

Vacant, 1st District
Suja Lowenthal, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Patrick H. West, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, Vice Mayor, 9th District

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINUTES

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda items can be taken out of order during the meeting. Please consult the time stamps to determine the order in which business was addressed.

Agenda Items for this meeting were considered in the order presented.

ROLL CALL (6:03 PM)

Councilmembers S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes
Present: Uranga, Gabelich and Lerch

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Heather Mahood, Chief Assistant City Attorney; Mike Mais, Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Members of Campfire USA.

Mayor Foster announced that Agenda Item No. 19 would be considered at 7:00 PM.

Certificate of Recognition for the 99th Birthday of Campfire USA.

Pat West, City Manager, introduced Mario Rodriguez, the new Airport Director.

Presentation on the Long Beach Municipal Band's 100th Anniversary.

Presentation on the 10th CITT State of the Trade and Transportation Industry Town Hall meeting, March 11, 2009.

09-0261 CITT flyer entitled, The Decade Ahead: Jobs, Cargo, Competition, and You.

This Handout was received and filed.

HEARING (6:18 PM)

[see media](#)

1. [09-0197](#) Recommendation to receive supporting documentation, conclude the public hearing, and declare ordinance amending the Zoning Regulations regarding interior alterations to create additional bedrooms in single-family and multi-family units with nonconforming parking read the first time and laid over to the next regular meeting of the Council for final reading. (Citywide)

Councilmember S Lowenthal spoke.

Nancy Alsweet, Director of Apartment Owner Association, spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Councilmember DeLong, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:

Yes: 8 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

PUBLIC COMMENT (6:23 PM)

[09-0262](#) Kerrie Aley spoke regarding agenda descriptions; and submitted written comments.

This Handout was received and filed.

David Roberts spoke regarding contracting signal maintenance.

Mark Roberts spoke regarding contractors being used for traffic signals.

Mike Boer spoke regarding public input and City Council listening.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

CONSENT CALENDAR (6:36 PM)

Passed The Consent Calendar

A motion was made by Councilwoman Gabelich, seconded by Councilwoman Schipske, to approve Consent Calendar Items 2 - 17. The motion carried by the following vote:

Yes: 8 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

2. [09-0221](#) Recommendation to authorize City Manager to execute a First Amendment to Agreement No. 30635 with the firm of Meyers, Nave, Riback, Silver & Wilson, in the matter entitled Michael Kenneth Paul Edwards vs. City of Long Beach, Case No. CV05-8990 GS (PLAx) and Davis Faris, et al vs. City of Long Beach, Case No. SACV07-954 JVS (ANx).
A motion was made to approve recommendation on the Consent Calendar.
3. [09-0198](#) Recommendation to approve the City Council and the Study Session minutes for the meetings held Tuesday, February 10, 2009 and the City Council minutes for the meeting held Tuesday, February 17, 2009.
A motion was made to approve recommendation on the Consent Calendar.
4. [09-0199](#) Recommendation to refer to City Attorney damage claims received between February 9, 2009 and February 23, 2009.
A motion was made to approve recommendation on the Consent Calendar.
5. [09-0200](#) Recommendation to approve the destruction of records for the City Clerk Department as shown in Exhibit A; and adopt resolution.
A motion was made to approve recommendation and adopt Resolution No. RES-09-0013 on the Consent Calendar.
Enactment No: RES-09-0013
6. [09-0201](#) Recommendation to approve the destruction of records for the Community Development Department, Code Enforcement Division as shown in Exhibit A; and adopt resolution.
A motion was made to approve recommendation and adopt Resolution No. RES-09-0014 on the Consent Calendar.
Enactment No: RES-09-0014
7. [09-0202](#) Recommendation to approve the destruction of records for the Long

Beach Fire Department as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-09-0015 on the Consent Calendar.

Enactment No: RES-09-0015

8. [09-0203](#)

Recommendation to approve the destruction of records for the Long Beach Police Department as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-09-0016 on the Consent Calendar.

Enactment No: RES-09-0016

9. [09-0204](#)

Recommendation to authorize City Manager to execute a contract with Geographic Solutions, Inc., for a total amount of \$104,000, for the period of January 1, 2009 through December 31, 2009. (Citywide)

A motion was made to approve recommendation on the Consent Calendar.

10. [09-0205](#)

Recommendation to authorize City Manager to execute all documents with the United Way of Greater Los Angeles to receive a grant from the Los Angeles Workforce Funder Collaborative totaling \$125,000, and to execute any subsequent grant and contract amendments that change the terms or funding. (Citywide)

A motion was made to approve recommendation on the Consent Calendar.

11. [09-0206](#)

Recommendation to authorize City Manager to execute all documents with the State of California to receive \$257,136 in Workforce Investment Act funds as part of the Governor's Economic Stimulus Strategy. (Citywide)

A motion was made to approve recommendation on the Consent Calendar.

12. [09-0207](#)

Recommendation to refer to Hearing Officer the business license revocation appeal for Guadalupe Perez, dba The Brite Spot Coffee Shop, 412 W. Pacific Coast Highway. (District 1)

A motion was made to approve recommendation on the Consent Calendar.

13. [08-1277](#)

Recommendation to adopt Specifications No. PA-00209 and award a contract to EDCO Waste Services LLC for the diversion of green waste debris in the estimated amount of \$200,000 for the period commencing November 1, 2008 for one year, with the option of renewing for two additional one-year periods. The City will have the option of adding a 10 percent (or \$20,000) contingency above the annual contract amount, if necessary and if funds are available. (Citywide)

A motion was made to approve recommendation on the Consent Calendar.

14. [09-0208](#) Recommendation to authorize City Manager or designee to execute an agreement, and any subsequent amendments, between the City of Long Beach and Kaiser Foundation Hospitals for the provision of the oral health services Smile Bright Program in the amount of \$80,000 for the period of January 1, 2009 to January 1, 2011; and increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by \$80,000. (Citywide)

A motion was made to approve recommendation on the Consent Calendar.

15. [09-0209](#) Recommendation to authorize City Manager to execute the Twenty-first Amendment to Agreement No. 23214 with Tiburon, Inc. (formerly CompuDyne-Public Safety & Justice, Inc.) to provide software maintenance services for the 12-month period through February 2010 in an amount not to exceed \$325,000. (Citywide)

A motion was made to approve recommendation on the Consent Calendar.

16. [09-0210](#) Recommendation to authorize City Manager to execute an agreement, amendments and all related documents with RD Systems, Inc. to provide security and access control systems maintenance and installation services on an as needed basis in an annual amount not to exceed \$180,000. The term of the proposed agreement is one year, with automatic renewals up to five additional years, subject to the approval of the City Manager. (Citywide)

A motion was made to approve recommendation on the Consent Calendar.

17. [09-0211](#) Recommendation to receive and file minutes of:
Civil Service Commission - February 4 and 11, 2009.
Parks and Recreation Commission - January 15, 2009.

A motion was made to approve recommendation on the Consent Calendar.

REGULAR AGENDA (6:37 PM)

[see media](#)

18. [08-1203](#) Recommendation to City Council to concur in recommendation of the Personnel and Civil Service Committee to receive and review the communication regarding California Public Employees' Retirement System (CalPERS) financial status and the impact on the City of Long Beach.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Kathy Ryan spoke.

Tom Stout spoke.

A motion was made by Councilwoman Schipske, seconded by Councilman Andrews, to approve recommendation to receive and file. The motion carried by the following vote:

Yes: 8 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

[see media](#)

19. [09-0103](#)

Recommendation to City Council to concur in recommendation of the Transportation and Infrastructure Committee to support option two of the proposals made by the Department of Public Works and forward the presentation to the City Council for its consideration to review Long Beach Municipal Code Chapter 10.40 regarding the definition and prohibition of commercial vehicles on residential streets.

Distributed at the meeting: Correspondence from Melinda Cotton, Patricia Gergen, Maureen Neeley, John Royce, Cheryl Jacobs, Mike Boer, Joyce Zoubul, Kerrie Aley and Becky Burson; and a PowerPoint presentation from Dave Roseman. Distributed following the meeting was correspondence from Mike Boer.

Councilmember O'Donnell spoke.

Dave Roseman, City Traffic Engineer, provided a PowerPoint presentation.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Becky Burson spoke.

Melanda Hunt spoke.

Karen Thompson spoke.

Glenn Haas spoke.

Robert Shannon, City Attorney, spoke.

Charlie Evans spoke.

Melinda Cotton spoke.

Dan Valdamar spoke.

Mike Boer spoke.

Mayor Foster spoke.

Dave Roseman, City Traffic Engineer, spoke.

Steven Thomas spoke.

Councilmember S. Lowenthal.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lerch spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilwoman Gabelich, to approve recommendation to adopt Option 4, exempting pick-up trucks with an empty weight of less than 8,001 pounds, equipped with an open box-type bed not exceeding 9 feet in length, as defined by the State Vehicle Code. The motion carried by the following vote:

Yes: 8 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

[see media](#)

20. [09-0212](#)

Recommendation to adopt revised Statement on Investment Policy for Calendar Year 2009 pursuant to Section 53646(a) of the State of California Government Code. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich and Lerch

Absent: 1 - Andrews

[see media](#)

21. [09-0213](#)

Recommendation to receive and file Investment Report for Quarter Ending December 31, 2008. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember S. Lowenthal, to approve recommendation. The motion carried by the following vote:

Yes: 8 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

[see media](#)

22. [09-0214](#)

Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, with British Petroleum West Coast Products, LLC in the amount of \$377,902 for the Community Asthma and Air Quality Resource Education Program to address conditions caused or exacerbated by both indoor and outdoor air pollution; and increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by the same amount. (Citywide)

Perl Williams spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation. The motion carried by the following vote:

Yes: 8 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

[see media](#)

23. [09-0215](#)

Recommendation to receive and file the application of F W S Corporation, dba Magnolia Cafe, for an original Alcoholic Beverage Control License, at 632 Redondo Avenue, with conditions. (District 3)

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation. The motion carried by the following vote:

Yes: 8 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

[see media](#)

24. [09-0216](#) Recommendation to receive and file the application of Restaurant Kizuna Incorporated, dba Restaurant Kizuna, for an original Alcoholic Beverage Control License, at 3550 Long Beach Boulevard, Suite B - D, with conditions. (District 7)

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember DeLong, to approve recommendation. The motion carried by the following vote:

Yes: 8 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

[see media](#)

25. [09-0218](#) Recommendation to adopt Plans and Specifications No. R-6661 for the improvement of the Aqualink landing at Belmont Veterans Memorial Pier and authorize City Manager to sign all documents necessary to execute a contract with Dutra Construction, Inc., and any amendments thereto in an estimated amount of \$1,273,160, plus a fifteen percent contingency amount of \$190,974, if necessary and if funding is available. (District 3)

A motion was made by Councilmember DeLong, seconded by Councilwoman Gabelich, to approve recommendation. The motion carried by the following vote:

Yes: 8 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

ORDINANCE (8:08 PM)

[see media](#)

26. [09-0130](#) Recommendation to declare ordinance amending the Long Beach Municipal Code Chapter 2.63 relating to the Cultural Heritage Commission, read and adopted as read. (Citywide)

A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-09-0003. The motion carried by the following vote:

Yes: 8 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: ORD-09-0003

NEW BUSINESS (8:09 PM)

[see media](#)

27. [09-0229](#) Recommendation to adopt resolution authorizing a waiver of permit fees for work in connection with recent flooding to residents on Arlington Street from River Avenue to Hesperian Avenue. (District 7)
- A motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Schipske, to approve recommendation and adopt Resolution No. RES-09-0017. The motion carried by the following vote:**
- Yes:** 8 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch
- Enactment No:** RES-09-0017

28. Affidavits of Service for the special meetings held Tuesday, March 3, 2009.

ANNOUNCEMENTS (8:10 PM)

Mayor Foster made community announcements for First District; and requested that the meeting be adjourned in memory of Jan Ginnett, Nell Soto, and Martin Eli Weil.

Councilwoman Gabelich requested that the meeting be adjourned in memory of Evelyn O'Fallon; and made community announcements for the 7th and 8th Districts.

Councilmember S. Lowenthal made community announcements.

Councilman Andrews made community announcements; and requested that the meeting be adjourned in memory of Tonya Martin's brother.

Councilmember O'Donnell made community announcements.

PUBLIC (8:22 PM)

Melanda Hunt spoke regarding bicycles on sidewalks.

Perry Dahl spoke regarding a variety of services for wheel chairs.

Vice Mayor Lerch spoke.

ADJOURNMENT (8:28 PM)

At 8:28 PM, Mayor Foster adjourned the meeting in memory of Jan Ginnett, Nell Soto, Martin Eli Weil, Evelyn O'Fallon, and Tonya Martin's brother.

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