

**CITY OF LONG BEACH
WATER COMMISSION
MINUTES**

**THURSDAY, MAY 27, 2021
VIA TELECONFERENCE, 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

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 9:00 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

At this point in the meeting President Martinez advised that Mr. Garner had an announcement regarding taking an agenda item out of order.

Mr. Garner advised that agenda item 3. - Unfinished Business - Sponsorship of Newspapers in Education had not previously been handled as a sponsorship item, but had been considered under the department's Education Program. He requested that the Board approve handling this request in the same manner and advised he would bring this back to the Board at a later date. Commissioner Shannon questioned on whether the Board could just decide to make the decision to handle it this way.

President Martinez asked Deputy City Attorney Erin Weesner-McKinley to weigh in on this decision.

She advised that the Board could choose to lay this item over to a future agenda and bring it back to the Board as an education item rather than a sponsorship item. She recommended the Board make a motion to this affect and take a vote. President Martinez asked if it was being reclassified as an education item from a sponsorship item would this be necessary. Deputy City Attorney Erin Weesner-McKinley advised since this item was agendized for discussion that motion could be made now. There was discussion to see if this item would just remain on the agenda at the previously agenda slot and discussed at that time. President Martinez clarified that agenda item 3. would remain as agendized, but the Board would take this item up as an education item.

PUBLIC COMMENT

1. [21-095WA](#) Recommendation to receive public comment for the May 27, 2021 Board meeting.

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 May 27, 2020 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.

PUBLIC HEARING

2. [21-096WA](#) Recommendation to conduct Public Hearing for 2020 Urban Water Management Plan.

BUREAU: Water Resources

President Martinez opened the public hearing for the Urban Water Management Plan.

He advised the public hearing is to allow community input regarding the Long Beach Water 2020 Urban Water Management Plan update in accordance with State Water Code Section 10610 through 10656 of the Urban Water Management Planning Act.

Ms. Rhee provided a staff report.

President Martinez called for any questions or comments from the Board members.

He then complimented Ms. Rhee on her work in bringing this report to its final stages.

Commissioner Cordero requested clarification on how the Board could better prepare for the June 10, 2021 meeting when the Board would be

asked to adopt the plan.

Ms. Rhee responded.

Commissioner Rainey requested that Ms. Rhee list the name of the newspapers that the public hearing notice had been published in.

Ms. Rhee advised that the public notice had been published in the Press Telegram two separate times.

Commissioner Rainey expressed her concern that notices had not also been published in other local papers, such as the Cambodian paper and Pacific Islander paper to address reconciliation and racial equity issues, and better address the diversity of the community.

Mr. Garner responded.

President Martinez asked if there was anyone wishing to speak regarding the public hearing item. Hearing none he closed the public comment period.

President Martinez declared the public hearing closed.

At this point in the meeting Commissioner Shannon asked if anyone else on the teleconference meeting was experiencing frozen screens or audio. It was determined that these errors might only be occurring for Commissioner Shannon.

PRESIDENT'S REPORT

President Martinez wished everyone a safe holiday weekend.

GENERAL MANAGER'S REPORT

Mr. Garner commented on the e-mail he had forwarded to the Board yesterday regarding the potential for returning to in-person meetings. He advised that the current plan is for the City Council only to return to in-person meetings in mid-June with the public returning to in-person meetings sometime in July. He advised when he received additional clarification from city hall he would update the Board on these two issues. He noted the expectation was that Commissions would soon be able to also meet in person.

President Martinez inquired if the IT staff was working on a hybrid type of future meetings to combine in-person meetings with the chance for board members to call in.

Mr. Falagan provided further information on this process. He also noted that staff is working on the technology particulars for the upcoming Prop. 218 hearing.

At this point in the meeting Commissioner Rainey asked Mr. Garner about the need for possible COVID booster shots, and expressed concern that COVID cases are still rising. She advised that she would not currently be able to participate in in-person meetings due to her concerns regarding COVID.

Mr. Garner responded.

Mr. Garner referenced the recent news article from the LA Times regarding the search for the new MWD Executive Director.

Director Cordero made comments regarding the current status of this search.

UNFINISHED BUSINESS - ITEM HELD OVER FROM 5/13/2021 AGENDA

3. [21-090WA](#) Invitation for a Board sponsorship of the Newspapers in Education Program (NIE) for the Press-Telegram.

President Martinez introduced agenda item 3. Unfinished Business - Newspapers in Education.

President Martinez noted this item would be considered as an education item rather than a sponsorship item.

He called on Mr. Garner for a staff report.

He noted this item should have been brought to the Board as an education item under the education budget rather than a sponsorship item.

Commissioner Levine inquired about the cost of this item.

Mr. Garner responded. He reminded the Board that he had submitted answers to questions the Board had brought up at the prior meeting regarding this item as part of the agenda packet.

Commissioner Rainey asked if this was just a donation to the Newspapers in Education program in general or for the local school district.

She questioned the fact that the item was being changed from a sponsorship item to an education item.

Mr. Garner responded.

Deputy City Attorney Erin Weesner-McKinley also weighed in on this issue. She noted the suggested change still allowed for sufficient public participation.

Commissioner Rainey expressed additional concerns regarding changing this item.

Deputy City Attorney Erin Weesner-McKinley responded.

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

Commissioner Cordero questioned the cost of this item.

President Martinez responded \$500.00.

Commissioner Cordero spoke about the merits of this program for the school district.

Commissioner Cordero made a motion to approve a \$500.00 education item for the Newspapers in Education program.

Deputy City Attorney Erin Weesner-McKinley requested clarification regarding the motion.

Commissioner Cordero clarified her motion as follows: approve the potential action to approve a \$500.00 education item for the Newspapers in Education program.

At this point in the meeting Commissioner Cordero questioned the fact that we might not even need a motion to approve an education contribution.

Commissioner Shannon advised he was still having technical difficulties

connecting to the teleconference meeting.

Commissioner Cordero advised she did not feel a motion was necessary, as any items that come out of the education budget did not require a motion. She requested that Mr. Garner respond.

Mr. Garner said that was correct. That these type of items were usually handled on the staff level. He also explained other actions the Board could choose to take with this item.

Deputy City Attorney Erin Weesner-McKinley provided alternate suggested motion language.

Commissioner Rainey seconded the motion.

President Martinez clarified the action. He noted the substitute motion action language should read as follows: proceed with this item as an education item instead of a sponsorship item in the amount of \$500.00 for Newspapers in Education.

Deputy City Attorney Erin Weesner-McKinley advised the motion should be to move forward with this item as an education item rather than a sponsorship, without noting an actual dollar amount. Commissioner Cordero agreed to this revised motion language. Commissioner Rainey agreed as a second to the motion regarding the revised motion language.

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

The motion carried 5-0.

tTe motion should be to move forward with this item as an education item rather than a sponsorship, without noting an actual dollar amount.

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

REGULAR AGENDA

4. [21-097WA](#) Recommendation to review June 2021 Board meeting calendar.

The Board reviewed the June 2021 board meeting calendar, and agreed to the following meeting schedule:

June 10, 2021 - Regular Teleconference Meeting

June 24, 2021 - Regular Teleconference Meeting.

Review calendar.

5. [21-098WA](#) Recommendation to approve April 15, 2021 Board meeting minutes.

President Martinez called for a motion to approve the April 15, 2021 board meeting minutes.

Commissioner Shannon made the motion. Commissioner Cordero seconded the motion.

President Martinez called for any public comment. Hearing none he called for any Commission questions or comments. He then called for a roll call vote.

The motion carried 5-0.

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. [21-099WA](#) Recommendation to approve Transfer of Funds for May 27, 2021.

BUREAU: Business - Finance

President Martinez introduced agenda item 6. He called for any comments or questions from the Commissioners.

Commissioner Shannon commented on the liability charges on the transfer, noting they are outrageous.

President Martinez called for a motion.

Commissioner Levine made the motion to approve the Transfer of Funds.
Commissioner Cordero seconded the motion.

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

The motion carried 5-0.

A motion was made by Vice President Levine, 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

7. [21-100WA](#)

Recommendation that the Board approves the retirement order #2163 for items that have become obsolete and/or unrepairable during the current year (see list in retirement order), and that these items be removed from the department's fixed asset record and sold at auction.

BUREAU: Business - Finance

President Martinez introduced agenda item 7. retirement order #2163 for items that have become obsolete and/or unrepairable during the current year (see list in retirement order), and that these items be removed from the department's fixed asset record and sold at auction.

President Martinez called for a motion to approve.

Commissioner Shannon made the motion, and Commissioner Levine seconded the motion.

President Martinez called for any Commissioner questions or comments. Hearing none he called for any public comment.

He then called for a roll call vote.

The motion carried 5-0.

A motion was made by Secretary Shannon, 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

8. [21-101WA](#) Recommendation to authorize the General Manager to execute the second renewal option and issue a Purchase Order with iColor for an amount not to exceed \$10,000, for printing services for one year.

BUREAU: Public Affairs

President Mrtinez introduced agenda items 8. - 11. for printing contract renewals. It was agreed that one vote could be taken for these items.

Ms. Weatherly provided a staff report for the four items and reviewed a presentation with the Board.

President Martinez called for any Commissioner comments or questions.

President Martinez advised he had not seen the presentation attached to the items on Legistar. Ms. Fox advised she would check on this

President Martinez made suggestions to staff that when they are crafting an RFQ for the next round of contracts it would probably be helpful as they have done with other contracts to add more than one, two or even three renewals to the contracts as previously, done. With the note that staff would return to the Board each year with an update on contractor evaluations.

Ms. Weatherly agreed this was a great suggestion, and that staff would look at extending the terms on these types of contracts.

President Martinez asked the Deputy City Attorney if it would be possible to add one more year renewals to these contracts.

She noted the Council had been considering this type of change due to the recent pandemic. She advised this option would require the staff to

consider this request and come back go the Board for adoption. She also noted the requirement for fair and competitive open procurement process with the city to needed to be taken into consideration.

President Martinez asked Mr. Garner and his team to consider this request for the next round of renewals.

President Martinez called for any additional questions or comments from the Commission. He then called for a motion to approve items 8. - 11.

Commissioner Cordero made the motion.

Deputy City Attorney advised the Board if there were any items they would like to pull out and consider individually this would be the time to note that request before any vote was taken on the collective items.

President Martinez asked the Board if they had any items they wanted to pull and consider separately. Hearing none he called for a second.

Commissioner Levine seconded the motion.

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

The motion carried 5-0.

Approve items 8. - 11. printing contract renewals.

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

9. [21-102WA](#)

Recommendation to authorize the General Manager to execute the second renewal option and issue a Purchase Order with Sepko Industries, Inc. for an amount not to exceed \$10,000 for printing services for one year.

BUREAU: Public Affairs

Approve items 8. - 11. printing contract renewals.

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

10. [21-103WA](#) Recommendation to authorize the General Manager to execute the second renewal option and issue a Purchase Order with Speed Pro for an amount not to exceed \$15,000, for printing services for one year.

BUREAU: Public Affairs

Approve items 8. - 11. printing contract renewals.

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

11. [21-104WA](#) Recommendation to authorize the General Manager to execute the second renewal option and issue a Purchase Order with Alliance Printing Associates for an amount not to exceed \$20,000, for printing services for one year.

BUREAU: Public Affairs

Approve items 8. - 11. printing contract renewals.

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

12. [21-105WA](#) Recommendation to Consider Invitation for a Board sponsorship of the Long Beach Juneteenth Celebration, June 19, 2021 through Partner of Parks.

President Martinez introduced agenda item 12. consideration of a sponsorship of the Long Beach Juneteenth Celebration.

Mr. Garner provided a staff report.

President Martinez called on Commissioner Rainey to make comments.

Commissioner Rainey advised she is involved in this event so would be choosing to abstain from the vote. She spoke about equity, and then went on to mention other special events such as Cinco de Mayo, Black History Month, Cambodian New Year, Martin Luther King, Jr. and American Indian that should also be considered. She also expressed concern about the

sponsorship request amount during a time that the Board is recommending rate increases.

President Martinez advised he concurred with Commissioner Rainey's comments.

He reminded the Board that they had adopted a position early on in the fiscal process that during the pandemic the city and the water department had been experiencing difficult financial times, and had elected to withhold sponsorships unless a strong need arose.

Commissioner Cordero expressed her thoughts about the unfortunate position the department has been placed during this difficult economic time. She commented on the goals of the Juneteenth event and noted that it aligns with the goals of the department - education, support for the community, and change the mindset of people in the community for equity. She suggested perhaps the department can take a look at this event for next year and participate (not only monetarily) but working with the community.

Mr. Garner advised the Board that lower sponsorship levels for this event are \$5,000 or \$1,000.

Commissioner Shannon spoke about the earlier decision to withhold sponsorships during the COVID pandemic, and noted the Board could better serve the customers by not diverting funds for these types of expenditures. He suggested receiving and filing this request.

Commissioner Levine advised that the \$10,000 sponsorship request was excessive for a new event. He suggested a \$1,000 level sponsorship.

Commissioner Rainey advised the Board regarding the reasons behind the Juneteenth event. She advised she could support a \$2,500 sponsorship.

President Martinez requested clarification from Commissioner Levine and Rainey regarding their suggested alternate sponsorship requests.

Commissioner Shannon asked if there was a motion on the table.

Deputy City Attorney Weesner-McKinley advised there was not a motion on the table - only sponsorship level suggestions from two separate Commissioners. She also requested Commissioner Rainey clarify her

earlier comments regarding abstaining from voting on this item due to her involvement with this event.

Commissioner Rainey requested that Mr. Garner assist her on clarifying her position as a lead participant in this event.

Mr. Garner deferred this request to the Deputy City Attorney. Ms. Weesner-McKinley advised that Commissioner Rainey would be in a conflicted position, and that her abstention would not only apply to the vote, but to the discussion of the item. Deputy City Attorney Weensner-McKinley requested that Commissioner Rainey drop off of the call so the item could be handled without her being present. She advised that she could be called back to participate in the balance of the agenda.

Commissioner Shannon made a motion to receive and file this item. He then asked Deputy City Attorney Weener if this was the best way to turn down this sponsorship. The Deputy City Attorney advised the Board could also take no action.

Commissioner Cordero made comments regarding the Board's earlier decision to withhold support for any sponsorships as mentioned by Commissioner Shannon. She also spoke about the importance of the Juneteenth event that could send an important message to the community through the goals that they had set. She advised that this type of sponsorship could enable other event planners to approach the Board for sponsorships.

She seconded the motion to receive and file this request.

President Martinez suggested that no motion was necessary in light of the recent comments by the Deputy City Attorney.

Commissioner Shannon advised he feels that a vote is necessary on the receive and file motion.

President Martinez requested that the Deputy City Attorney clarify her earlier position.

She advised a vote should be held on the motion on the table.

President Martinez called for any further comments or questions from the Board. He then called for any public comment. Hearing none he called for

a roll call vote.

The motion carried 4-1 (abstain Rainey).

This WA-Agenda Item was received and filed.

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

Abstain: 1 - Naomi Rainey

CONSIDER STANDING COMMITTEE REFERRALS

At this point in the meeting Commissioner Levine asked if this item would be reconsidered next year.

President Martinez requested that Commissioner Levine clarify his request. He asked if his request was regarding the sponsorship policy.

Commissioner Levine replied yes.

President Martinez advised that the policy could be considered, but that would fall under the agenda of the next Board presidency.

Deputy City Attorney Weesner-McKinley warned the Board that any discussion regarding this policy would need to be agendaized.

President Martinez advised Commissioner Levine to bring this item up under new business.

Commissioner Rainey rejoined the meeting at this point. She advised she had missed part of the recent comments, and asked President Martinez to summarize what he had said. President Martinez repeated these comments.

President Martinez called for any Standing Committee referrals. Hearing none he moved on in the agenda.

NEW BUSINESS

President Martinez called for any new business.

Commissioner Levine advised the Board should consider a possible sponsorship of the Juneteenth event next year.

President Martinez asked if Commissioner Martinez meant for the Board to reconsider the Sponsorship Policy for possible amendments, or possible sponsorship of the next Juneteenth event.

Commissioner Levine advised he was referring to next year's Juneteenth event, but also suggested the Board take a look at the other sponsorship requests that they had turned down over the last year.

Commissioner Rainey made additional comments regarding the Juneteenth event being singled out. She advised that all sponsorship requests should be revisited, especially those dealing with equity, diversity and reconciliation.

President Martinez responded. He advised if the Board wanted to review and revise the Sponsorship Policy he would need a formal motion to have this item placed on an agenda.

Commissioner Levine made the motion to review the Sponsorship Policy at a later meeting date. Commissioner Rainey seconded the motion.

Commissioner Shannon advised he had no problem with the motion, but noted it might be a bit premature in considering it at this time since economic times had not settled down yet.

Commissioner Cordero suggested this item be postponed until after the Proposition 218 public hearing, and possibly considered later in the fall.

Commissioner Shannon asked if the motion on the floor contained a time certain date. President Martinez responded no it did not.

President Martinez asked the maker of the motion and the second if they were agreed to adjusting the motion to bring this item back to the Board after the Proposition Hearing.

Both Commissioner Levine and Rainey agreed to this change.

Commissioner Shannon cautioned the Board to signal the public that they are ready to possibly make changes to the Sponsorship Policy in these uncertain times. He said this is too premature a time for this discussion.

Commissioner Rainey advised she was retracting her second to the motion.

Commissioner Levine withdrew his motion.

President Martinez summarized these changes. He then called for another new business.

Hearing none he moved onto adjournment.

ADJOURNMENT

President Martinez adjourned the meeting at 10:12 A.M. to the teleconference meeting to be held on June 10, 2021 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.

Kung nais ang pagsasalin ng nakasulat na wika ng agenda ng Komisyon at ang minutes para sa mga taong hindi nagsasalita ng Ingles, mangyaring isagawa ang iyong hiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 72 oras ng negosyo bago ang pagpupulong ng Commission.

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.

បើមានការចង់បានឲ្យមានការបកប្រែឯកសារស្តីពីរបៀបរា: និងកំណត់ហេតុឲ្យ
អ្នកដែលមិនចេះនិយាយអង់គ្លេស សូមមេត្តាធ្វើសំណើអ្នកតាមទូរស័ព្ទដោយហៅ
ការិយាល័យស្មៀនក្រុងតាមរយៈលេខ (562) 570-6101 (72 ម៉ោងធ្វើការមុននឹង
ចាប់ផ្តើមបើកកិច្ចប្រជុំគណៈកម្មការធម្មនុញ្ញ)។