  
(Government Code 54957.8)**

**REVIEW OF EXECUTIVE DIRECTOR PERFORMANCE  
OBJECTIVES**

The Secretary recommended the Commission convene to a closed session, pursuant to Government Code 54947.8. It was moved by Commissioner Good, seconded by Commissioner Smith Watts to convene to a closed session to discuss the performance objectives for the Executive Director. The motion carried by a unanimous roll call vote.

**RECONVENE:**

It was moved by Commissioner Hicks, seconded by Commissioner Good and carried to reconvene to the regular meeting.

**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

**LONG BEACH CIVIL SERVICE COMMISSION  
F. PHIL INFELISE, PRESIDENT  
JANUARY 12, 2011**

The regular meeting of the Civil Service Commission was held at 8:00 a.m., Wednesday, January 12, 2011, in the Board Room of the Commission, 333 West Ocean Boulevard, Seventh Floor, Long Beach, California.

**MEMBERS PRESENT:** F. Phil Infelise, Jeanne Karatsu, Carolyn Smith Watts  
Charles Hicks Jr., Gerald Good

**MEMBER EXCUSED:**

**OTHERS PRESENT:** Mario R. Beas, Executive Director & Secretary  
Melinda George, Deputy Director  
Marilyn Hall, Executive Assistant  
Salvador Ambriz, Personnel Analyst  
Caprice McDonald, Personnel Analyst  
Robert Pfingsthorn, Personnel Analyst  
Lourdes Ferrer, Personnel Analyst  
Donna de Araujo, Assistant Administrative Analyst  
Debbie Mills, Director of Human Resources

**President F. Phil Infelise presided.**

**MINUTES:** It was moved by Commissioner Good, seconded by Commissioner Smith Watts and carried that the minutes of the regular meeting of January 5, 2011, be approved as prepared. The motion carried by a unanimous roll call vote.

**CONSENT CALENDAR (2-5):** It was moved by Commissioner Hicks, seconded by Commissioner Good and carried that the Consent Calendar items be approved. The motion carried by a unanimous roll call vote.

**EXAMINATION RESULTS:** Request to approve examination results.

Deputy Fire Marshal – 18 Applied, 2 Qualified  
Registered Nurse – 8 Applied, 8 Qualified

**The motion was made to approve request on Consent Calendar.**

**EXTENSION OF EXPIRING ELIGIBLE LISTS:** Request to extend the following eligible list for an additional six months. The Secretary requested the dates for the Civil Engineering Assistant eligible list be corrected as indicated:

Administrative Analyst (3 months)  
Civil Engineering Assistant (7/8/09 & 7/22/09)  
Neighborhood Services Specialist

**The motion was made to approve request on Consent Calendar.**

**RETIREMENTS:**

Request to receive and file retirements.

George Ferguson/Special Services Officer III/Airport  
Bart Ramos/Senior Accountant/Financial Management  
Ethel Randolph/Accounting Clerk III/Financial Management  
David Franssen/Fire Engineer/Fire  
Thomas White/Fire Captain/Fire  
Sherry Moser-Lopez/Clerk Typist II/Harbor  
Kerry Stewart/Senior Surveyor/Harbor  
Richard Zuelch/Clerk Typist II/Harbor  
Ronald Souder/Aquatics Supervisor I/Parks  
John Greet/Police Sergeant/Police  
Maria Lopez/Police Officer/Police  
Mary Mullin/Senior Records Clerk/Police  
William Tock/Special Services Officer III/Police  
John Watkins/Police Sergeant/Police  
Kelvin Blackburn/Refuse Operator III/Public Works  
Louis Moore/Parking Meter Technician I/Public Works  
Raul Prado/Refuse Operator II/Public Works  
John Suit/Administrative Analyst III/Public Works  
Frank Agnello/Water Utility Mechanic II/Water  
Charleen Greenhouse/Storekeeper I/Water  
Guy Wayne/Electronic Communication Technician  
III/Water

**The motion was made to receive and file on Consent Calendar.**

**TRANSFERS:**

Request to approve transfers.

Erma De Clouet-Lanier/Customer Service Representative  
III/Long Beach Gas & Oil to Customer Service  
Representative III/Financial Management  
Marlon Ramos/Administrative Analyst III/Financial  
Management to Administrative Analyst III /Human  
Resources

**The motion was made to approve transfers on Consent Calendar.**

The Secretary presented Certificates of Appreciation to Randall Grim, Fire Captain, Fire (31 years), Robert Bossler, Public Safety Dispatcher, Police (26 years), Arthur Marquardt, Water Treatment Operator, Water (27 years) and George Reno, Police Sergeant, Police (30 years), in recognition of their dedicated service to the citizens and City of Long Beach. Representatives from their respective departments were present to speak on their behalf. Commissioner Hicks commended their spouses and thanked them for their service in supporting their partners in their work for the City of Long Beach.

**MANAGERS' REPORT:**

Rob Pfingsthorn, Personnel Analyst, informed the Commission that the City's budget cycle is beginning, and it allows the department to reconcile personnel records. He also stated that he, Caprice McDonald and Lourdes Ferrer attended some training on estimates.

**NEW BUSINESS:**

Commissioner Hicks requested a schedule of the forecasting meetings being conducted with department heads for the Commission, and stated that he would like to attend the meetings. The Secretary stated that staff has been conducting these meetings for many years and it is an opportunity to prioritize departments staffing needs, and do advanced planning of what examinations they anticipate for the fiscal year. He also informed the Commission that Debbie Mills, Director of Human Resources, is also invited to these meetings.

Commissioner Hicks questioned the reason why the Civil Service Department retains personnel files for classified employees. The Secretary informed the Commission that it is the official custodian of personnel records for classified employees. Debbie Mills, Director of Human Resources, informed the Commission that they keep personnel files on all employees with the exception of the Harbor and Water Departments. Commissioner Good suggested City Manager Departments and Appointing Authorities Departments get together to see if it's possible to work out a solution to reduce the paperwork and computerize the keeping of personnel records. He stated that anything staff can do to reduce paperwork, to reduce file keeping as long as it's on a computer and can be backed up properly, would be more economical for the City, considering the state of the City. After discussion, it was moved by Commissioner Good, seconded by Commissioner Smith

Watts and carried that the Executive Director meet with Human Resources and Appointing Authorities to lead a discussion to computerize and make more efficient the keeping and retention of appropriate personnel records, and to provide a progress report within 30 days. The motion carried by a unanimous roll call vote. Margaret Huebner, Director of Human Resources, Harbor informed the Commission that the Harbor Department is in the process of implementing the (Electronic Document Records Management System) ERMS for their personnel files.

**COMMENTS FROM PUBLIC:**

Margaret Huebner, Director of Human Resources, Harbor, thanked the Commission and staff for the survey, and that she will encourage her director to complete the survey.

**RECESS:**

President Infelise recessed the meeting to a short break before beginning the workshop.

**WORKSHOP:**

**CIVIL SERVICE DISCIPLINARY APPEAL HEARINGS**

The Secretary stated that the purpose of the workshop is to determine how to proceed with the hearings and reducing the current backlog that currently exists. The Secretary provided the Commission with the current hearing schedule and Civil Service Commission Policy 1.61 – Conduct of Civil Service Commission Hearings. The Secretary informed the Commission that currently there are 32 hearings on file, not counting disability retirements, 14 dismissals, three reductions and 15 suspensions. He stated that the attorneys would be speaking on the matter. However, he stated that the current Commission's policy on hearings has been followed. Christina Checel, Deputy City Attorney and Commission Advisor, provided a background of the hearing process, the origin of why the Commission is doing hearings and where it comes from. She informed the Commission that Long Beach is a Charter City, and that the Charter is comparable to State Law. She stated that the Charter mandates that the Civil Service Commission hear disciplinary hearings. She stated that the Commission has Civil Service Rules and Regulations that are promulgated by it and approved by the City Council, which gives it guidelines and process. She stated that there are three parties involved in a hearing: the City, who has the burden of proof to prove whatever charges they are alleging against the employee;



the employee, who is the individual challenging the decision and has due process rights. She stated that the Courts have determined that the appeal has to be evidentiary. The third party is the Commission. The Commission is equated to a jury who listens to the facts and determines if there is enough evidence to support the charges by making credible determinations. The Commission determines if the discipline is appropriate for the action the employee committed. However, she stated that most of the time the process does not end at the Commission's decision. She stated the employee or the City may challenge the decision of the Commission and that 99% of the time the employee challenges the decision, at which time it goes to Superior Court and you have the employee versus the City and the Commission. She stated that the Commission was named as a defendant. She informed the Commission that it needed to look at each case and the evidence independently. She stated that although the Commission may wish to expedite hearings, in many hearings, especially the Police Department, there will always be a representative from the department to prove that the discipline is appropriate, which is his burden, because if the decision is challenged, and Mr. Trott files a brief and the City Attorney oppose the brief and they rely on the record, which is what the witnesses said. She informed the Commission that it is the balances for both interest, the City's interest in proving its case and the employee's interest in having due process. She stated that when cases are challenged and go to Superior court, there needs to be a record, because when the decision of the Commission is being challenged, their legal advisor needs to be able to look at the record and evidence to protect the interest of the Commission, and Mr. Trott needs a record to protect his client's interest and support his points. She stated that she recognizes the backlog of hearings, but that it might not be possible to expedite things that a hearing can be done in one day, because of the employee's due process rights, because sometimes the cases do end up in court on a Writ, and even to the Court of Appeals. She indicated that she guesstimated that approximately 15% ended up in the Court of Appeals. She stressed the importance of having an adequate record of due process. Mike Peters, Attorney at Law, stated that his goal when presenting a case is to sustain management's decision to discipline. He stated that he presents his case geared toward the Commission and the Superior court. He stated

that the Superior court reads everything fresh. They look at the court reporter's transcripts and judge the credibility of the witnesses. That is why it is important for him to have the opportunity to put on substantial evidence that he needs in order to sustain the decision of the Commission. He stated that in order to put on substantial evidence, there will cases where he might have to call one, two or three witnesses in order to sustain management's decision. He stated that he tries to expedite his cases as much as possible. He stated that it is important because when the judge is looking at a transcript, they are reading a cold transcript and need to see substantial evidence to support every charge. He stated that he has been complying with Commission Procedure 1.61. He stated that the hearings cannot be short circuited because he needs the testimony and credibility of the witnesses, which is being judged by the Superior court. He informed the Commission that he and Jim Trott, Attorney at Law, discuss the witness list, exhibits and objects before the start of the hearings. They also talk settlement. He stated that in dismissal cases there is virtually no room to settle. Mr. Peters agreed that there is a backlog of cases, and stated that the agreed solution for these cases, other than dismissals, is hearing officers. Mr. Trott informed the Commission that he is aware of a discipline before the other parties involved because he is contacted by the employee's representative when there is a proposed discipline. He stated that the employees whom he represents are constantly asking him when their hearing will take place. He informed the Commission that he and Mr. Peters spend a lot of time communicating with each other regarding a hearing. He stated that his job is to attack the credibility of the evidence and witnesses of the City. If the decision of the Commission is one that he is not pleased with he files a brief in court. Mr. Trott stated that with regard to shortening the hearings, the impact is that the case would end up in court. Mr. Trott stated that the areas he looks at when he files a Writ are: were the facts insufficient - did they not prove their case factually; were the facts in conflict - did the two witnesses say something in contradiction to each other; were there poor evidentiary rules was the ruling inconsistent with the penalty. Everything is done with have a sufficient record for the court. Ms. Checel stated that the court evaluates based on a record without actually seeing a person, who the court thinks is a credible witness. She stated that although things

might seem duplicity, redundant or lengthy to the Commission, there is a reason for it.

Commissioner Hicks questioned Mr. Trott as to what he typically sees as the length of time needed to conduct suspensions of four days. Mr. Trott informed the Commission that the amount of discipline does not necessarily control the number of days needed to conduct the hearing, but depends on the amount of factual dispute. Mr. Peters agreed with Mr. Trott. Commissioner Hicks questioned the attorneys as to how many hearings they were available to conduct in a week.

The Secretary informed the Commission that in the past, the Commission had a policy where suspensions of five days or less would be sent to a hearing officer, many of which would be settled before the hearings. He stated that staff is proposing the 14 suspension hearing, two to 30 days, be scheduled before a hearing officer, at a cost of \$1250 a day, totaling \$17,500. He stated that a vacant position would cover the cost. He had discussed this with the attorneys and they are in agreement and available. He informed the Commission that if they adopted this policy, there would be 12 hearings left to be scheduled. With those hearings, if each took two days, some may take longer or some may take less, we would get through the backlog by the end of this fiscal year. He also recommended that the Commission adopt a policy that any suspension of 10 days or less be sent to a hearing officer. He stated that this would be budgeted for the next fiscal year. Whatever direction the Commission wishes to take is the direction staff will take. The Secretary requested the current policy of scheduling a hearing within 60 days of receipt remain in effect until the current backlog is eliminated and then we would go to a 30-day scheduling. He informed the Commission that he had spoken with all parties and they are in agreement. He stated that the Commission should understand that if a hearing is scheduled within 30 days, there is a potential of witness availability. He stated that staff is scheduling dismissals ahead of suspensions.

Commissioner Smith Watts questioned if the employee does not want their hearing before a hearing officer, do they have an option. The Secretary stated that the decision is that of the Commission.

Christina Checél stated that the rules stated that it is the Commission's right to delegate it to a hearing officer or whether to hear it itself. It also has a right that if it goes to a hearing officer to rehear part of the case or to rehear the entire case, so it's the Commission's determination.

Commissioner Smith Watts questioned as to how the hearing officer process works. Ms. Checél explained that it works the same as if the Commission was conducting the hearing with the exception of having a hearing officer versus a body of five Commissioners.

Mr. Trott stated that from an employee's perspective, he prefers hearing officers because if it's a two-day case, he can go two consecutive days and complete the hearing. You don't have weeks in between the hearing. He informed the Commission that he attended a POA Board meeting on Tuesday, and Steve James, President of the POA, asked him to inform the Commission that the POA would be willing to pick up half of the cost of hearing officers for termination appeals in order to speed up the process.

Commissioner Hicks questioned if starting the hearing at 8:30 a.m., breaking for lunch at Noon, and resuming the hearing at 1:00 p.m. would speed up the process. Mr. Trott stated that it might work in some instances, but if it's going to take more than an hour to complete the hearing on the next day, it probably wouldn't. Ms. Checél informed the Commission that it's the Commission's discretion to work through whatever hours it wishes to conduct hearings.

President Infelise stated that sometimes the regular meeting goes past 8:30 a.m., so it's not always possible to begin the hearing at 8:30 a.m. Commissioner Hicks suggested that instead of having a regular meeting every week, maybe having it every two weeks and begin the hearings at the end of the regular meeting and begin the hearing at 8:00 a.m. the next week to 5:00 p.m. He also questioned if three Commissioners rather than five could hear an appeal. Ms. Checél informed Commissioner Hicks that the Commission only needed a quorum of three to conduct a hearing. Commissioner Good questioned if the President or Vice President needed to be present to conduct a hearing. Ms. Checél stated that it was not necessary that the President or Vice President be present to conduct a hearing. Commissioner Good questioned Mr. Trott and Mr.

Peters if it would be beneficial to them for a two-day hearing if the three Commissioners were available on a Wednesday and Thursday or whatever days they are available, to get the backlog down. The Secretary informed the Commission that the idea was proposed to the Commission in the past, but the Commission chose not to do it. Mr. Trott indicated that it might work sometimes, but there are days he will not be available. He stated that Tuesday is City Council and Tuesdays and Thursdays are motion days in court, which are problems you will run into frequently.

Mr. Peters stated that from a personal standpoint he believes the process would be doable, but not at this time, because of the scheduling of hearings with hearing officers. He stated this would make it a challenge to keep track of the hearings.

The Secretary informed the Commission that the process could be initiated immediately. Once Commission approves the process we will begin scheduling hearings before hearing officers. Commissioner Hicks suggested we get started as soon as we can work with counsels' schedules.

Debbie Mills, Director of Human Resources, stated that the workshop was very educational for her to understand the process. She stated that she would like to consult with Ms. Checel further regarding the process. She also stated that she would like to have the opportunity to review the process once it starts to see how it's working.

Mr. Trott stated that it a common practice to use hearing officers because of the cost. He stated that it's great to have the hearing before the Commission, but not all jurisdictions have that option.

Ms. Checel stated that she would like to add that the Commission would have to look at the City Charter and rules of those cities.

The Secretary stated that he is proposing using hearing officers to eliminate the backlog, and next fiscal year to send all suspension of 10 days or less to hearing officers.

Commissioner Smith Watts stated that she would like to review the hearing officer's report before adopting this as a policy.

Cynthia Stafford, Personnel Services Officer, Public Works and Stacey Lewis, Assistant Director of Human Resources, Harbor addressed the Commission regarding other cities use of hearing officers and commissions.

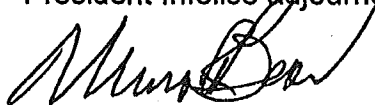
President Infelise stated that if we follow the schedule submitted, we should be able to clear up the backlog.

The Secretary stated that he proposed the policy for next fiscal year because of the budget cycle that is beginning.

President Infelise thanked the attorneys for attending the meeting and for their input.

**ADJOURNMENT:**

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



MARIO R. BEAS  
Secretary

MRB:meh

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



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

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## FINAL AGENDA AND MINUTES

### CALL TO ORDER (5:38 PM)

At 5:38 p.m., Chair Highberger called the meeting to order.

### ROLL CALL (5:38 PM)

**Boardmembers** Laura H. Brassler, Karen L. Highberger, Shannon Carmack, Irma Hernandez, Louise Ivers, Harvey Keller and Richard Powers

Also present: Amy Bodek, Director of Development Services; Derek Burnham, Current Planning Officer; Lynette Ferenczy, Planner; Angie Zetterquist, Planner; Heidi Eidson, Bureau Secretary.

### FLAG SALUTE (5:38 PM)

Commissioner Keller led the flag salute.

### MINUTES (5:39 PM)

10-036CH Recommendation to receive and file the Cultural Heritage Commission minutes of October 11, 2010.

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

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

**Abstain:** 1 - Shannon Carmack

### DIRECTOR'S REPORT (5:40 PM)

There was no Director's Report given at this time.

### SWEARING OF WITNESSES (5:40 PM)

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.

**PUBLIC PARTICIPATION (5:40 PM)**

Derek Burnham, Current Planning Officer, spoke.

Lynette Ferenczy, Project Planner, spoke.

Bruce Beinlich, applicant's representative, responded to a query from Commissioner Ivers.

Ken Kobel, applicant, and Bruce Beinlich responded to queries from Chair Highberger.

A dialogue ensued between Commissioner Brassler and Bruce Beinlich.

Bruce Beinlich responded to a query from Chair Highberger.

Derek Burnham responded to a query from Chair Highberger.

Derek Burnham responded to a query from Commissioner Powers.

A dialogue ensued between Bruce Beinlich and Commissioner Powers.

Bruce Beinlich responded to queries from Chair Highberger.

Bruce Beinlich responded to queries from Commissioner Brassler.

Amy Bodek, Director of Development Services, responded to a query from Commissioner Brassler.

Ken Kobel and Bruce Beinlich responded to queries from Commissioner Hernandez.

Commissioner Hernandez spoke.

Ken Kobel responded to a query from Commissioner Brassler.

Derek Burnham spoke.

A dialogue ensued between Ken Kobel, Bruce Beinlich, and Chair Highberger.

Chair Highberger spoke.

A dialogue ensued between Chair Highberger and Ken Kobel.



Commissioner Ivers spoke.

Bruce Beinlich responded to a query from Commissioner Powers.

A dialogue ensued between Bruce Beinlich and Commissioner Ivers.

Commissioner Powers spoke.

Commissioner Carmack spoke.

A dialogue ensued between Bruce Beinlich and Commissioner Carmack.

Derek Burnham stated that staff would work with the applicant to resolve the issue or return to the Cultural Heritage Commission with an agenda item.

Commissioner Brassler spoke.

#### **REGULAR AGENDA (6:07 PM)**

1. 10-037CH Recommendation to approve a Certificate of Appropriateness request to add a 378-square-foot one-story addition to the rear of an existing residence located at 815 Raymond Avenue within the Rose Park Historic District. (District 2) (Application No. HP10-0290)

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

Angie Zetterquist responded to a query from Commissioner Ivers.

Angie Zetterquist responded to a query from Chair Highberger.

Angie Zetterquist responded to a query from Commissioner Brassler.

Angie Zetterquist responded to a query from Chair Highberger.

Joe Hudak, applicant, responded to a query from Chair Highberger.

Angie Zetterquist responded to a query from Commissioner Hernandez.

Angie Zetterquist and Joe Hudak responded to queries from Commissioner Brassler.

Angie Zetterquist responded to a query from Chair Highberger.

Commissioner Brassler spoke.

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

**Yes:** 7 - Laura H. Brassier, Karen L. Highberger, Shannon Carmack, Irma Hernandez, Louise Ivers, Harvey Keller and Richard Powers

2. 10-038CH

Recommendation to approve a Certificate of Appropriateness request to restore and rehabilitate the exterior of the American Hotel, a designated historic landmark, in conjunction with the adaptive reuse of the building located at 224 E. Broadway within the Downtown Long Beach Planned Development District (PD-30). (District 2) (Application No. HP10-0281)

Amy Bodek, Director of Development Services, spoke.

Angie Zetterquist, Project Planner, presented the staff report.

Jan Van Dijs, applicant, spoke.

Chair Highberger spoke.

Jan Van Dijs responded to queries from Chair Highberger.

Jan Van Dijs responded to queries from Commissioner Brassier.

Stan Poe provided public comment.

Jan Van Dijs responded to queries from Commissioner Keller.

Amy Bodek spoke.

Jan Van Dijs responded to a query from Commissioner Carmack.

A dialogue ensued between Commissioner Brassier and Jan Van Dijs.

**A motion was made by Commissioner Highberger, seconded by Commissioner Ivers, to approve the recommendation with an amendment to Condition No. 10 that the sidewalk glass blocks go back to staff for approval. The motion carried by the following vote:**

**Yes:** 7 - Laura H. Brassier, Karen L. Highberger, Shannon Carmack, Irma Hernandez, Louise Ivers, Harvey Keller and Richard Powers

3. 10-032CH

Recommendation to approve the nomination for the Chair of the Cultural Heritage Commission for 2010-2011.

A motion was made by Commissioner Keller, seconded by Commissioner Powers, to approve the nomination of Commissioner Hernandez as Chair of the Cultural Heritage Commission for 2010-2011.

**A substitute motion was made by Commissioner Ivers, seconded by Commissioner Brassler, to approve the nomination of Chair Highberger as the Chair of the Cultural Heritage Commission for 2010-2011. The motion carried by the following vote:**

**Yes:** 4 - Laura H. Brassler, Karen L. Highberger, Shannon Carmack and Louise Ivers

**No:** 3 - Irma Hernandez, Harvey Keller and Richard Powers

4. 10-033CH Recommendation to approve the nomination for the Vice Chair of the Cultural Heritage Commission for 2010-2011.

A motion was made by Chair Highberger, seconded by Commissioner Ivers, to approve the nomination of Commissioner Brassler as the Vice Chair of the Cultural Heritage Commission for 2010-2011.

**A substitute motion was made by Commissioner Powers, seconded by Commissioner Keller, to approve the nomination of Commissioner Hernandez as the Vice Chair of the Cultural Heritage Commission for 2010-2011. The motion carried by the following vote:**

**Yes:** 4 - Shannon Carmack, Irma Hernandez, Harvey Keller and Richard Powers

**No:** 3 - Laura H. Brassler, Karen L. Highberger and Louise Ivers

#### **COMMENTS FROM THE CULTURAL HERITAGE COMMISSION (6:41 PM)**

Chair Highberger spoke.

Commissioner Powers spoke.

Chair Highberger spoke.

Derek Burnham, Current Planning Officer, spoke.

Chair Highberger spoke.

Derek Burnham responded to a query from Commissioner Keller.

Amy Bodek, Director of Development Services, spoke.

Chair Highberger spoke.

**ADJOURNMENT (6:45 PM)**

At 6:45 p.m., there being no objections, Chair Highberger adjourned the meeting.

NEXT REGULAR MEETING: December 13, 2010 - 5:30 p.m.

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**CITY OF LONG BEACH  
DEPARTMENT OF PARKS, RECREATION AND MARINE  
PARKS AND RECREATION COMMISSION MINUTES  
DECEMBER 16, 2010**

**I. CALL TO ORDER**

The Parks and Recreation Commission meeting was called to order by Brett Waterfield, President, at 9:09 a.m., at the Admiral Kidd Park Community Center. Phil Hester, Director of Parks, Recreation and Marine, took roll call and confirmed a quorum.

**Present:** Brett Waterfield, President  
Sarah Sangmeister, Vice President  
Ron Antonette  
Simon George  
Albert Guerra  
Harry Saltzgaver  
Drew Satariano

**Absent:** None

**Staff:** Phil Hester, Director of Parks, Recreation and Marine  
Ramon Arevalo, Manager, Maintenance Operations  
Sandra Gonzalez, Manager, Planning and Development  
Gladys Kaiser, Acting Manager, Community Recreation Services  
JC Squires, Manager, Business Operations  
Anna Mendiola, Park Development Officer  
Marc Gutfeld, Superintendent, Community Recreation Services  
Joy Warren, Supervisor, Community Recreation Services  
Rubi Castro, Supervisor, Admiral Kidd Park  
Robin Black, Executive Assistant to the Director

**Guests:** Roy Hassett, O Entertainment  
Ward Hassett, O Entertainment  
Melinda Cotton, Coalition for a Smoke Free Long Beach  
P.G. Herman, Long Beach Organic  
Bill Pearl, LongBeachReport.com  
Evan Braude

II. APPROVAL OF MINUTES – NOVEMBER 18, 2010

It was moved by Vice President Sangmeister and seconded by Commissioner George to approve the November 18, 2010 Parks and Recreation Commission minutes. The motion carried unanimously.

III. PRESENTATION ON OKTOBERFEST

Mr. Hester stated that an Oktoberfest event was held at El Dorado Regional Park and we want to give you an update. Roy Hassett is here, who is the operator. Marc Gutfeld will give a brief presentation to show the activities of the day.

Mr. Gutfeld stated that Oktoberfest was held October 22 to 24 and 28 to 31. The first weekend the attendance was low because of the rain. The second weekend went well. I was there each night and alcohol was not a factor. It was a great family event. There were some issues that we will discuss with the Maintenance Operations Bureau so that we will have a better handle on the next one. Mr. Gutfeld showed a short video of photos taken during the event. Mr. Gutfeld said that they asked Roy Hassett to attend the meeting to discuss the event.

Mr. Hassett stated that they are a Long Beach based company and operate a successful Lobster Festival and Crawfish Festival. Oktoberfest was built for families. It was not a rowdy event. It was a difficult festival to put together logistically and financially. We did not make money, but are willing to come back and do it again. I was very proud of the event.

Mr. Squires said that the organization guaranteed to pay the average gate fee, almost \$22,000. The parking fee at the El Dorado Regional Park gate was free during this time period to all park-goers. People were also excited about the entry price and thought it was very fair. They had almost 7,500 attendees. We need to market this better next year to get a larger attendance. They are happy for this first year. It came off great.

Mr. Hester said that due to the rain, there was some damage to the turf. The organization covered all the costs and probably fixed some areas that were not theirs to fix. There were no incidents or problems. The park rangers and police were there. This was the second time an event was held serving alcohol. The event at the Nature Center was the first event.

Mr. Hester stated that this organization is interested in doing a barbecue event in the summer months. The carnival would not be there and it would not be the same magnitude as Oktoberfest. We will probably be coming back to the Commission in January or February to get feedback. We are trying to generate revenue for the Department.

Commissioner Antonette said he still didn't get the read that it was a family carnival until he heard about it. The message needs to be that it is a family carnival.

Ms. P.G. Herman asked if this opens up the consideration to have alcohol in other events at the parks?

Mr. Hester responded that the Commission previously approved a concept plan, but we have not submitted it yet to the City Council. This is geared more towards inside events rather than outside events. It is very carefully crafted so there is control over these events.

Mr. William Pearl asked if he could have the staff report on this presentation.

Mr. Hester responded that there was none. This was just a presentation.

#### **IV. PRESENTATION ON THE YOUTH FISHING RODEO**

Mr. Gutfeld stated the Department just held our 37<sup>th</sup> Annual Kids Fishing Rodeo. The Department of Fish and Game is a big partner. They stock the lakes for us. For 32 years we partnered with the Long Beach Rod and Gun Club. In 2006, we partnered with Outdoor Adventures, a non-profit group. In 2007, we began partnering with the Dan Hernandez' Youth Foundation. This year it rained all day and was not a huge event, but there were over 500 kids there that day. The group also provides raffle prizes for the kids. We are looking forward continuing this event.

Mr. Hester said we wanted to brief the Commission because this is a joint program. If the Department would try to do it on our own, it probably would not take place. Dan Hernandez was not able to be here.

Mr. Gutfeld said that Mr. Hernandez has a "Meet Me at the Lake" series that he holds in other cities, and this event is part of that.

Vice President Sangmeister said she did not get to attend this year. She didn't see the usual flyer this year with the graphics on it. We should push that through the School District. She said this event is a perfect example of how marketing works.

Mr. Gutfeld responded that we advertise through all the schools.

President Brett Waterfield said that the Coalition for Smoke Free Long Beach is present and would like to give a presentation.

Mr. Evan Braude stated that he is here on behalf of the Coalition for Smoke Free Long Beach. He said he was here to present a certificate to President Brett Waterfield for the Commission as a whole and to Phil Hester. It comes with a big thank you. The Coalition felt strongly that without your leadership, this decision would not have happened as early and would not have been as positive. Ultimately, it is the right choice. Everyone in the coalition signed the certificates.

President Waterfield thanked the Coalition for the work they have done in the community.

Mr. Hester stated that Department staff has been meeting with Peggy Preacely about signage and we developed a plan. We are changing some of our permits to show this change. We will try as much as we can to get the word out. I am proud of the Commission for stepping up and taking the lead.

Commissioner Guerra said he attended the Coalition meeting last week. It solidified that what we did was the right thing to do. The tobacco organization found new ways to assault our youth to get them hooked on tobacco. I suggest the Commission or staff hear that presentation. It was very enlightening.

Ms. Peggy Preacely said that on January 27, the Health Department would be training Parks, Recreation and Marine Department staff and we would include that information.

Ms. P.G. Herman stated that she is a community activist and the liaison for Long Beach Organic. She said she spoke at City Council on behalf of the Coalition. She commended the Coalition for holding the most organized session at their meeting last week. She said she also wanted to commend the Commission for what they have done.



President Waterfield announced that we are at Admiral Kidd Park and we are excited to see the projects going on here.

Mr. Hester said he asked Sandra Gonzalez to talk about the projects here. We are making a lot of improvements.

Ms. Gonzalez said this building has been here for four years. The expansion that is taking place is outside. She displayed a drawing of the park expansion project. She stated that we will enter into the 90-day maintenance period in the next few weeks and you can expect a grand opening in March or so.

Ms. Anna Mendiola described the new park area. She said that this would be the largest universally accessible playground in the city. She described the new fitness pods. The field has been converted from baseball to soccer and it is lighted. The property has been opened up so you can now see the school from here. This is for the sake of safety and it is a great change.

Mr. Hester responded that our first camera system was installed at this park. The building at the side was really a problem for the police. This is a major change. We have added more soccer fields and it is very good work by staff.

Ms. Joy Warren described the programs at the park. We are meeting in the after school room. We have 30 to 40 kids coming here after school. There is a healthy teen population here. We have established this site as the home for the Junior Beach Runners program. They partner with the Health Department, which comes out with nutrition classes and tracks the kid's physical activities. For the ending event, the kids run in the Long Beach Marathon. She explained that California kids have to complete fitness testing, so this spring we are expanding the curriculum to include a focus on fitness testing. She introduced Rubi Castro, the supervisor for Admiral Kidd Park.

Ms. Castro stated that the park is getting ready for their winter fun days and that they collaborated with the surrounding WRAP programs.

President Waterfield asked how many kids were in the marathon?

Ms. Warren responded that we had from 150 to 200 kids in that program. We have been sending them out to different events, such as the Los Angeles County Fun Run.

Mr. Hester stated we are looking to expand that program to all our centers as part of the youth sports program.

Ms. Kaiser stated that Ms. Warren also supervises the five WRAP sites. Because of an overflow and not being able to accept all the kids in the WRAP sites, Ms. Warren exposed the kids to our park fun days. She originated the Junior Beach Runners program, as she helps kids to get fit for the California fitness requirement. She enhanced it to include instruction about nutrition. This is a perfect collaboration and we are using this model to expand it citywide.

President Waterfield asked about the lighting, is that new technology?

Mr. Hester responded yes, this is the Musco system that we have in all our parks, where we control the lighting.

Commissioner Saltzgaver asked if this was directed lighting?

Mr. Hester responded yes.

Commissioner Guerra asked where the kids to played baseball moved to, since the baseball field was removed?

Mr. Hester responded that the baseball program has really dwindled and soccer has taken over. There is still a baseball field at Hudson Park, which is close by.

Ms. Kaiser stated that the soccer fields are booked here at the park seven days a week by youth and adults. Adding the additional soccer field and lighting the other field has created an asset for the community. They can't wait to use it.

## V. COMMISSION ACTION ITEMS

### **#10-1201**

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 Vice President Sangmeister and seconded by Commissioner Satariano to approve the recommendation. The motion carried unanimously.**

**#10-1202**

Recommendation to authorize the Director, or his or her management designee, to execute the Personal Service Agreements for the WRAP program sites and Houghton Park, and amend Attachment "A" of the agreements as needed.

Ms. Kaiser stated that this is the first time we have had contractors at WRAP sites to provide additional instruction beyond staff.

President Waterfield asked if these areas needed this or was this an opportunity?

Ms. Kaiser responded that there was interest and a need for these classes.

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

**#10-1203**

Recommendation to approve the placement and installation of a memorial bench at Bluff Park, near Lindero Avenue and Ocean Boulevard, to honor Virginia Ann Swaffield.

Mr. Hester stated that there is a second request after this and the attached map shows the location of the two benches. These women were friends.

Mr. Arevalo stated that staff would remove the undedicated bench and put that in another area to be used elsewhere.

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

**#10-1204**

Recommendation to approve the placement and installation of a memorial bench at Bluff Park, near Lindero Avenue and Ocean Boulevard, to honor Janice Evelyn Anderson.

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

**VI. COMMITTEE STATUS REPORTS**

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

President Waterfield said the Committee did not meet this month.

1) 2011 Commission Meeting Locations

President Waterfield asked that the Commissioners look at the meeting locations in the packet and submit their recommendations to Robin and we will put that together a list to approve next month. He asked for some background and thought staff could highlight some of the projects so the Commission could meet at those facilities next year.

Mr. Hester responded that MacArthur/Homeland is close to completion. California Recreation Center/McBride Park is another one. The Rancho Los Cerritos will be completed in the spring. There are some opportunities to meet at these locations.

Ms. Gonzalez suggested the Aquarium classroom would be a good option also.

President Waterfield requested the Commissioners give their recommendations to Robin. He also stated that included in the packet was a press release from the City Manager about the new Director. We are excited about that change.

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

Commissioner Satariano said the Committee did not meet this month, but the financials are in the packet.

Ms. Squires said the City is doing ETCs (estimates to close) a little early this year. It created more work for our analysts, but is a good step. We are going to start working on a long-range financial year, either two or five years. We won't know anything about that until early spring. Last week the City Council held a study session on the pension plan. Both the Miscellaneous Employees and the Safety-Police and Fire Employees, each have an unfunded liability of just over \$.5 billion. They are looking at \$1.2 billion in unfunded

liability. Most of that is driven by the market and market losses. We do not have a budget calendar yet. I am expecting we will have a much earlier calendar this year. We will know more in the next 45 days.

C. PARK SAFETY COMMITTEE  
Commissioner Saltzgaver, Chair

Commissioner Saltzgaver said the Committee did not meet this last month. The statistics are in the packet.

D. MARKETING AND CUSTOMER SERVICE COMMITTEE  
Commissioner Guerra, Chair

Commissioner Guerra said the Committee met this morning. We were briefed on some very exciting planning that is going on. They always seem to be ahead of the curve, as far as promotions. It never ceases to amaze me at how much goes through our Community Information Division. We are looking at reformatting the monthly highlights report. The new format is going to pull some of the highlights and focus on them. It will allow the document to be used for other purposes and will be used as an upcoming calendar listing.

Mr. Squires said we will do about 2,000 of these documents for a cost of about \$200 and will send this out to the public. He showed a mock-up of what it would look like. He commended Jane Grobaty and the division on their work. Jane has a plan on how to do this. We are losing our part-time photographer, Vic Sagers.

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

Vice President Sangmeister said the Committee did not meet.

Mr. Hester stated that after the first of the year, a number of projects would be coming to completion. There will be a lot of openings.

Commissioner Saltzgaver asked if he could get an explanation on the dead stop on the Homeland theater project?

Mr. Anna Mendiola responded that we are seeing the credit availability for contractors in this market. That contractor has

stopped paying the subs. There is not much cash flow and the contractor now owes us more than we owe him. He is being penalized at \$750 a day. We are going through the whole legal process.

Commissioner Saltzgaver said this sounds like people walking away from their mortgage. What is his motivation to finish the project?

Ms. Mendiola responded that the contractor has been out there and it is basically done. But, once you get the surety involved, then they have to accept the project and get the subs paid. The contractor's bonding capability goes away in the future.

Commissioner Saltzgaver said we might spend a lot more money on this. Could we have prevented this and can we learn anything?

Mr. Hester responded that part of the problem is the low bid process and that small contractors have problems. We had this problem at Seaside Park and Rosa Parks Park. It is a problem we are encountering. It has been a challenge.

Ms. Gonzales stated that the public code defines what we are allowed to do and what the next step is. On the recent projects like McBride, we can not put down a prequalification, but can request the contractor put down one public park project that they have done. They have to have experience.

Mr. Hester stated that the law precludes us from certain things. This contractor has not been too bad, but he is way behind schedule.

Ms. Mendiola said it is a struggle, but the City has gotten much more savvy on labor compliance. Contractors think they do not need to comply.

Vice President Sangmeister asked about the Nature Center walk-through?

Ms. Gonzalez responded that the State toured the Nature Center. We were one of a few applicants who did get selected. We submitted for a \$7 million grant for the building. They spent about two and a half hours with us touring the grounds. They told us they have over 300 applications to split the \$93 million. I feel we have a very good chance. You see the pristine grounds and that the dated building is falling apart. We will find out in March.

F. SPECIAL EVENTS AND RECREATION COMMITTEE  
Commissioner Satariano, Chair

Commissioner Satariano said the Committee did not meet.

VII. DIRECTOR'S REPORT TO COMMISSION

- A. Recommendation to receive and file the Director's Monthly Highlights Report for November 2010.

**It was moved by Vice President Sangmeister and seconded by Commissioner Satariano to approve the recommendation. The motion carried unanimously.**

VIII. CORRESPONDENCE

President Waterfield said no correspondence was received.

Commissioner Saltzgaver mentioned that Dennis Eschen's history book was great.

Mr. Hester stated that the Commissioners were given a copy of a publication that Dennis Eschen has volunteered to work on. He knows this stuff very well. We asked that he put this together. He recently completed this document. I hope we can keep this up to date. Copies were sent to the City Council.

Vice President Sangmeister said she hopes a copy can be sent to the Long Beach Historical Society.

Mr. Hester responded that we talked to him about doing that.

**IX. UNFINISHED BUSINESS**

President Waterfield said that there was no unfinished business.

**X. NEW BUSINESS**

President Waterfield said there was no new business.

**XI. COMMENTS**

**A. AUDIENCE**

President Waterfield asked for comments from the audience.

Ms. Herman thanked Mr. Hester for his years of dedication. I look forward to working with the new Director. I am going to miss you.

**B. STAFF**

President Waterfield asked for comments from staff.

Ms. Kaiser said that staff continues to work with the community. We had a few events in November, the Orizaba Park groundbreaking, the Fishing Rodeo, the Arts Festival, and the Bixby Park clean up.

Ms. Gonzalez said that construction started on the Mothers Beach restrooms. She said she is really going to miss Phil. He is an inspiring leader, the way he treats staff and deals with people.

Mr. Arevalo said that Phil makes a phone call and he gets it done. He calls to another department and we are on our way. He has meant so much to us. I will miss him terribly. Maintenance will continue. We hope he visits us.

Ms. Warren said that she went to a few conferences with Phil. Out in the general community, he is like a rock star. She thanked him for all he has done.



Mr. Hester stated that the Rosa Parks Park opening is scheduled for January 10, which is the start of Peace Week with the Martin Luther King, Jr. Parade. The park is not finished, but it will be open. They do want to have an opening event, I think at 10:00 a.m. or so. We will get that to you. Tentatively, on Saturday, at 11:00 a.m., at Silverado Park, we will celebrate the opening of Silverado Park Skate Spot. This is a new terminology. We have skate parks, skate plazas like at Bixby Park. A skate spot is a small facility. When we redid the Michael K. Green Skate Park at 14<sup>th</sup> Street Park, we kept the equipment and relocated it to Silverado Park. Due to rain, we are trying to find out if the Councilmember still wants to hold the event. If it rains the Councilmember may reschedule.

Ms. Kaiser stated that the Councilmember would let us know today.

Mr. Hester stated that finally they have someone who agreed to do the job. I am confident we will be in good hands. We have great staff. I volunteered to help him make the transition. I will try and have him meet the Commission before the next meeting.

#### C. COMMISSIONERS

President Waterfield asked for comments from the Commissioners.

Commissioner Saltzgaver said he is glad today has come. I am tired of Phil milking this whole thing. Seriously, I feel very blessed to be in a room of givers and he wished everyone a Merry Christmas.

Commissioner George said he wished Phil all the best and that he hopes to see him around.

Vice President Sangmeister said she is looking forward to seeing Phil around Long Beach. I was really impressed at the Rosie the Riveter Park opening.

Commissioner Guerra thanked Phil. He said that he appreciates the hospitality.

Commissioner Satariano stated that I'll never understand the way the working press handles issues. What I am referring to is it was so important for Bill Pearl to come in and look at the negative on Oktoberfest and alcohol in the parks. When we get commended

and complemented for making a bold decision like no smoking in the parks, he is not here. Why do they always want to write about the negative things? I wish he was here he hear my comments on that. He thanked Phil for a great eight years. I wish everyone happy holidays and I am looking to a great 2011.

President Waterfield stated that Phil is a rock star. That does sum it up. Going through this search and looking for a new person has been difficult. We are blessed with the leadership we have. Everyone talks about how accessible Phil is. That trickles down to the staff. The bar is pretty high, but we are all supportive in the transition. He wished everyone happy holidays and new year.

## **XII. NEXT MEETING**

President Waterfield stated that the next meeting would be held at 9:00 a.m., on Thursday, January 20, 2011, at the El Dorado Park West Community Center, in the Senior Center Library, 2800 N. Studebaker Rd., Long Beach, California.

## **XI. ADJOURNMENT**

President Waterfield adjourned the meeting at 10:50 a.m.

Respectfully submitted,



Robin Black  
Executive Assistant to the Director

c: George Chapjian, Director of Parks, Recreation and Marine

MINUTES  
REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS  
LONG BEACH, CALIFORNIA  
JANUARY 6, 2011

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 6, 2011.

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

PRESENT:	Suzanne Dallman	Commissioner
	Frank Clarke	Commissioner
	William B. Townsend	Commissioner
	John Allen	Commissioner
	Paul Blanco	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
	Eric Leung	Director of Engineering
	Matthew Veeh	Director of Government & Public Affairs
	Monya Hawkins	Manager Information Technology
	Robert Verceles	Division Engineer
	Abelardo Rendon	Division Engineer
	Stephen Gay	Manager of Security & Emergency Preparedness
	Melissa L. Keyes	Administrative Analyst III/Special Projects Coordinator
	Dynna Long	Office Administrator
	Joyce Barkley	Water Conservation Specialist
	Rachel Davis	Conservation Intern
	Daniel Cordoza	Conservation Intern
	Victor Orozco	LBCC Environmental Technology Office

ABSENT: None

## 1. PLEDGE OF ALLEGIANCE

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

## **2. PUBLIC COMMENT**

President Dallman 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 2, 2010**

Upon motion by Commissioner Townsend, seconded by Commissioner Allen, the minutes of the meeting of December 2, 2010 were unanimously approved.

## **4. PRESIDENT'S REPORT**

- **Suzanne Dallman, President, Board of Water Commissioners**

President Dallman provided a briefing on the Colorado River Water Users Association Conference that she recently attended. She advised the conference was held December 15 – December 17, 2010 in Las Vegas, Nevada, and that the overall conference was good. She advised that Ken Salazar, Interior Secretary; David J. Hayes, Deputy Secretary of the Interior, and Anne Castle, Assistant Secretary for Water & Science had participated in the conference.

NOTE: Commissioner Clarke joined the meeting at 9:03 A.M.

She reported that as part of the conference Interior Secretary Ken Salazar along with the Navajo Nation's President, Joe Shirley, Jr. had signed the historic San Juan Navajo Water Rights Settlement that quantified the Navajo tribe's water rights in the lower Colorado River Basin. This agreement will allow tens of thousands of Navajos to finally enjoy running water in their homes.

Commissioner Blanco also made remarks regarding his attendance at the Colorado River Water Users Association Conference.

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

DECEMBER 2010 WATER CONSERVATION REPORT

Mr. Wattier reviewed water conservation statistics for December 2010, which indicated that water demands had held steady despite the recent rainfall. He stressed the need for a continued strong conservation message.

Mr. Wattier provided a report on per capita water usage. He noted that the Department of Water Resources (DWR) had recently finalized the procedures to calculate gallons per capita (GPC) consumption. He advised DWR stresses using treatment plant outflows as basis for calculation, which is less than pumped, so the current GPC for Long Beach is down to 101.1.

WATER SUPPLY UPDATE

Mr. Wattier reviewed precipitation data from the 8-station index through January 3, 2011 which indicated precipitation was significantly higher than normal, and at the same pace as the wettest year recorded (1982-1983). He noted the southern snowpack, including the aqueduct snowpack were at record levels to date. He also reviewed a graph indicating that reservoir levels were also doing well, and refilling after recent historic low levels due to the recent drought.

He noted that constraints had quickly transitioned from supply to demand levels. He advised these types of conditions afford opportunities for storage of excess water.

Commissioner Clarke inquired what steps LBWD had taken given the current water supply conditions.

Mr. Wattier advised that the November 2010 Water Replenishment District (WRD) declaration of a water emergency was allowing for extraordinary filling of storage accounts. He noted that the LBWD treatment plant had been operating to take advantage of this opportunity, minimizing use of groundwater and storing as much imported water as possible.

Mr. Wattier advised that Central Basin Municipal Water District had filed legal action regarding WRD's emergency declaration. He advised he planned to discuss this matter at an upcoming board meeting closed session.

## **6. CONSENT CALENDAR**

President Dallman asked if there were any questions or discussion regarding the Consent Calendar items.

Commissioner Clarke requested that Consent items 6f. and 6g. be pulled for discussion and a separate vote.

It was moved by Commissioner Blanco and seconded by Commissioner Townsend to approve Consent Calendar items 6a. through 6e.

Hearing no further questions or discussion, President Dallman called for the vote on Consent Item 6a. through 6e. These Consent Calendar items were unanimously approved.

### **6a. Approval of Transfer of Funds by Journal Entry Dated January 6, 2011**

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

### **6b. Adopt Specifications WD-11-10 for On-Call Services for Water Systems Repair and authorize the General Manager to execute two-year contracts with the following three companies: Charles King Company, Inc., Mike Prlich and Sons, Inc., and Stephen Doreck Equipment Rental, Inc., each contract shall be in an amount not to exceed \$300,000 per year. Each contract may be renewed, at the option of the General Manager, for two additional one-year periods subject to a maximum increase of 4% per year**

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

### **6c. Adopt Specifications WD-16-10 and authorize the General Manager to execute an Agreement with Olin Chlor Alkali Products to furnish and deliver sodium hypochlorite (5.25% solution) in an amount not to exceed \$110,000 for one year, and to authorize the General Manager to exercise the option to renew for two additional one-year periods, subject to a maximum annual increase of 10 percent**

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

**6d. Authorize the General Manager to Execute the Developer's Agreement with McDonnell Douglas Corporation to Construct New Potable Water Lines, Reclaimed Water Lines, and Sewer Lines for the Douglas Park - Segment 6 Bayer Avenue Development**

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

**6e. Adopt Specifications WD-12-10 for the Alamitos Tank No. 2 Rehabilitation Project and Authorize the General Manager to Sign a Construction Contract with Paso Robles Tank, Inc., in the Amount of \$846,550**

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

There was general discussion regarding Consent item 6f. regarding the process for selection for a professional services agreement. Mr. Wattier explained the scoring system for determining awarding of a professional services contract.

Commissioner Clarke requested background information regarding Consent item 6g. Dr. Cheng provided a briefing regarding this item. He indicated this agreement allows the company to remove scrap metal from LBWD; the company then pays LBWD for the value of these metals based on the American Metals Market index.

Hearing no further questions or discussion, President Dallman called for the vote on Consent Item 8f. and 8g.

It was moved by Commissioner Blanco and seconded by Commissioner Allen to approve Consent Calendar items 6f. and 6g.

These Consent Calendar items were unanimously approved.

**6f. Authorize the General Manager to Execute an Agreement with Psomas, to Provide Engineering Design Services for the Cast Iron Main Replacement – Long Beach Boulevard Project, in an amount not-to-exceed \$152,227 for the period ending December 31, 2011**

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

- 6g. Adopt Specifications WD-17-10 and authorize the General Manager to execute an Agreement with SA Recycling for the purchase and removal of scrap metal from the Long Beach Water Department for one year, and to authorize the General Manager to exercise the option to renew for two additional one-year periods**

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

President Dallman recommended that for future professional services contracts that staff provide an attachment list of all vendors who were submitting bids.

- 7. Authorize expansion of the Water Conservation Lawn-to-Garden Turf Replacement (L2G) Program by creating the "Median Landscape Conversion" program**
- **Matthew P. Lyons, Director of Planning and Conservation**

Mr. Lyons provided a briefing regarding the revision to the Lawn-to-Garden Turf Replacement Program to now include the "Median Landscape Conversion" program.

He advised the proposed amendments would allow conversion of high water consumption median and other open space landscapes to now be considered for conversion to water-conserving landscapes.

Mr. Lyons noted that each Median Landscape Conversion (MLC) would be covered by its own application; a MLC project might include more than one landscape, and might be greater than 1,000 square feet; each MLC project would need to be pre-approved by the Board of Water Commissioners; LBWD payment for each site would be the lesser of \$2.50 per square foot, or the total approved costs (includes only "out of pocket" costs).

Commissioner Townsend asked if this program was for city properties or private communities.

Mr. Lyons responded that it was anticipated that the city will apply, but noted the program was open to all.

Commissioner Clarke asked for an example of individuals who might apply for this new program. Principal Deputy City Attorney Parkin responded that private gated communities or school districts might be interested in this program.



It was moved by Commissioner Allen and seconded by Commissioner Clarke to authorize expansion of the Water Conservation "Lawn-to-Garden" Turf Replacement (L2G) Program by creating the "Median Landscape Conversion" program.

President Dallman asked if there were any additional questions, comments, or public comment regarding this agenda item. Hearing none she called for the vote. The item was unanimously approved.

**8. Adopt a Resolution of the Board of Water Commissioners of the City of Long Beach Authorizing the General Manager to Extend Audio Conferencing and Net Conferencing Services received from Verizon Business through the State of California Integrated Information Network Agreement ("CALNET II")**

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

Mr. Falagan summarized the need for a resolution for this purchase, due to following a cooperative purchase format for the agreement. He noted that current audio conferencing services average approximately \$500.00 per year. However, because the purchase was through a cooperative purchase agreement with the State of California, a resolution by the Board was required to approve the purchase.

It was moved by Commissioner Allen and seconded by Commissioner Townsend to adopt a Resolution of the Board of Water Commissioners of the City of Long Beach Authorizing the General Manager to Extend Audio Conferencing and Net Conferencing Services received from Verizon Business through the State of California Integrated Information Network Agreement ("CALNET II").

President Dallman asked if there were any additional questions, comments, or public comment regarding this agenda item. Hearing none she called for a roll call vote.

A roll call vote was taken as follows:

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

The motion carried unanimously.

**9. Update on City's Utility Billing System**

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

Mr. Falagan provided a brief overview of the scope and objectives for the acquisition of a new utility billing system. Reviewed the major accomplishments to date in the process, highlighting the recommended direction to proceed with final steps in the final selection of a vendor. Gave a summary schedule of the remaining steps in the project, including the proposed implementation timeframe.

Commissioner Allen inquired as to the flexibility of the new system to achieve rate changes that have been sought by the Board, and Mr. Falagan confirmed that the flexibility and adaptability of the new system would specifically allow for those types of rate changes.

Mr. Falagan advised that the next steps in the selection process were: 1) Site visits (January – February 2011); 2) Fact finding meetings (February); 3) Selection and contract negotiations; 4) City Council action in spring 2011; 5) Implementation – 18 months; completion expected by fall of 2012.

**11. Legislative/Public Affairs Issues**

• **Matthew R. Veeh, Director of Government & Public Affairs**

Mr. Veeh provided the following report:

**FEDERAL:**

- 112<sup>th</sup> Congress started January 5, 2011

**STATE:**

- Jerry Brown sworn in as 39<sup>th</sup> CA Governor
- Budget due on January 10<sup>th</sup>
  - Facing up to \$28 billion deficit
  - Will be an assortment
- Governor Brown to propose tax extensions set to expire this year for inclusion on June ballot
  - Would maintain higher VLF, income and sales taxes
- Possibility of "shifts" to local governments

- Diverting low-level offenders to county jails, sending money to local governments to increase jail space or for rehabilitation programs
- Eliminating the Division of Juvenile Justice, instead sending money to local governments to house juvenile offenders
- Eliminating hundreds of local redevelopment agencies, eventually redirecting tax revenue they receive to counties and schools
- Reducing the number of services local governments are required to provide and perhaps giving them greater latitude to raise revenue to pay for them
- Reviewed a handout regarding new proposals for changing state government
  - Assembly Constitutional Amendment 4, to lower the voter threshold from two-thirds to 55 percent to pass local bond measures for sewer, water, street, wastewater, park or public safety facilities. (Assemblyman Bob Blumenfield, D-Woodland Hills)
- Multiunit structure sub-metering bill reintroduced (AB 19 – Fong)
- John Laird (D) - Ex-Assemblyman appointed as new California Secretary of Natural Resources
  - Known for being big environmentalist and water conservation advocate
  - Introduced the first 20% per capita reduction legislation in 2008
  - Replaces Lester Snow
- Special Election April 19<sup>th</sup> to fill Jenny Oropeza's vacated Senate seat
  - Primary election will be held February 15<sup>th</sup> using "Top 2" method, where candidates from all parties run against each other for two finalist spots
  - A candidate could win outright in February if they receive >50% of vote since it is a special election
  - Up to 10 candidates may run for seat

Mr. Veeh provided a preview of the January 90H2O newsletter. Commissioner Townsend commented on LBWD's use of Twitter and other social media sites to distribute information regarding the Department's conservation messages and other information regarding. There was general discussion regarding the Department's use of these types of social media sites.

**11. Report of the Metropolitan Water District (MWD) Board Meeting on December 14, 2010**

Mr. Wattier reported on action taken at the MWD board meeting on December 14, 2010 which included approval of an amendment to the 2010/11 Water Management program (WMP) with member agencies during 2010/11 allocation period. He noted this amendment allows for additional water purchases outside of the Water Supply Allocation, allowing for additional supplies for storage.

**12. NEW BUSINESS**

None.

**13. CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Section 54954.5 of the Government Code  
Title: General Manager**

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

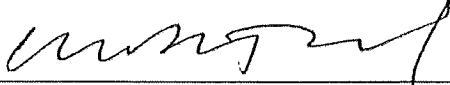
The Board adjourned to the closed session at 10:08 a.m.

The Board reconvened at 10:35 a.m.

The President advised they had completed their evaluation of the General Manager.

**14. ADJOURNMENT**

There being no further business to come before the Board, President Dallman adjourned the meeting at 10:36 a.m. to the next regular meeting of the Water Commission to be held January 20, 2011, in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California.

  
\_\_\_\_\_  
William B. Townsend, Secretary

Attest:

  
\_\_\_\_\_  
Suzanne Dallman, President