

**CITY OF LONG BEACH
WATER COMMISSION
MINUTES**

**THURSDAY, MARCH 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

FINISHED AGENDA & DRAFT MINUTES

The Water Commission minutes are prepared and ordered to correspond to the Water Commission agenda. Agenda items can be taken out of order during the meeting.

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 9:02 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, Robert Shannon, Art Levine and Frank Martinez

Present:

Commissioners Naomi Rainey

Excused:

PUBLIC COMMENT

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 March 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.

1. [21-035WA](#) Receive March 18, 2021 Public Comment.

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 March 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 noted that the Metropolitan Water District (MWD) was facing challenges in responding to the recent LA Times articles regarding MWD employee alleged harassment charges. He advised that Director Cordero may have more to report in her MWD report regarding this matter later on in the agenda.

He noted that monies from the recent American Rescue Plan might be able to be used to assist water agencies with customer past due utility accounts.

He suggested that LBWD consider taping a message to share with the public to apply for this type of funding. He noted that Mr. Garner may have additional information regarding this topic to share during his report.

GENERAL MANAGER'S REPORT

Mr. Garner advised that the City is still checking to see if some of the American Rescue Plan funding might be able to be used to assist with delinquent utility ratepayer accounts. He advised the City Manager is currently checking to see if these funds could be used for that purpose.

He advised that LBWD is aggressively reaching out to the delinquent ratepayers encouraging them to bring their accounts current, and for them to reach out to the department to advise if they need assistance with their delinquent bills. He noted the concerns that LBWD and other utilities is that ratepayers are paying nothing on their accounts which will lead to an amount they cannot recover from.

President Martinez inquired if the department was receiving any feedback from ratepayers regarding this issue.

Mr. Garner noted so far there had been very little response. He did note that commercial ratepayers have been found to be keeping their accounts more current than the residential accounts. He said the delinquent amounts for water are less than for gas bills.

Mr. Falagan introduced Mr. Brandon Walker, the department's new Director of Finance. Mr. Walker made introductory comments.

Mr. Garner made comments regarding Mr. Walker.

Mr. Garner provided a COVID update noting that as of March 12, all LBWD employees had been given the opportunity to obtain a vaccination. He advised that not all employees had elected to receive the vaccination. He noted there are ongoing talks taking place with city staff regarding setting a date for city employees to return to their offices. He said he would keep the Board updated on this issue.

2. [21-036WA](#) Recommendation to review April 2021 board meeting calendar.

President Martinez reviewed the April 2021 Board meeting schedule with the Commissioners.

They agreed on the following dates for Board meetings as follows:
April 1; April 15 and April 29. President Martinez noted he might be out of town for the April 29 meeting and asked if Mr. Shannon could cover that meeting for him.

President Martinez also reminded the Board that a Communications Workshop had been set for Friday, April 23, 2021 at 9:00 A.M.

3. [21-037WA](#) Recommendation to authorize the General Manager to enter into a contract with Carpi & Clay to provide federal advocacy and lobbying services in an amount not to exceed \$58,000 for one year with the option to extend for two additional one-year periods.

BUREAU: Legislation & Grants

President Martinez introduced agenda item 3. Ms. Croci provided the staff report.

President Martinez called for any Commission comments or questions.

Commissioner Shannon inquired about the reimbursable costs and asked how much they had requested in the past.

Ms. Croci guesstimated somewhere between \$4,000 to \$6,000 per year. She advised she would provide the Board with the actual numbers later.

Commissioner Shannon inquired who the other firm that responded to the RFP was, and had LBWD ever worked with them.

Ms. Croci advised it was Jackson Kelly, a firm headquartered in Indiana, and advised LBWD had never worked with them.

Commissioner Shannon requested that each future renewal be brought back to the Board for approval.

Commissioner Cordero provided comments regarding Carpi Clay.

President Martinez made closing comments and advised that his recent experience with the legislative briefings that had been set up by Carpi Clay were very positive.

President Martinez called for any public comment. Hearing none he called for a roll call vote.

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

Yes: 4 - Gloria Cordero, Robert Shannon, Art Levine and Frank Martinez

Excused: 1 - Naomi Rainey

4. [21-038WA](#) Authorize staff to execute a one-time performance award (bonus) to the General Manager in the amount of \$2,000.

President Martinez provided the staff report for agenda item 4. - One-time performance award to the General Manager.

He provided background on how the Board had determined to make this award.

He called for any Commission comments.

Commissioner Cordero advised she felt this was an appropriate award to be given to Mr. Garner, noting that the Board felt he had gone above and beyond during the COVID pandemic.

Commissioner Shannon made comments.

President Martinez called for any public comment. Hearing none he called for a roll call vote.

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

Yes: 4 - Gloria Cordero, Robert Shannon, Art Levine and Frank Martinez

Excused: 1 - Naomi Rainey

5. [21-039WA](#) Receive verbal report for Long Beach Water Department's 2020 Urban Water Management Plan Process Review.

BUREAU: Water Resources

President Martinez introduced agenda item 5. Ms. Heather Rhee reviewed a presentation with the Board regarding the Long Beach Water Department's 2020 Urban Water Management Plan process. She then

reviewed the timeline with the Commission for adoption of the Plan.

President Martinez called for any Commission questions or comments.

Commissioner Cordero inquired how dependent LBWD was with MWD during the UWMP planning process.

Ms. Rhee responded that the UWMP process is a collaboration with MWD.

President Martinez called for any other Commission questions or comments. Hearing none he advised this item was a receive and file report.

6. [21-040WA](#)

Receive verbal Conjunctive Use Report.

BUREAU: Water Resources

President Martinez introduced agenda item 6.

Mr. Wang thanked Ms. Rhee and the Water Resources team for their work on the development of the UWMP.

Mr. Wang provided a verbal report regarding Conjunctive Use, and reviewed a presentation with the Board.

President Martinez called for any Commission questions or comments.

Commissioner Cordero inquired when a decision might be made that would benefit the department to not proceed with conjunctive use.

Mr. Wang responded.

Mr. Falagan responded.

Commissioner Cordero made additional comments.

Mr. Falagan spoke about the groundwater basin particulars as it relates to a call from MWD (under the CUP Agreement) to store water or produce water.

Mr. Wang made additional comments regarding the CUP Agreement.

President Martinez called for any additional comments or questions from the Commissioners.

President Martinez thanked Mr. Wang for the very good presentation. He asked Dean to speak about his thoughts for LBWD to continue the CUP Agreement.

Mr. Wang responded.

President Martinez called for any public comments. Hearing none he agreed to receive this report.

Commissioner Shannon asked Mr. Wang to provide his thoughts on how the CUP Agreement could negatively affect LBWD.

Mr. Wang responded.

Commissioner Shannon asked Mr. Wang to comment on the historical length of the CUP Agreement, and knowing what he knows now would he have negotiated a shorter agreement length.

Mr. Wang responded.

Commissioner Shannon made comments regarding the possibility of new contracts being negotiated with other entities in the future. He asked if any lessons had been learned that could be applied to these future contracts.

Mr. Falagan responded.

President Martinez called for any additional questions. Hearing none he noted the report would be received.

7. [21-041WA](#) Receive verbal Water Supply Update report.

BUREAU: Water Resources

President Martinez introduced agenda item 7. Mr. Wang provided a verbal report and reviewed a presentation regarding a Water Supply Update.

President Martinez thanked Mr. Wang for the report. He called for any Commission comments or questions.

Note: At this point in the meeting President Martinez advised he would sign off from the video portion of the meeting, but would continue via phone as he needed to leave and drive his wife to a medical appointment.

Commissioner Shannon questioned slide 10. of the presentation. He wondered if additional releases from the upper Colorado reservoirs could assist in the shortage at Lake Mead.

Mr. Falagan responded.

Commissioner Shannon questioned the conditions for the Upper Colorado states.

Mr. Falagan responded.

Commissioner Cordero thanked Mr. Wang for the excellent report, and noted it was very sobering. She spoke about the ramifications of decisions made by LBWD and MWD regarding water storage. She also spoke about the future water supplies that would make up the LBWD water portfolio. She also spoke about the MWD Drought Contingency Plan that will be reviewed in 2026.

President Martinez commented on the recent report he had read which described the water content in the California snowpack being less than in previous years.

Mr. Wang made comments regarding this issue.

President Martinez called for any additional questions. Hearing none he called for any public comment.
He then moved on in agenda.

8. [21-042WA](#) Receive report of the March 9, 2021 Metropolitan Water District board meeting.

Gloria Cordero, Metropolitan Water District Director

President Martinez called on Director Cordero for her report of the March

9, 2021 Metropolitan Water District Board meeting.

Director Cordero spoke regarding the recent articles published by the Los Angeles Times regarding possible cases of harassment, discrimination and misconduct at MWD. She reported on action being taken by MWD to address the claims. She noted that an outside firm, Shaw Law Group was conducting an external review of the claims. She also mentioned that MWD had sent out a confidence survey for MWD employees to complete regarding their concerns regarding these claims. She noted that so far 75% of the MWD employees had completed the survey

She reported that the Shaw Law Group would be conducting interviews with 125 MWD employees regarding this issue. She advised 45 management employees would also be interviewed by Shaw.

She reported on the status of the search for a new MWD General Manager. She advised the discussions regarding the recruitment had first begun with the MWD Organization, Personnel & Technology Committee; but had recently been assigned to the Executive Committee. She advised she would keep the Board updated on the progress regarding this issue.

President Martinez noted that he had heard that there might be additional articles from the LA Times regarding the harassment issue. He asked Director Cordero to comment on MWD's position regarding these claims.

Director Cordero noted that the MWD Chair, Gloria Gray had advised she wanted an open, and transparent review of these matters, but is currently not making any statements regarding this issue.

Director Cordero reported that the Long Beach City Council had adopted a resolution supporting the claimants regarding the matters being reported in the newspaper. She advised that the Los Angeles City Council had also come out in support of the MWD claimants. She noted they also took an additional step wondering if their City Council should be a part of MWD to assist with these matters.

Commissioner Shannon asked Director Cordero to explain the difference between a review and an investigation in these matters.

Director Cordero responded.

Mr. Falagan responded.

Director Cordero made closing comments regarding this issue.

President Martinez called for any other questions. 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 referrals.

Hearing none he moved on in the agenda.

NEW BUSINESS

President Martinez called for a motion to excuse Commissioner Rainey from the March 18, 2021 board meeting.

Commissioner Shannon made the motion, and it was seconded by Commissioner Levine.

President Martinez called for any public comment. Hearing none he called for a roll call vote.

The motion carried with 4-1 vote (Rainey absent).

ADJOURNMENT

President Martinez adjourned the board meeting to the April 1, 2021 teleconference meeting at 9:00 A.M.

NOTE:

If written language translation of the Commission agenda and minutes for non-English speaking persons is desired, please make your request by phone to the Office of the City Clerk at (562) 570-6101, 72 business hours prior to the Commission meeting.

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Si desea obtener la traducción escrita en otro idioma de la agenda y actas de la comisión para personas que no hablan inglés, haga su solicitud por teléfono a la Oficina de la Secretaría Municipal al (562) 570-6101, 72 horas hábiles antes de la reunión de la comisión.

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