

MINUTES OF A REGULAR MEETING OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, HELD IN THE BOARD ROOM OF THE HARBOR DEPARTMENT ADMINISTRATION BUILDING AT 925 HARBOR PLAZA, LONG BEACH, CALIFORNIA, ON MONDAY, AUGUST 27, 2007, AT 1 P.M.

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

Also present:

R. D. Steinke	Executive Director
S. B. Rubin	Managing Director
C. Lytle	Managing Director
D. A. Thiessen	Managing Director
R. Cameron	Manager of Environmental Planning
D. K. Jacobus	Acting Executive Officer to the Board
L. Marin	Director of Human Resources
H. C. Morris	Director of Communications
S. Joumblat	Chief Financial Officer
D. L. Albrecht	Director of Information Management
R. Rich	Director of Maintenance
A. J. Moro	Chief Harbor Engineer
K. J. Adamowicz	Acting Director of Real Estate
C. Perrone	Director of Security
D. B. Snyder	Director of Trade Relations
S. Ashley	Director of Government Affairs
R. S. Baratta	Director of Risk Management
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT CORDERO PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Upon motion by Commissioner Topsy-Elvord, seconded by Commissioner Hankla and unanimously carried, the minutes of the regular meeting of August 20, 2007, were declared read and approved as read.

PUBLIC COMMENTS ON AGENDA ITEMS.

There was no one present to address the Board on agenda items.

CONSENT AGENDA – ITEMS NOS. 1-6.

1. CWO NO. 1163 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.

Communication from Douglas J. Sereno, Director of Program Management, dated August 22, 2007, submitting the following project for closing action:

		<u>BHC Approval</u>	<u>Expenditures</u>
CWO No. 1163	Coastal & Ocean Engineering Services for Port Infrastructure	\$1,048,547	\$ 754,860

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

2. MOFFATT AND NICHOL – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR PROJECT CONTROLS AND SCHEDULING SERVICES – DOCUMENT NO. HD-7214.

Communication from Douglas J. Sereno, Director of Program Management, dated August 22, 2007, recommending authorization of a Contract with Moffatt and Nichol for project controls and scheduling services, in the amount of \$300,000, for a period of one year beginning July 1, 2007, was presented to the Board. The recommendation was approved by the Executive Director.

3. LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE AMENDED MEMORANDUM OF UNDERSTANDING FOR GRANT FUNDING - DOCUMENT NO. HD-7025A.

Communication from Douglas J. Sereno, Director of Program Management, dated August 22, 2007, recommending authorization of the Amended Memorandum of Understanding with Los Angeles County Metropolitan Transportation Authority for an additional contribution for the Advanced Transportation Management and Information System Project (ATMIS), in the amount of \$583,690, was presented to the Board. The recommendation was approved by the Executive Director.

4. GUIDA SURVEYING, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SECOND AMENDMENT TO CONTRACT FOR ON-CALL LAND SURVEYING SERVICES – DOCUMENT NO. HD-7101A.

Communication from G. J. Cardamone, Director of Construction Management, dated August 22, 2007, requesting approval of an Amendment to Contract with Guida Surveying, Inc., for on-call land surveying services, in the amount of \$150,000, was presented to the Board. The request was approved by the Executive Director.

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

Communication from Sam Joumbat, Chief Financial Officer, dated August 22, 2007, transmitting financial statements for the Long Beach Harbor Department for the month of July 2007, was presented to the Board. The financial statements were approved by the Executive Director.

6. WEI CHI – JACK WU – APPOINTMENTS.

Communication from Lisa Marin, Director of Human Resources, dated August 22, 2007, requesting approval of the appointments of the following individuals:

<u>Appointment</u>	<u>Classification</u>	<u>Range &amp; Step</u>	<u>Effective Date</u>
Wei Chi	Assistant Chief Financial Officer	EOO	9/04/07
Jack Wu	Administrative Intern-NC	H35/01	9/04/07

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

Commissioner Hankla moved, seconded by Commissioner Topsy-Elvord that the communications be received and filed and that Items Nos. 1-6 be approved as recommended. Carried by the following vote:

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

REGULAR AGENDA.

7. SECRETARIAT OF COMMUNICATIONS AND TRANSPORT OF THE UNITED MEXICAN STATES - BOARD OF HARBOR COMMISSIONERS AUTHORIZED TO APPROVE THE MEMORANDUM OF UNDERSTANDING AND DESIGNATE MARIO CORDERO, COMMISSION PRESIDENT, TO SIGN MEMORANDUM OF UNDERSTANDING - DOCUMENT NO. HD-7215.

Communication from Diane K. Jacobus, Acting Executive Officer to the Board, dated August 22, 2007, requesting that the Board of Harbor Commissioners approve the Memorandum of Understanding with the Secretariat of Communications and Transport of the United Mexican States, and designate Mario Cordero, Commission President, to sign the MOU , which creates a mutual partnership with the City of Long Beach to promote regular and diverse exchanges for their communities benefit and to improve security and transportation infrastructure efficiency at ports, railways, and highways, was presented to the Board. The recommendation was approved by the Executive Director.

President Cordero reviewed the item.

Commissioner Hankla moved, seconded by Commissioner Topsy-Elvord that the communication be received and filed; that the Board of Harbor Commissioners approve the Memorandum of Understanding with the Secretariat of Communications and Transport of the United Mexican States and designate Mario Cordero, Commission President, to sign the MOU. Carried by the following vote:

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

8. PACIFIC BELL TELEPHONE COMPANY DBA AT&T - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE AN AMENDMENT TO LICENSE AND CONDUIT OCCUPANCY AGREEMENT FOR THE INSTALLATION OF FIBER OPTIC CABLE ON PIER T- DOCUMENT NO. HD -6938A - RESOLUTION NO. HD-2382 - ADOPTED.

Communication from Karl Adamowicz, Acting Director of Real Estate, dated August 21, 2007, recommending approval of an Amendment to License and Conduit Occupancy Agreement for the installation of conduit to provide a high-speed data line to Total Terminals International on Pier T, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Executive Director.

In response to a request by President Cordero, Mr. Adamowicz reviewed the item.

Commissioner Hankla moved, seconded by Commissioner Topsy-Elvord that the communication be received and filed and that the resolution entitled “A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A FIRST AMENDMENT TO LICENSE AND CONDUIT OCCUPANCY AGREEMENT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND PACIFIC TELEPHONE COMPANY DBA AT&T CALIFORNIA AND MAKING A DETERMINATION RELATING THERETO,” be declared read and adopted as read. Carried by the following vote:

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

NEW BUSINESS.

Ms. Ashley introduced Ms. Dominica Davis, who will work in the Government Affairs division and she will focus on state and federal issues.

President Cordero welcomed Ms. Davis.

SERVICE PIN RECOGNITION.

The following were presented to the Board in recognition of their service to the City:

Lou Rubenstein	Senior Traffic Engineer	20 years
Gail Wasil	Senior Port Leasing Officer	25 years

President Cordero congratulated the service pin recipients on their years of service.

PUBLIC COMMENTS ON NON-AGENDA ITEMS.

The following individuals addressed the Board on the Clean Air Action Plan Truck Program, Mr. Felipe Lopez, Mr. Jose Hernandez, Mr. James Ota , Mr. Carlos Prinzen, Mr. Bill McConnell, and Ms. Cecila Barra.

President Cordero thanked them for their comments.

Commissioner Sramek requested an update on the cold ironing project currently in implementation on the APL China at the Port of Oakland.

Mr. Steinke stated that Mr. Eric Witten from Whitmar Engineering was here in July and gave an update on this project and that staff is following up with the project and will provide the Board with updates and reports. Additionally, he stated one of the complicating factors is the different requirements of each vessel that calls.

Commissioner Sramek stated he had read an article that stated the growth for the Alameda Corridor was at zero in 2007.

Commissioner Hankla stated Mr. John Doherty, Chief Executive Officer, Alameda Corridor Transportation Authority, was recently here and had given a presentation on the performance update of the Alameda Corridor. Additionally, he stated that the number of trains are down, but that the trains are longer, thus handling more containers, with less pollution.

Mr. Steinke stated we have been talking to the Board and other officials about the need for increased on-dock and near-dock and other capabilities that will drive up the numbers of the Alameda Corridor. Additionally, he stated staff will provide additional information.

President Cordero suggested moving forward to establish a committee for infrastructure advocacy for various projects, with Commissioner Hankla as chair and it would also include Commissioner Sramek.

President Cordero stated he felt the Port of Long Beach has been a very strong voice on the environment issues and they have been an environmental steward with the implementation of the Green Port Policy, which was not only a voice that went out locally, but ultimately heard in the international community.

Mr. Dominic Holzhaus, Principal Deputy City Attorney, stated that because this item was not on the agenda, it had not been reviewed for Brown Act issues, and would need to be placed on the agenda for a future Board meeting.

CLOSED SESSION.

At 3:05 p.m., President Cordero recessed the Board meeting to hold a closed session:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code (one or more cases).

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT

Closed session pursuant to Section 54957 of the Government Code to consider appointment of Director of Transportation Planning.

At 4:35 p.m., the meeting was again called to order by President Cordero.

ADJOURNED.

At 4:36 p.m., Commissioner Topsy-Elvord moved, seconded by Commissioner Sramek that the meeting be adjourned sine die. Carried by the following vote:

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

MINUTES OF A SPECIAL MEETING OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, HELD IN THE BOARD ROOM OF THE HARBOR DEPARTMENT ADMINISTRATION BUILDING AT 925 HARBOR PLAZA, LONG BEACH, CALIFORNIA, ON TUESDAY, SEPTEMBER 4, 2007, AT 12:00 P.M.

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

Also present:

S. B. Rubin	Managing Director
C. Lytle	Managing Director
D. A. Thiessen	Managing Director
R. G. Kanter	Managing Director
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT CORDERO PRESIDED AS CHAIRPERSON.

PUBLIC COMMENTS.

Ms. Alice Wankett addressed the Board and spoke on AB 974.

Reverend Smart addressed the Board and spoke on the LANE Economic Study.

President Cordero thanked Ms. Wankett and Reverend Smart for their comments.

CLOSED SESSION.

At 12:20 p.m., President Cordero recessed the Board meeting to hold a closed session:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code (one or more cases).

President Cordero left closed session at 12:45 p.m.

Vice President Walter left closed session at 3 p.m.

At 3:10 p.m., the meeting was again called to order by Commissioner Topsy-Elvord.

ADJOURNED.

At 3:11 p.m., Commissioner Hankla moved, seconded by Commissioner Sramek that the meeting be adjourned sine die. Carried by the following vote:

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



MINUTES  
 REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS  
 LONG BEACH, CALIFORNIA  
 AUGUST 16, 2007

The Board of Water Commissioners of the City of Long Beach met in the Board Room of the Administration Building, 1800 E. Wardlow Road, Long Beach, California, on August 16, 2007.

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

PRESENT:	Frank Clarke	Commissioner
	Stephen T. Conley	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
	Ryan J. Alsop	Director, Government & Public Affairs
	Isaac C. Pai	Director of Engineering
	Eric Leung	Director of Water Resources
	Paul Fujita	Director of Finance
	David Honey	Administrative Officer
	Monya Hawkins	Manager Information Technology
	Robert V. Swain	Engineering Manager
	Melissa L. Keyes	Administrative Analyst II/Special Projects Coordinator
	Dynna Long	Office Administrator
	Ken Bott	Administrative Analyst III
	Nancy Morlock	Administrative Analyst III
ABSENT:	William B. Townsend	Commissioner (EXCUSED)
	B. Anatole Falagan	Deputy General Manager – Business
	Matthew P. Lyons	Director, Planning & Conservation

**1. PLEDGE OF ALLEGIANCE**

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

**2. APPROVAL OF MINUTES**

July 26, 2007 & August 2, 2007

Upon motion by Commissioner Blanco, seconded by Commissioner Allen and unanimously carried, the Minutes of the Regular Meetings of July 26, 2007 & August 2, 2007, were approved.

**3. PUBLIC COMMENT**

At the request of President Clarke, Sandra Fox, Secretary to the Board of Water Commissioners, opened the public comment period. As there were no requests to address the Board, the public comment period was closed.

**4. PRESIDENT'S REPORT**

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

None.

**5. REVIEW BOARD MEETING SCHEDULE FOR SEPTEMBER 2007**

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

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

September 6, 2007	Regular Meeting – 9:15 A.M.
September 13, 2007	Committee of the Whole Meeting – 9:15 A.M.
September 20, 2007,	Committee of the Whole Meeting - 9:15 A.M.
September 27, 2007	Regular Meeting - 9:15 A.M.

Commissioner Blanco advised he would be absent from the September 20, 2007 meeting. Commissioner Conley also advised he would be absent from the September 20, 2007 meeting.

The Board agreed to schedule Board elections at the September 27, 2007 Regular Meeting.

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

CITY COUNCIL REQUEST REGARDING BOTTLED WATER & FLUORIDE

Mr. Wattier commented on the August 14 2007 City Council agenda item regarding bottled water. He reported that it would not be truthful to revise the bottled water label to include the words tap water, as the bottled water is tap water which actually receives additional treatment and is filtered differently for aesthetic purposes.

He commented on recent articles that focused on the negative side of bottled water related to its environmental footprint

There was general discussion regarding bottled water.

Mr. Wattier reported that LBWD will continue to coordinate with the City Council regarding the bottled water issue, and he advised he had asked Robert Cheng, Deputy General Manager – Operations, to provide a report at the next Committee of the Whole meeting on the bottled water program that would include the history, and background on the two purposes for bottled water – emergency preparedness (which includes allocations to schools for emergency purposes) and the City Council and Commission allocation for bottled water for their distribution to community organizations.

Mr. Wattier also commented on the upcoming addition of fluoride to Metropolitan Water District water supplies. He reported that LBWD began fluoridation of the city water supply in 1973. He advised that LBWD would continue to work with local dental clinics regarding fluoridation levels.

#### TEMPORARY RELOCATION OF BOARD OF WATER COMMISSION MEETINGS

Mr. Wattier reminded the Board members that effective September 6, 2007, all Board of Water Commission meetings will be held at the Treatment Plant at 2950 Redondo Avenue due to ongoing air conditioning construction at the Administration Building. He reported the construction is expected to continue through December 2007.

#### BELMONT PUMP STATION UPDATE

Mr. Wattier reported that LBWD is assisting Los Angeles County Sanitation to retrofit their pump station (2<sup>nd</sup> and Bayshore) with a semi-permanent diversion of storm water runoff into the sewer system to help alleviate a possible source of pollution runoff into Alamitos Bay. He reported that a similar retrofit is scheduled for the Los Angeles County Sanitation pump station on Appian Way.

#### **6. LEGAL COUNSEL REPORT**

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##### **Charles Parkin, Principal Deputy City Attorney**

Mr. Parkin thanked staff for including him on the recent tour of water facilities, and advised it had been very educational.

#### **8. CONSENT CALENDAR**

President Clarke recommended that item 8c. be pulled for discussion.

It was moved by Commissioner Allen and seconded by Commissioner Conley that the Board approve Consent Calendar items 8a. and 8b. These Consent Calendar items were unanimously approved.

President Clarke called for discussion on Consent Calendar item 8c. There was no discussion by the Board members.

It was moved by Commissioner Allen and seconded by Commissioner Blanco that the Board approve Consent Calendar item 8c. This Consent Calendar item was unanimously approved.

**8a. Approval of Transfer of Funds by Journal Entry Dated August 16, 2007**

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

**8b. Receive and File List of Vendor Payments for June 2007**

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

**8c. Authorize the General Manager to Execute an Agreement with Lee & Ro, Inc. to Provide Construction Management Services for the Sanitary Sewer Improvement Project at 10<sup>th</sup> & Lime and 15<sup>th</sup> and Gardenia, in an amount not-to-exceed \$147,092 for the period ending October 30, 2009**

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

**9. LEGISLATIVE ISSUES/ACTIONS/BILLS**

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

Mr. Alsop provided an overview of communication pieces related to water conservation and the Board's recent Declaration of Immediate Need for Water Conservation.

Mr. Alsop commented that LBWD had received good support from the local media in getting the conservation message out to the constituents. He advised this also included "unearned media" as other agencies are also covering the need for water conservation throughout the local region.

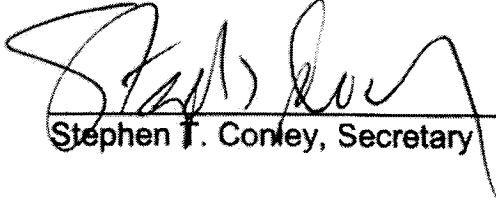
Mr. Wattier reiterated that the LBWD conservation message should stress the elimination of over-watering which not only saves water, but also helps to control runoff polluting local beaches and beach water quality. He advised staff would work with Public Works on developing a piece for an upcoming "WAVE" publication stressing this point. He also reminded the Board that we have a local case study that has just occurred with the Alamitos Bay water quality and the results of storm water run-off in the bay.

**10. NEW BUSINESS**

Mr. Wattier reported on his recent discussion with Councilwoman Schipske regarding Golden State Water which serves approximately 400 customers in her district. He advised they also discussed the issue of a private water company serving Long Beach residents, and the point that their rates are 20 to 50% higher than LBWD water rates.

**11. ADJOURNMENT**

There being no further business to come before the Board, President Clarke adjourned the meeting at 10:23 a.m. to the Public Hearing of the Water Commission to be held on Thursday, August 30, 2007, at 7:00 p.m., in the Assembly Room of the Treatment Plant, 2950 Redondo Avenue, in Long Beach, California

  
Stephen T. Conley, Secretary

Attest:

  
Frank Clarke, President

**MINUTES**  
**PUBLIC HEARING OF THE BOARD OF WATER COMMISSIONERS**  
**CONSIDERATION OF ANY PUBLIC PROTEST OF PROPOSED**  
**INCREASES TO THE CITY'S WATER AND SEWER RATES FOR**  
**FISCAL YEAR 2007-2008**  
**LONG BEACH TREATMENT PLANT**  
**LONG BEACH, CALIFORNIA**  
**AUGUST 30, 2007**

The Board of Water Commissioners of the City of Long Beach met in the Assembly Room of the Long Beach Treatment Plant, 2950 Redondo Avenue, Long Beach, California, on August 30, 2007.

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

<b>PRESENT:</b> Frank Clarke William B. Townsend Stephen T. Conley Paul C. Blanco Charles Parkin Kevin L. Wattier Sandra L. Fox  Robert C. Cheng  B. Anatole Falagan Paul T. Fujita Melissa L. Keyes  Dynna Long Ken Bott Dina Lopez Trish Gomez-Bellis	Commissioner Commissioner Commissioner Commissioner Principal Deputy City Attorney General Manager Secretary to the Board of Water Commissioners Deputy General Manager – Operations Deputy General Manager - Business Director of Finance Administrative Analyst II/Special Projects Coordinator Senior Secretary Administrative Analyst III City Clerk Specialist City Clerk Analyst
<b>ABSENT:</b> John D.S. Allen	Commissioner (EXCUSED)

**1. PLEDGE OF ALLEGIANCE**

President Clarke led the Board and audience in the Pledge of Allegiance.

**2. ROLL CALL**

Dina Lopez from the City Clerk's office called the roll.

Commissioners Present: Clarke, Townsend, Conley, Blanco  
 Commissioners Excused: Allen

### 3. OPEN PUBLIC HEARING

President Clarke opened the public hearing and reported the only item for business on the agenda was a public hearing on water and sewer rates. He advised the public if they wished to speak to protest, they should complete a speaker's card and complete all information requested on the card prior to speaking. He advised that speakers should identify themselves at the microphone, and limit their remarks to three minutes.

Note: Commissioner Blanco joined the meeting at 7:12 P.M.

### PUBLIC COMMENT

President Clarke asked if there were any members of the public interested in speaking.

Bob Bryan spoke regarding tier charges.

James Kelly spoke regarding SCE meter readings.

Sue Chhoeu-Nourn spoke regarding a high water bill at her residence.

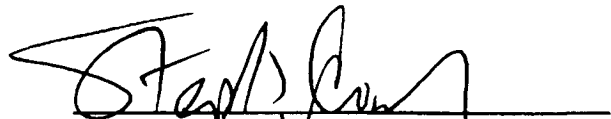
President Clarke closed the public comment period.

### CITY ATTORNEY COMMENT

Mr. Charles Parkin, Principal Deputy City Attorney, reported that the Water Department had received one written letter of protest. He also advised that the public speakers' comments were not related to the rate protest, and thus the number of protests were not a majority of the ratepayers. He advised the new rates adopted by the Board of Water Commissioners, and approved by the City Council will take effect on October 1, 2007.

### 6. ADJOURNMENT

There being no further business to come before the Board, President Clarke adjourned the public hearing at 9:15 a.m.

  
Stephen Conley, Secretary

Attest:

  
Frank Clarke, President