

**CITY OF LONG BEACH
WATER COMMISSION
MINUTES**

**THURSDAY, FEBRUARY 18, 2021
VIA TELECONFERENCE/WEB, 9:00 AM**

Frank Martinez, President
Arthur Levine, Vice President

Christopher J. Garner, General Manager



Robert Shannon, Secretary
Gloria Cordero, Commissioner
Naomi Rainey, Commissioner

Richard Anthony, Deputy City Attorney

REGULAR MEETING - 9:00 A.M.

FINISHED AGENDA & DRAFT MINUTES

The Water Commission minutes are prepared and ordered to correspond to the Water Commission agenda.

The agenda items were considered in the order presented.

CALL TO ORDER

The Board of Water Commission regular meeting was called to order by President Martinez at 9:00 A.M. This regular meeting was held via teleconference pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom.

ROLL CALL

Executive Assistant, Sandra Fox took the roll call and confirmed a quorum.

Also present: Christopher J. Garner, General Manager; B. Anatole Falagan, Assistant General Manager; Tai Tseng, Assistant General Manager - Operations; Sandra Fox, Executive Assistant to the Board.

Commissioners Gloria Cordero, Naomi Rainey, Robert Shannon, Art Levine and
Present: Frank Martinez

PUBLIC COMMENT

1. [21-020WA](#) Public Comments for February 18, 2021.

President Martinez opened the public comment period and asked if any written public comments had been received. Ms. Fox advised no written public comments had been received for the February 18, 2021 Board meeting. President Martinez then inquired if there was anyone from the public on the line who would like to speak. Hearing none he closed the public comment period.

PRESIDENT'S REPORT

President Martinez commented on the availability of COVID vaccines.

GENERAL MANAGER'S REPORT

Mr. Garner commented on the recent security breach that took place at a water agency in Florida.

He advised LBWD has been reviewing the security systems at the department in light of this recent occurrence.

He noted staff was planning on coming back to the Board with a discussion and in-depth report on physical and cyber-security in the next few weeks.

President Martinez inquired if this security discussion and report should be handled in a closed session.

Mr. Anthony advised that the plan was for this discussion/report to be handled in a closed session.

Mr. Garner reported that recent discussions had taken place with legislators in Sacramento and Washington, DC. He advised President Martinez and Commissioner Cordero (along with LBWD legislative staff) had participated in these discussions.

He thanked Mr. Falagan and Ms. Croci for organizing these discussions. He also acknowledged the participation by the federal and state advocacy staff.

Mr. Garner reported that the Long Beach Water Department had received a U.S. Bureau of Reclamation grant award in the amount of \$1.5 million to be used in the development of the department's two new well projects. He noted the USBR had only made eighteen awards to

western water agencies. He. thanked Ms. Croci and engineering staff for their work in securing this grant.

Mr. Garner advised that he had recently taken part in the interviews for the city's new Human Resources Director. He advised it was anticipated this position would be filled sometime in April 2021.

Mr. Garner made comments regarding the LA Times article that had recently appeared regarding the workplace harassment, discrimination and misconduct allegations that had taken place at the Metropolitan Water District. He advised he would be reaching out via e-mail to all of the LBWD employees that this type of behavior would not be tolerated. He also noted that he would make it clear to employees that they should feel free to reach out to report any type of workplace harassment, discrimination or misconduct.

Commissioner Rainey made comments regarding sexual harassment and training regarding this topic.

Mr. Garner responded noting that annual training in sexual harassment and workplace violence are held for all water department employees.

Mr. Garner advised that LBWD would be taking part in International Women's Day through postings utilizing the department's social media accounts highlighting some of the women who work in the various bureaus in the department.

Mr. Garner reported that Lou Vargas, Director of Field Operations would be retiring the first of next month.

Commissioner Rainey commented on the various types of press and social media that the LBWD uses. She asked about utilizing a utility bill stuffer. Mr. Garner responded to this inquiry.

REGULAR AGENDA

2. [21-021WA](#) Recommendation to review March 2021 Board meeting calendar.

At this point in the meeting there was a pause due to technical difficulties being experienced by President Martinez. Various comments unrelated to the agenda were made during this pause.

President Martinez reviewed the March board meeting calendar with the Commissioners.

The following meetings were confirmed:

March 4 and March 18 regular board meetings.

March 4 - Communications Committee meeting at 8:00 A.M.

He advised the start time for the March 4th board meeting had been revised to 9:15 A.M.

3. [21-022WA](#) Recommendation to approve the January 7, 2021 and January 21, 2021 Board meeting minutes.

President Martinez called for a motion to approve the January 7, 2021 and January 2021 board meeting minutes.

President Martinez called for any Commission comments, or any public comment,.

Hearing none a roll call vote was taken.

A motion was made by Secretary Shannon, seconded by Commissioner Cordero, to approve recommendation. The motion carried by the following vote:

Yes: 5 - Gloria Cordero, Naomi Rainey, Robert Shannon, Art Levine and Frank Martinez

4. [21-023WA](#) Recommendation to approve Transfer of Funds by Journal Voucher dated February 18, 2021.

BUREAU: Finance

President Martinez introduced agenda item 4. and called for a motion to approve the Transfer of Funds for February 18, 2021.

He called for a motion. He then called for any Commissioner comments or questions or public comment. Hearing none he called for a roll call vote. A roll call vote was taken.

After the vote Commissioner Rainey requested an explanation on Journal Vouchers.

Mr. Falagan provided a response.

A motion was made by Commissioner Cordero, seconded by Vice President Levine, to approve recommendation. The motion carried by the following vote:

Yes: 5 - Gloria Cordero, Naomi Rainey, Robert Shannon, Art Levine and Frank Martinez

5. [21-024WA](#) Recommendation to approve Retirement Order No. 6162 for items that have become obsolete or unrepairable during the current year, and remove them from the department's records. These items will not be sold at auction.

BUREAU: Finance

President Martinez introduced agenda item 5. - Retirement Order.

He called for any Commission questions.

Commissioner Rainey requested why these items would not be sold at auction.

Mr. Falagan provided a response.

Commissioner Cordero inquired if any of these items might be donated.

Mr. Falagan responded.

President Martinez then called for any public comment.

Hearing none he called for a motion.

He then called for a roll call vote.

A motion was made by Secretary Shannon, seconded by Commissioner Cordero, to approve recommendation. The motion carried by the following vote:

Yes: 5 - Gloria Cordero, Naomi Rainey, Robert Shannon, Art Levine and Frank Martinez

6. [21-025WA](#)

Receive report of Metropolitan Water District February 9, 2021 Board meeting.

MWD Director Cordero provided a summary report of the Metropolitan Water District February 9, 2021 Board of Directors meeting.

She spoke about the LA Times article regarding the alleged harassment, discrimination and misconduct that had taken place at MWD. She advised that several more articles were anticipated to be published regarding these issues. She noted the Board had received testimony under public comment from several MWD employees who had entered these complaints.

Director Cordero advised that a special investigation was going to be made into these allegations. She advised the Commissioners that she would keep them updated on this subject.

She thanked Mr. Garner for his proactive stance in addressing this type of behavior at LBWD.

Director Cordero provided an update on the MWD search for a General Manager. She noted the MWD Executive Committee was working with the outside search company regarding this issue. She advised that a selection may be made sometime in April.

President Martinez inquired how many candidates had submitted for this

position.

Director Cordero responded she does not know at this point, but will report back to the Commissioners.

President Martinez called for any further questions or comments from the Commissioners. He then called for any public comment. Hearing none he moved on in the agenda.

CONSIDER STANDING COMMITTEE REFERRALS

President Martinez called for any Standing Committee meeting referrals. He advised the only one he was aware of was the March 4th Communications Committee.

Commissioner Shannon inquired if any Finance Committee meetings had been scheduled.

President Martinez called on Mr. Sorensen to respond.

Mr. Sorensen noted that upcoming budget workshops would be scheduled, but there is nothing currently finalized for these meetings. He advised he would keep the Commission updated.

NEW BUSINESS

President Martinez called for any new business. Hearing none he moved onto the Closed Session.

President Martinez read the closed session items into the record:

Closed Session (two items):

1. Anticipated Litigation - closed session conference with legal counsel relating to anticipated litigation pursuant to Paragraph (2) of subdivision (d) and paragraph (3) of subdivision (e) of Section 54956.9 of the California Government Code.

One Matter:

1. Damages Claim of L'Opera Inc. dated 10/29/20.

2. Pursuant to paragraph (b) (1) of Section 54957 of the California Government Code regarding Public Employee Performance Evaluation: General Manager.

He called for any public comment. Hearing none he adjourned the Board to the Closed Session at 9:31 A.M.

Commissioner Rainey inquired if there was a problem for her to participate in the closed session as she knows the owner of L'Opera.

Mr. Anthony responded.

President Martinez reconvened the Board meeting at 10:36 A.M. He advised he had nothing to report.

ADJOURNMENT

President Martinez adjourned the Board meeting at 10:37 A.M.

NOTE:

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