



CITY OF BEVERLY HILLS
City Hall Room 280-A
455 N. Rexford Drive
Beverly Hills, CA 90210

MINUTES
PUBLIC WORKS COMMISSION REGULAR MEETING
March 12, 2015
8:00 A.M.

The meeting was called to order at 8:04 a.m.

A. ROLL CALL

Commissioners Present: Felsenthal, Wolfe, Aronberg, Shalowitz and Pressman.
Commissioners Absent: None.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Felsenthal.

C. COMMISSION MINUTES

Consideration of the Minutes of the Public Works Commission Special Meetings of February 12 and 26, 2015. MOTION by Chair Shalowitz, SECONDED by Commissioner Pressman to approve. Absent objection by the Commission, the Minutes are approved by order of the Chair.
CARRIED 5/0

D. ORAL COMMUNICATIONS FROM THE AUDIENCE - None.

E. REPORT FROM THE CHAIRPERSON

Mayor's Cabinet Meeting Chair Shalowitz attended the meeting of February 25, 2015. Minutes are available online. The Architectural and Planning Commissions are seeing fewer projects come before them. March 24th is the incoming Mayor and Vice Mayor installation.

Other Items of Interest - None.

F. NEW BUSINESS

1. Low Impact Development (LID) requirement per the National Pollutant Discharge Elimination System (NPDES) Permit Municipal Storm Water and Urban Runoff Discharges within Los Angeles County and the Incorporated Cities (MS4) Permit Mr. Descalzo provided an update on storm water, urban water runoff and water quality as they pertain to the Ballona Creek watershed, of which the City is a member. Programs listed in the Report are ongoing as part of the City's Environmental Program and are being reviewed and updated. Chair Shalowitz asked if the programs will be presented to the Architectural and Planning Commissions.

G. CONTINUED BUSINESS

1. Water Enterprise Plan – Financial Analysis Ms. Rhay provided a PowerPoint presentation and update as one final review of the Water Enterprise Plan (WEP), to provide feedback on the February 26th meeting revisions and additional information and to confirm the Commission's recommendation of a motion from that meeting. The following were discussed: WEP Cost Assumptions; Commission Revisions; Water Capacity Fee Analysis; Commission Forecast; and Revised Schedule. Regarding reducing bond funding, Mr. Chavez stated the forecast is based on construction; the last two years have been robust but this factor varies yearly. Mr. Marquis noted the numbers are conservative; with a large costly project it is best to have bond funding while being as

conservative as possible for a favorable City Council outcome. Ms. Rhay stated plan implementation is contained in the Revised Schedule; more detail will be available once City Council approves the plan and a Request for Proposals goes out for a feasibility study.

MOTION by Commissioner Wolfe, Seconded by Commissioner Felsenthal that Staff incorporate as part of the WEP, an analysis of Will Serve Letters and determining to what effect they can be used to affect the financial viability of the Water Enterprise Plan and to determine whether or not supplemental water rights should be incorporated into the plan.

Ayes: Felsenthal, Wolfe, Pressman, Aronberg and Shalowitz.

Noes: None

Abstentions: None

Absent: None

CARRIED 5/0

MOTION by Commissioner Pressman, Seconded by Vice Chair Aronberg that the Commission recommends, as it pertains to the Water Enterprise Plan, to City Council that there be no water rate increase for Fiscal Year 15/16, then return to the prior two-year cycle.

Ayes: Felsenthal, Wolfe, Pressman, Aronberg and Shalowitz.

Noes: None

Abstentions: None

Absent: None

CARRIED 5/0

MOTION by Vice Chair Aronberg, Seconded by Commissioner Felsenthal that the Commission recommend the Water Enterprise Plan as stated in the Staff Report (at the February 26th Meeting) with amendments currently discussed and approved including the consideration of recycled water and a Will-Serve Letter policy.

Ayes: Felsenthal, Wolfe, Pressman, Aronberg and Shalowitz.

Noes: None

Abstentions: None

Absent: None

CARRIED 5/0

2. Shallow Groundwater Development Project Update Mr. Cuneo provided an update. Contracts were approved by City Council on January 13th and the project is underway. A Notice to Proceed was issued to Tetra Tech on February 6th. The kick-off meeting with Tetra Tech and Richard Slade & Associates occurred February 17th. Their first task is to prepare a preliminary design report including hydrogeological recommendations and detailed conceptual site plans; this is due April 7th. Documents are slated to be reviewed and finalized by the end of April. The final design, plans and specifications are slated for completion by the end of July. The permit process and environmental clearances are ongoing. Bidding is to begin the end of July with an award of contract mid-November. Well construction is slated to begin at year's end. Chair Shalowitz asked Mr. Cuneo to keep the Commission apprised if there is a shift in schedule.
3. Water Will Serve Letter Discussion Mr. Wiener and Mr. Markman gave an update. The following were discussed: Definition/purpose of a Will-Serve letter as it pertains to new water connections; Potential conditions, fees, etc. of such a letter; Legalities of a water moratorium; When a commitment to provide water service is made; and Vested Water Rights. Ms. Rhay noted Public Works Services grants will-serve letters; in the future, the Water Operations Manager will research conditions surrounding granting letters to potential developers. Mr. Chavez stated larger projects are examined during environmental review. For future will-serve letters, legal obligations must be

met to reflect the changing environment and available water. Mr. Markman stated a legitimate condition of a letter is to require that developers pay the cost of water. Mr. Wiener stated the new fee contains a buy-in element and anticipated infrastructure/supply water needs.

4. Reports from Sub-Committees Regarding the Emergency Preparedness Subcommittee, Mr. Chavez stated staff met with City of Los Angeles' Mayor Garcetti to discuss DWP trunk and water lines running through the Beverly Hills; Commissioners Aronberg and Wolfe attended along with Los Angeles' Public Works Commission Chair. The City's interest is to ensure the ability to respond to emergencies and the replacement of Los Angeles' infrastructure in conjunction with our street repair and the safety of our community. Quarterly meetings will be held. Beverly Hills does not have the right to repair Los Angeles' lines but can help Los Angeles identify leaks, coordinate repairs with our staff and provide assistance.
5. Outstanding Action Items List from Previous Meeting Mr. Cartagena provided an update. The following are ongoing: 26, 46, 51, 54, 63, 64, 67. The following are removed: 56, 66. Regarding Item No. 54, Mr. Cuneo stated the Engineering Division is managing the plant project. Six Bids were received and reviewed; staff is looking to award 1.8 million in April. Engineering is attempting to expedite work. Regarding Item No. 56, Mr. Cartagena stated the program has been evaluated and is expanding Citywide. MOU issues have been overcome. Future evaluation for other Department's fleets will be completed by the respective Departments. Mr. Chavez noted the program will be a permanent part of the City's fleet. Mr. Lynn gave a brief overview of the program. The program will be monitored by each Department as employee oversight is held by each Department; ownership of the hardware and program is governed by Public Works. Regarding Item No. 63, Ms. Rhay stated a report covering the feasibility of investing in and keeping the plant running and providing information is on hold until the Commission is ready.
6. Capital Improvement Program Projects Under Public Works Management Regarding CIP No. 553, Ms. Rhay stated staff is currently slotting an increase in funds in order to be in compliance with our enhanced water master plan in conjunction with other watershed cities. A total investment of 1.7 Billion is required of Beverly Hills. The City is responsible for 76 million over the next ten years. Staff is in the process of settling a plan and inserting funds into the budget.
7. Discussion of Future Agenda Items and Areas of Priority - None.

H. **COMMENTS FROM COMMISSIONERS**

Commissioner Felsenthal asked that Staff: Report to the Commission to discuss qualifications of the Water Manager position; Discuss bringing on a staff member assigned to grants; and review the portion of the Water Enterprise Plan that allows the City to sell more water than it has without charging for it. Mr. Chavez stated revenue for water connection fees go into the water fund for future capacity.

I. **COMMENTS FROM STAFF** - None.

J. **ACTION ITEMS**

- Commissioners Felsenthal and Pressman asked staff to look into bringing on a staff member dedicated to researching and writing grants.
- Commissioner Pressman requested information on projects' fees and the nature of those project's letters.
- Chair Shalowitz requested that staff review Will-Serve letters, their updating and bi-annual review. He also requested staff provide samples of the last 10 letters granted.

- Commissioner Felsenthal requested an NPDES review.
- The Commission requested a review of the Water Manager Job description.

K. **ADJOURNMENT**

There being no further business, Chair Shalowitz, with the Commission's consent, adjourned at 11:08 a.m.

Passed and approved

This 11th day of May, 2015

Ron Shalowitz
Chair Shalowitz