

**MINUTES OF THE LOS ANGELES GATEWAY REGION  
INTEGRATED REGIONAL WATER MANAGEMENT JOINT POWERS AUTHORITY BOARD  
(L.A. GATEWAY AUTHORITY)  
AT PARAMOUNT, CALIFORNIA  
THURSDAY, JANUARY 13, 2011**

A regular meeting of the Board of Directors of the Gateway Authority was held on Thursday, January 13, 2011, at Noon at the Clearwater Building at 16401 Paramount Blvd., Paramount, CA 90723.

Chair Chris Cash called the meeting to order at 12:00 p.m. Roll was called through self-introductions and a quorum was declared present.

**BOARD MEMBERS PRESENT:**

Chair Chris Cash	Paramount
Vice Chair Adriana Figueroa	Norwalk
Secretary-Treasurer Desi Alvarez	Downey
Chair Emeritus Kevin Wattier	Long Beach Water Department
John Oropeza	Bell Gardens
Deborah Chankin (arr. 12:08pm)	Bellflower
Dave Hill (alt for Art Aguilar)	Central Basin Municipal Water District
Mike O'Grady (alt. for Vince Brar)	Cerritos
Gina Nila	Commerce
Jim Glancy	Lakewood
Mark Christoffels	Long Beach
G. Daniel Ojeda	Lynwood
Adrian Diaz (alt for Al Cablay)	Pico Rivera
Frank Beach (alt for Don Jensen)	Santa Fe Springs
Charlie Honeycutt	Signal Hill
Bill DeWitt	South Gate
Scott Rigg (alt for Kevin Wilson)	Vernon

**BOARD MEMBERS ABSENT:**

Art Aguilar	Central Basin Municipal Water District
Joseph Serrano	Southeast Water Coalition
David Pelser	Whittier

**STAFF AND GUESTS PRESENT:**

Annette Hubbell	Executive Officer
Shannon DeLong	Downey
Mohammad Mostahkami	South Gate
Abi Aderonmu	California Department of Water Resources
Alex Kenefick	Los Angeles and San Gabriel Rivers Watershed Council
Russ Bryden	Los Angeles County Flood Control/GLAC
Shirley Birosik	Los Angeles Regional Water Quality Control Board
Bill Pagett	Willdan Engineering
Kathryn Tyrrell	Malcolm Pirnie

**PUBLIC PRESENT:**

none

**ITEM 3 - ADDITIONS TO THE AGENDA**

None.

**ITEM 4 – ORAL COMMUNICATIONS TO THE BOARD**

Russ Bryden, Los Angeles County Flood Control/GLAC, announced that the next GLAC meeting for the Lower LA/SGR sub-region would be on January 18 and the next GLAC leadership committee meeting would be on January 26. He stated that GLAC had been recommended for a Prop 84 planning grant and had submitted an application for a Prop 84 implementation grant. He noted that the GLAC leadership committee would be undergoing some changes as new water management area representative are selected and that they are pursuing an outreach grant from DWR.

**ITEM 5 – CONSENT CALENDAR**

Two changes were requested – the correction of Daniel Ojeda's last name on page 1 of the minutes and of Gina Nila's last name on page 2 of the minutes. Vice Chair Adriana Figueroa moved to approve the minutes with the suggested changes and Gina Nila seconded. Noting the abstention of Bill DeWitt, who had not attended the November meeting, the board unanimously approved the minutes from November 18, 2010.

**ITEM 6 – DISCUSSION OF JPA STAFFING AND FUTURE OPERATION**

Chair Chris Cash stated that he and the other officers had met in December to discuss the current and future staffing and operation of the Gateway Authority, as Annette Hubbell has expressed her desire to re-retire. He stated that the Gateway Authority will continue to need an executive officer and that they will be inviting nominations for candidates and seeking resumes to find a replacement. He suggested the formation of a subcommittee to identify candidates, and the following board members offered to be part of the ad hoc committee: Chris Cash, Adriana Figueroa, Gina Nila, Dan Ojeda and John Oropeza.

Executive Officer Annette Hubbell remarked that the Gateway Authority was beginning its fourth year of operation, and that she has very much enjoyed working with the Board and serving the Gateway Authority.

**ITEM 7 – CONSIDERATION OF CHANGES TO THE LOS CERRITOS CHANNEL METALS TMDL MOA WITH LONG BEACH**

Ms. Hubbell stated that the Long Beach Memorandum of Agreement had been returned to the Gateway Authority with a clause lined-out and initialed by a deputy City Attorney. Noting that the clause regarded the payment of interest on late invoices, Ms. Hubbell suggested that the work-around would be for the Gateway Authority Board to accept the MOAs as being substantially similar and that staff be directed to not encumber additional funds until invoices from MOA signatories had been paid. Secretary-Treasurer motioned to accept the MOA and direct staff to work with Long Beach and all of the participating agencies to obtain payment on time. Director Bill DeWitt seconded. Director Deborah Chankin asked for clarification as to whether the interest clause was being struck or ignored, and the motion was amended to direct staff to ignore the interest clause for all MOA signatories. The motion passed unanimously.

**ITEM 8 – GRANT UPDATES**

**Item 8a. Proposition 84 IRWM Planning Grant**

Ms. Hubbell announced that the Authority's application for the IRWM planning grant had been recommended for funding in full. She also noted that 8 comment letters had been sent in support of the

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Gateway IRWM Authority, from the Authority itself, from the Gateway Cities COG, from Amigos de los Rios, and from the following elected officials: Sen. Lowenthal, Sen. Wright, Asm. Hagman, Asm. Hall and Asm. Mendoza. DWR final recommendations are expected in late January or early February. Ms. Hubbell also reported on a meeting that she, Secretary-Treasurer Alvarez, and Bill Bennett of Bookman-Edmonston had with Joe Yun of the Department of Water Resources. The meeting was requested to discuss the DAC involvement in the governing board and decision-making process of the Gateway IRWM Authority, and the attendees reported that the meeting was productive, with both entities increasing their understanding of each other.

**Item 8b. ARRA-Funded Catch Basin Project Update (LA River Trash TMDL)**

Mr. Bill Pagett of Willdan presented a powerpoint slide show to provide an update on the project. He stated that the County had changed the permitting department from the Watershed Division to the Land Development Division, so they are working with the new division director on obtaining the rest of the County permits, which they hope to accomplish by the end of February. The Long Beach and Vernon permits should be finalized and closed-out by the end of the week. It was reported that the work in Commerce is 75% complete, and that the County is set to issue the Bell Gardens permit soon. Willdan has requested that the County issue permits based on the number of catch basins to be worked on (1,500 at a time) instead of the number of cities, so that the contractor will be able to keep 12 crews working at all times. It was also reported that construction on city-owned catch basins has begun in Compton and South Gate.

Mr. Pagett referred directors to a spreadsheet in their agenda packets regarding the project budget status. He stated that approximately 30% of the grant funds had been spent, 38% of the connector pipe screens (CPS) had been installed, and 52% of the contract quantity of automatic retractable screens (ARS) had been installed. He also reminded Directors of the County's recently revealed criterion, which does not allow the installation of an ARS on a catch basin where the connector pipe has been rated at less than a 4-year storm capacity (a caveat not disclosed by the County during project conception or design). This restriction may limit the total number of ARS units that can be installed.

The maintenance responsibilities associated with the connector pipe screens (CPS) and the automatic retractable screens (ARS) were discussed. Specifically, Mr. Pagett noted that the front of CPS units in high-traffic areas can become "caked" with disintegrating paper and other debris, and will need to be scraped periodically. Director Mark Christoffels and Chair Chris Cash added that street sweeping crews using broom sweepers (as opposed to vacuum trucks) will need to be educated on forcing the brooms down into the local depressions to properly clean the ARS units. Director Christoffels also noted that no agreement has been reached with the County regarding maintenance.

Mr. Mohammad Mostahkami stated that the cities do need to know soon what the County's maintenance charges are likely to be, as cities are beginning the budget process now. He suggested it might help expedite matters if the Gateway Authority would send a letter to that effect. Mr. Pagett informed Directors that the maintenance agreement is currently under review by County attorneys. Director Bill DeWitt commented that the Governor's preliminary budget proposal may have more severe consequences for the Counties than for the Cities, at least for now, and the question about finalizing the maintenance agreement is a matter of timing. Secretary-Treasurer Alvarez suggested that sending a letter probably would not adversely impact the process. It was motioned by Director DeWitt and seconded by Director Scott Rigg to direct the Executive Officer to send a letter requesting action on the County maintenance agreement. Director Christoffels requested that the motion be amended to direct Staff to try once more with the County and then send a letter if discussions are not fruitful. The amended motion passed unanimously.

**ITEM 9 – PROPOSAL TO AMEND CONSTRUCTION MANAGEMENT SERVICES CONTRACT WITH WILLDAN ENGINEERING**

Executive Officer Hubbell noted that discussions at previous Board meetings had alluded to a potential increase to the Construction Management Services Contract. She indicated that the Board had been sent a proposal to increase Construction Management (CM) services by \$650,000, in addition to the already-awarded contract for \$449,000. She then asked Mr. Bill Pagett to address Willdan's request to the Board.

Mr. Pagett stated that the CM proposal was developed in 2009 based upon an estimated 4,000 catch basins to be retrofitted with CPS and ARS units. He indicated that the estimate of 4,000 catch basins was made because the Gateway Authority had originally applied for a \$20,000,000 grant to retrofit roughly 9,000 catch basins, but that the grant award had been for half of that amount (\$10,000,000) and so Willdan estimated that only half the number of catch basins would be retrofitted. He also noted that the construction project was originally bid for 120 days, but that an addendum to the bid documents had been issued prior to bid opening that extended that time period to 280 days. Furthermore, Mr. Pagett reminded Directors that construction did not actually begin until near the summer of 2010 due to delays with the County permits that took far longer than originally anticipated.

He explained that the new estimate was for 3 construction inspectors in the field through the end of construction, plus a week for each of them to close out their documentation of the project, along with staff time for administering the contract, permits and reporting. Finally, he informed Directors that installation of the CPS units, which is the measure of compliance with the Los Angeles River Trash TMDL, would be complete by June 30, 2011.

Vice Chair Adriana Figueroa expressed her concern that an amendment to the CM contract worth more than double the original contract was coming before the board less than six months before the end of the project, and asked Mr. Pagett why it took Willdan so long to come to the Board with a new proposal. Mr. Pagett answered that in previous discussions with the Board, Willdan had mentioned the need to increase CM services by \$500,000 and that it was difficult to estimate, until this past October, exactly how much additional time the project would take. He estimated that the project was roughly 40% complete with respect to the installation of connector pipe screens. Vice Chair Figueroa voiced her concern that there was only 5 ½ months left to complete the project and yet 60% of the CPS units still remained to be complete.

Director DeWitt inquired as to the Board's options at this point. Secretary-Treasurer Alvarez noted that Willdan's request is for a 3<sup>rd</sup> amendment to the contract that more than doubles the original contract, and expressed his recollection that the previously-granted \$110,000 amendment to the contract was to have addressed the additional work presented by the catch basins. He added that Willdan had developed the plans & specifications and had been integral to the project's development, so why was such a substantial request being presented so late in the project?

It was asked whether the discussion should be continued to a closed session as the additional Willdan proposal is significant and could expose the Gateway Authority to additional liability. It was motioned by Secretary Alvarez and seconded by Director DeWitt to form a subcommittee to negotiate with Willdan. Director Deborah Chankin requested that the motion be amended to include subcommittee consultation with legal counsel. Additional discussion ensued regarding standard percentages of total construction project costs that are allocated to professional services such as design and contract management. A request was made that the proposed subcommittee also examine the construction progress and construction change orders and report back to the Board.

The motion was amended by Secretary-Treasurer Alvarez and seconded by Director DeWitt, and unanimously approved to form a subcommittee to consult with legal counsel, negotiate with Willdan, and make recommendations to the Board as soon as possible, noting the potential need for a special meeting to be called earlier than the February 10, 2011 regular board meeting. The subcommittee consists of the officers of the Board of Directors (Chair Cash, Vice Chair Figueroa and Secretary-Treasurer Alvarez) and staff as necessary.

#### **ITEM 10 – EXECUTIVE OFFICER’S REPORT**

Ms. Hubbell asked Shannon DeLong (City of Downey) to provide a report on the Board’s direction to report back on the 20x2020 regional compliance measure. Ms. DeLong informed the Board that the Department of Water Resources had just recently published their draft Urban Water Management Plan (UWMP) Guidebook and that the fourth method for compliance with 20x2020 had not yet been developed (it was scheduled for release at a DWR webinar on 1/21/11). Ms. DeLong noted that it would certainly be possible to develop a regional compliance measure, and that staff had requested in December that member agencies forward their annual Public Water System Statistics Reports in order to provide a rough estimate of the region’s baseline per capita water usage. However, several issues had arisen, including the difficulty of estimating population data according to the strict criteria named by DWR and the concern over agencies supplying data that differed in calendar and fiscal years. It was noted that Central Basin Municipal Water District may be a resource in this endeavor.

The requirements for developing a 20x2020 compliance target would be the following:

- Accumulation of water use and population data for all of the baseline years from all participating agencies – data must be consistent in year (calendar vs. fiscal). Service Area population data must be consistent to within 5% of a city or county boundary, otherwise DWR is requiring the creation of GIS maps with census block group population data for every year of the baseline calculation in order to generate accurate population estimates.
- Individual retails should include in their 2010 UWMP a section on the regional compliance target elements (names of the members of the alliance, water usage statistics, precise population data (and source of data), and a narrative discussing the compliance measure chosen along with a statement of the targets for 2015 and 2020)
- The Gateway Authority must write a letter to DWR identifying the members of the alliance, water usage statistics, precise population data (and source of data), and a narrative discussing the compliance measure chosen along with a statement of the targets for 2015 and 2020.

Staff was directed to return to the Board in February with a complete cost estimate for developing the necessary documentation and calculations for the regional compliance target. It was noted that the necessary public hearings and invitation for public input may necessitate 1-2 meetings to complete. Director Dave Hill informed the Board that the Central Basin UWMP would be complete in the next 3 weeks and that Central Basin is looking forward to helping the Gateway Authority develop its regional alliance.

#### **ITEM 11 – DIRECTORS COMMENTS/REPORTS**

Chair Cash reported that with the help of Willdan’s Bill Pagett, the cities of Montebello and Maywood are moving toward joining the Board of the Gateway Authority.

Director Jim Glancy reported on Governor Brown’s preliminary budget proposal, and indicated that he would forward a one-page summary provided by the Association of California Water Agencies (ACWA). He noted that the State Board is planning an increase in fees to amount to roughly \$12.8 million for dischargers and water rights holders. He also noted that language in the State Water Board’s permits is already in place to generate revenue for “violations” such as failure to file notices stating that a discharger had not discharged during a quarter.

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Director DeWitt remarked that outreach to the City of Bell would resume when their turmoil had calmed. He also complimented the County Flood Control District on its management of the waters in the lower reach of the Los Angeles River during the most recent storm, as he noted the stark difference between the flow of the river recently and the alarmingly-high levels the river had reached in past years.

**ADJOURNMENT**

The meeting was adjourned at 1:26 pm to **Thursday February 10, 2011** in the Clearwater Building at Paramount, CA.

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Desi Alvarez, Secretary-Treasurer

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Date