

**MINUTES
LOS CERRITOS WETLANDS AUTHORITY (LCWA)
BOARD MEETING
September 24, 2020**

The meeting was held via Zoom.us. The meeting was called to order by Chair Sam Schuchat at approximately 12:32 p.m.

- 1. CALL TO ORDER**
- 2. ROLL CALL**

MEMBERS PRESENT:

Mr. Roberto Uranga
Mr. Sam Schuchat
Ms. Suzie Price
Mr. Joe Kalmick

MEMBERS ABSENT:

STAFF PRESENT:

Mark Stanley, Executive Officer
Dena Williams, Board Secretary
Salian Garcia, Fiscal Manager
Sally Gee, Project Manager
David Edsall, Jr., Deputy Attorney General

3. PUBLIC COMMENT

Anna Christensen stated that she was representing "Citizens for Breathable Air" where they have had to fight since 2017 against the pollution in the area that the community has had to leave their windows and doors closed and believe that it is coming from the Beach Oil Mineral's field. She is asking for help from the LCWA with monitoring the area of Marina Pacifica and the pollution problem.

Ann Cantrell read aloud the LCWA's mission statement. Ms. Cantrell stated that she sees nothing in the mission statement that says you must protect oil production in the wetlands. Ms. Cantrell stated that she feels oil production is more important than the restoration and it's not too late for LCWA to abide by their mission statement and just say no to oil.

Patricia McPherson stated that she is the president of "Grassroots Coalition" and her comments are regarding wetlands across California. Ms. McPherson stated that there is a good deal of corrosion in the wells according to the Gas Co which is unhealthy, unproductive to the habitat that does remain in the freshwater wetlands.

Leslie Purcell stated that the Zoom meeting she just left was discussing the importance of wetlands and how much more important they are today to mitigate climate change and

absorb storm and sea level rise. Ms. Purcell also stated that we should carefully think about altering wetlands that may not be beneficial.

4. CHAIR'S REPORT

The Chair stated that the Legislative session ended without reviewing the Resources Bond but he believes that there will be work continued once the legislature is back in session.

5. APPROVAL OF MINUTES

One set of minutes for Board Meeting from May 7, 2020. There were no objections.

Minutes were passed.

REGULAR CALENDAR

6. STATUS REPORT ON WORK PLAN IMPLEMENTATION

A. LAND MANAGEMENT UPDATE

Eric Zahn stated that he wanted to update everyone on a project that was just completed adjacent to the Orange County retention basin. There were some impacts to existing habitats and the Coastal Commission made it a condition of the permit for Orange County to restore, as mitigation, 1.43 acres of habitat. The authority partnered with Orange County to implement this mitigation project starting in November of 2014 and the target was to see that the mudflat scrub reached a 70% cover of native plants. The project was supposed to be completed in 5 years and it is now 2020 but it has successfully met its performance standards which is a great achievement.

Marcello Ceballos stated that on the OTD parcel the gates, trails and fences are in good shape, there is a homeless encampment in the southeast corner of the property that has trash and debris present with no tent but still needs to be cleaned up.

Mr. Ceballos stated that on the Zedler Marsh property, gates and trails are good, there was a fence breach that has been repaired and there are no homeless encampments on the property.

Mr. Ceballos stated that on the State lands parcel staff conducted trail maintenance in May and additional trail maintenance may be required once stewardship programs resume to ensure visitor safety. Mr. Ceballos also mentioned that there was a small 0.2 acre fire on this property that was quickly extinguished.

Mr. Ceballos stated that on the Hellman property Tidal Influence staff conducted trail maintenance along portions of the trail system to allow access for staff and maintenance activities and additional trail maintenance will be conducted throughout the trails system once stewardship programs resume. Mr. Ceballos mentioned that non-native vegetation is growing along the southwestern portion of the property adjacent to a neighborhood and staff will work to have the vegetation removed in the coming months.

Mr. Ceballos stated that on the Bryant Lease property all of the locks and chains for the gates along the levee have been removed and all gates are open and it is recommended that LCWA staff meet with LA County to determine a new approach to securing this property and it is also recommended to adjust the fence line location to provide a thoroughfare along the levy path. Mr. Ceballos also mentioned that a large rubble pile consisting of asphalt, concrete, and metal have been dumped near the entrance gate to the LCWA's Bryant west property which is located on property currently owned by the Bryant's. Mr. Ceballos stated that staff will track the progress of the clean up effort and assess the site for impacts once the clean ups are complete, dry branches have been observed around the site's trails- Tidal Influence staff will repurpose when possible. Mr. Ceballos concluded with that there is a fence line breach and there are new homeless encampments on this property and recommends LCWA's Homeless contractor work to remediate this encampment in the coming months to discourage additional encampments from establishing.

Chair Schuchat asked what covid protocols are you using for field work. Marcelo answered that they are not really doing any group work, but, always have face coverings, are keeping a 10 foot distance from each other and have also set up sanitizing and washing stations on the property.

Mark Stanley stated that AB1788 is on the Governor's desk and was introduced by Assemblymember Bloom, co-authored by Assemblymember Friedman and Senator Stern and it is to reduce the effects of anti-coagulants of unattended species in an effort to keep them from moving upstream.

Mr. Stanley also mentioned that the RMC just released it's new grant program, Prop 68 funding, which is for the entire region that includes Los Cerritos Wetlands, it also includes small grants and very small grants and proposals will be due by December 15, 2020.

Mr. Stanley stated that the Governor issued an executive order that moves the state toward the use of electric vehicles which also impacts the use of oil and he encouraged board members to seek more information

B. LOS CERRITOS WETLANDS STEWARDSHIP PROGRAM COORDINATOR UPDATE

Eric Zahn stated that for obvious reasons they have not gathered in groups on any of the properties since March. Mr. Zahn also stated that there have been many inquiries about allowing volunteers back to the properties and LCWA staff has been working with partners to see when programs can be reinvigorated and can re-open the trails safely.

Mr. Zahn mentioned that a very eager volunteer noticed that there was a large amount of trash on Zedler Marsh and he was the only one allowed with supervision on the property to pick up trash and did an incredible job.

C. HOMELESS RELOCATION PROGRAM UPDATE

Lenny Arkinstall stated that he's really made an effort this year to make a difference with the homeless and on all of the wetlands it is all one group involved with homelessness.

Mr. Arkinstall also stated that with the Long Beach Police Department they have done outreach, cleaned the site and continue to move encampments offsite and folks move back in. Mr. Arkinstall called the county and they told him that's the way it is and we are not going to do anything.

Mr. Arkinstall stated that he and his team of volunteers want to do something because they want to protect the wetlands.

Mr. Arkinstall concluded with a big thank you to Councilwoman Price and Commander O'Dowd for fighting to keep this program alive so that we can keep our wetlands clean and safe.

Anna Christensen stated that there was an effort that was made a while back concerning some trailers and vehicles broken into by homeless folks that are parked in the Lyons property near the pumpkin patch and she would like the City of Long Beach to work on having them removed before the Halloween season.

D. LCWA RESTORATION PLAN PROGRAM ENVIRONMENTAL IMPACT REPORT UPDATE

Sally Gee stated that there needed to be a correction to the staff report that stated that the PEIR was released in September and in fact it was not released but will be released for review in October and it will be brought before the board in November.

Sally also stated that a request for proposals will be released soon for the Southern area for Restoration Planning Project. There were no questions.

E. EXPENDITURES REPORT

Salian Garcia gave a brief synopsis of the FY 2019/2020 budget and summarized the Expenditures and Revenues as of September 1, 2020.

Chair Schuchat asked if due to Covid-19 if reimbursements were moving appropriately. Salian answered with at the onset of stay at home mandates everything pretty much got delayed, but have picked up pace with docusign in place now and being able to email documents.

Ann Cantrell asked about the Tarplant Mitigation services and wanted to know where it was occurring and why. David Edsall said that it is the discretion of the Chair whether he wants to answer a question from the public. Chair Schuchat asked Ms. Cantrell if she would talk to Salian offline about this issue as he did not have the answer for her.

7. CONSIDERATION OF A RESOLUTION AWARDING A CONTRACT TO TIDAL INFLUENCE FOR LAND MANAGEMENT, CONTRACT AND GRANT MANAGEMENT, AND COORDINATION AND IMPLEMENTATION OF THE LOS CERRITOS WETLANDS STEWARDSHIP PROGRAM AND RESTORATION PLANS.

Sally Gee stated that LCWA released a Request for Proposal August 8, 2020 for qualified firms to provide consultant services related to Land Management, Contract and Grant Management, and Coordination and Implementation of the Los Cerritos Wetlands Stewardship Program and Restoration Plans within the Los Cerritos Wetlands Complex (LCW).

Ms. Gee stated that only one firm emailed their proposal which was Tidal Influence and after review by a team with representatives from the Rivers and Mountains Conservancy and the State Coastal Conservancy, Tidal Influence's proposal, received a score of 94.6/100 (Exhibit B), and staff recommends awarding a three-year contract to Tidal Influence, commencing Oct 1, 2020 through September 30, 2023, with two options for 1 year extensions of the contract.

Anna Christensen stated she opposes this contract due to it not being a restoration plan but that it is an erase and replace plan and it should not be awarded to any consultant due to it not being of good use of funding.

Patricia McPherson stated that she agrees with the statements that Anna just made and thinks that monies should be kept in check until issues have been resolved with the lawsuit that is in place.

Vice Chair Price motioned to approve. Board Member Uranga seconded the motion. Board Voted: 4 Ayes, 0 Nays, 0 Abstentions. This item passed.

8. CONSIDERATION OF A RESOLUTION TO RECEIVE AND FILE THE FY 19/20 AUDIT REPORT.

Salian Garcia stated that total revenues increased by 4.57% or \$27,625 to \$632,526 primarily due to an increase in program and grants, especially state revenue, total expenses increased 23.58% or \$137,028 to \$718,180 primarily due to an increase in consulting and grant management expenditures from the prior year.

Ms. Garcia also stated that Capital assets amount to \$11,000,000 with no change from the previous fiscal year, no material weaknesses or deficiencies in internal control were found or identified and no findings noted in the current fiscal year.

Board Member Kalmick motioned to receive and file. Vice Chair Price seconded the motion. Board Voted: 4 ayes, 0 Nays, 0 Abstentions. Item is received and filed.

9. CONSIDERATION OF A RESOLUTION ADOPTING THE FY 20/21/ BUDGET.

Salian Garcia stated that the attached Consolidated Budget for Fiscal Year (FY) 20/21 (Exhibit A) includes three revenues and expenditure components which are Administration, Operational, and Capital Outlay.

Ms. Garcia also stated that the total budgeted revenue for FY 20/21 is \$481,679 and expenditures are balanced with revenues. The total revenues for FY 20/21 have decreased by \$1,183,921 from budgeted FY 19/20 revenues of \$1,665,600 primarily due to the unplanned loss of an acquisition and several contracts scheduled to end by December 2020, offset with increased lease revenue.

Ms. Garcia concluded with that the expenses under general administrative costs include website maintenance and annual audit services with the City of Long Beach, Operational expenses consist of the LCWASP and Property Management expenditures, and the Capital Outlay budget is in the amount of \$304,207.

There were no questions from the Board.

Elliott Gonzalez asked how is it possible to have budget shortfalls if LCWA receives funds from the oil companies and other agencies who were supposedly going to provide everything the authority needed for the extensive and elaborate project that is going to happen and just wanted to know where all of the money that Anna Christensen was talking about and is it going to be in next year's budget.

Anna Christensen stated that LCWA needs to pay attention on what is going on around us and that we should budget more money to protect what we have and less money to change it up to create a salt marsh.

Board Member Uranga motioned to approve. Vice Chair Price seconded the motion. Board Voted: 4 Ayes, 0 Nays, 0 Abstentions. This item passed.

10. **CLOSED SESSION: PURSUANT TO GOVERNMENT CODE SECTION 54956.8, LCWA MAY HOLD A CLOSED SESSION TO CONSIDER THE DRAFT APPRAISAL REPORT AND THE DRAFT LAND SWAP AGREEMENT BETWEEN LOS CERRITOS WETLANDS AUTHORITY AND LOS CERRITOS WETLANDS, LLC FOR THE APN 7237-019-809; 7237-017-010 THRU 014; 018; 019; LCWA NEGOTIATORS: MARKSTANLEY AND PROPERTY OWNER NEGOTIATOR: JOHN MCKEOWN AND MICHAEL DI SANO. UNDER CONSIDERATION: PRICE AND TERMS.**
11. **CLOSED SESSION: PURSUANT TO GOVERNMENT CODE SECTION 54956.8, LCWA MAY HOLD A CLOSED SESSION TO CONSIDER THE DRAFT APPRAISAL REPORT AND THE DRAFT PURCHASE AND SALE AGREEMENT BETWEEN LOS CERRITOS WETLANDS AUTHORITY AND BRYANT DAKIN LLC FOR THE APN 7237-020-053;054; LCWA NEGOTIATORS: MARK STANLEY AND PROPERTY OWNER NEGOTIATOR: STEVE BRYANT AND KEVIN BRAZIL. UNDER CONSIDERATION: PRICE AND TERMS.**
12. **CLOSED SESSION: PURSUANT TO GOVERNMENT CODE SECTION 54956.8(D)(1), LCWA MAY HOLD A CLOSED SESSION TO DISCUSS THE MATTER OF *PUVUNGA WETLANDS PROTECTORS V. CALIFORNIA COASTAL COMMISSION, ET AL.*, LOS ANGELES SUPERIOR COURT CASE NO. 19STCP00435.**

Closed Session began at approximately 1:51 pm and ended approximately at 2:55 pm. The Board received information and advice and provided direction.

13. ORAL COMMUNICATIONS

**A. STATEMENTS, RESPONSES, QUESTIONS OR DIRECTIONS TO STAFF
PURSUANT TO SECTION 54954.2(A) OF THE GOVERNMENT CODE.**

Next meeting will be November 7th 2020.

B. FUTURE AGENDA ITEMS

14. ADJOURNMENT UPON COMPLETION OF BUSINESS

Chair Schuchat adjourned the meeting at approximately 2:57 p.m.

X

Sam Schuchat
Chair

X

Dena Williams
Board Secretary