



CITY OF LONG BEACH

C-9

DEPARTMENT OF CITY CLERK

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6101 • FAX (562) 570-6789

January 5, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the Minutes for the City Council and City Council Special Meetings Held Tuesdays, December 8 and 15, 2009.

DISCUSSION

The Legistar minutes for the City Council and City Council Special Meetings held Tuesday, December 8 and 15, 2009 are attached for review and approval.

Should any district offices have questions regarding the minutes we submit each week, we respectfully request that you contact the City Clerk Department prior to 12:00 p.m. on the day of the City Council meeting. With notice prior to the meeting, City Clerk staff can attempt to resolve any questions that you may have before the start of the regular meeting.

In cases where questions cannot be resolved before the 5:00 p.m. meeting start time, we will request a motion and a second that the minutes be held over for approval to the following week.

TIMING CONSIDERATIONS

None.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


LARRY G. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

Robert Garcia, 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

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

Bob Foster, Mayor

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (3:40 PM)

Councilmembers Present: DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich and Lerch

Councilmembers Absent: Garcia, Lowenthal and Andrews

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Carolyn Harris, City Clerk Specialist.

Mayor Foster presiding.

1. 09-1293 Recommendation to hold a study session regarding:
 - Public Pay Bargaining Sunshine Requirements
 - Sea Festival Update

This Agenda Item was received and filed.

Drew Satariano, President, Long Beach Sea Festival, spoke and provided a PowerPoint presentation.

John Parks, Long Beach Sea Festival, continued the PowerPoint presentation.

Ron Hecky, Charter Communications representative, spoke.

Drew Satariano, President, Long Beach Sea Festival, spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

SECOND ROLL CALL

Councilmembers Garcia, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich
Present: and Lerch

Councilmembers Lowenthal and Andrews
Absent:

Councilmember Garcia joined the meeting.

Drew Satariano, President, Long Beach Sea Festival, spoke.

• **Public Pay Bargaining Sunshine Requirements**

Robert Shannon, City Attorney, spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Schipske spoke.

THIRD ROLL CALL

Councilmembers Garcia, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga,
Present: Gabelich and Lerch

Councilmembers Lowenthal
Absent:

Councilman Andrews joined the meeting.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Kathy Ryan spoke.

Dennis Dunn spoke.

Shawn Parker spoke.

Dennis Craig spoke.

Mayor Foster spoke.

Tom Stout spoke.

Mayor Foster spoke.

ADJOURNMENT: (4:46 PM)

At 4:46 PM, Mayor Foster adjourned the meeting.

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Robert Garcia, 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 & DRAFT 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 (5:04 PM)

Councilmembers DeLong, O'Donnell, Andrews, Reyes Uranga and Lerch
Present:

Councilmembers Garcia, Lowenthal, Schipske and Gabelich
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Carolyn Harris, City Clerk Specialist.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Tonia Reyes Uranga, Councilmember, Seventh District.

Julie Pruitt, spcaLA, presented a feline.

Presentation from Assemblymember Bonnie Lowenthal.

Assemblymember Bonnie Lowenthal spoke.

SECOND ROLL CALL (5:13 PM)

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

Councilmembers Garcia, Lowenthal, Schipske and Gabelich joined the meeting.

09-1355 Presentation recognizing the League of California Cities Helen Putnam Award for Excellence.

Phil Hester, Director of Parks, Recreation and Marine, spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

This Handout was received and filed.

Tour de Cure Ride Presentation.

Patrick West, City Manager, spoke.

Ron Arias, Director of Health and Human Services, spoke.

Charles Gandy, Department of Public Works, spoke.

Julian Dillon, American Diabetes Association, spoke.

Mayor Foster spoke.

HEARING: (5:28 PM)

1. 09-1276 Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permit with conditions on the application of Casbah LBCA, LLC, dba Sgt. Peppers Dueling Piano Cafe, 91 S. Pine Avenue, for Entertainment Without Dancing by Patrons. (District 2)

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

PUBLIC COMMENT: (5:28 PM)

Mike Ruehle spoke regarding dishonesty.

Dennis Dunn spoke regarding public art.

09-1356 Tim Lee spoke and distributed a flyer regarding the new 37th Congressional District Office Grand Opening in Long Beach.

Mayor Foster spoke.

This Handout was received and filed.

CONSENT CALENDAR: (5:37 PM)

Passed The Consent Calendar

A motion was made by Councilmember Garcia, seconded by Councilmember Lowenthal, to approve Consent Calendar Items 2 - 4. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

2. 09-1277 Recommendation to refer to City Attorney damage claims received between November 23, 2009 and November 30, 2009.

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

3. 09-1278 Recommendation to adopt resolution ordering, proclaiming, calling and giving notice of a Primary Nominating Election in the City of Long Beach, California, on Tuesday, the 13th day of April, 2010, for the nomination and/or election of candidates for five (5) offices on the City Council, and four (4) City officials, each for a full term of four (4) years, commencing with the third Tuesday of July, 2010, and adopting provisions relating to the translations of and the charges for costs of candidate statements;

A motion was made to approve recommendation and adopt Resolution No. RES-09-0153 on the Consent Calendar.

Enactment No: RES-09-0153

09-1279 Adopt resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Primary Nominating Election to be held on Tuesday, April 13, 2010, and a General Municipal Election to be held in the City on Tuesday, June 8, 2010; and

A motion was made to approve recommendation and adopt Resolution No. RES-09-0154 on the Consent Calendar.

Enactment No: RES-09-0154

09-1280 Adopt resolution consenting to requests from the Board of Education of the Long Beach Unified School District and the Board of Trustees of the Long Beach Community College District to consolidate Governing Board Member elections with the City of Long Beach Primary Nominating Election to be held on April 13, 2010. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-09-0155 on the Consent Calendar.

Enactment No: RES-09-0155

4. 09-1281 Recommendation to receive and file annual reports on Community Facilities District No. 6 - Pike Public Improvements (CFD No. 6); Community Facilities District No. 2007-1 - Douglas Park Commercial Area A (CFD No. 2007-1); and Community Facilities District No. 5 - Long Beach Towne Center (CFD No. 5) to comply with the Local Agency Special Tax Bond and Accountability Act. (Districts 2,5)

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

REGULAR AGENDA (5:39 PM)

5. 09-1282 Recommendation to request City Attorney to prepare a resolution of support for *Get Connected!*

Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Councilman Andrews spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

6. 09-1290 WITHDRAWN
~~Recommendation to respectfully request City Council to adopt the following three strategies to address homelessness and vehicular occupation in conjunction with the City's current "Homeless Prevention~~

and Rapid Re Housing Program" (HPRP):

~~Prevention: Assist people who are within three months of being evicted, and could be at risk of being homeless. This includes:~~

- ~~- Identify the issuance of utility shut off notices in order to assess households that may be at risk for losing their housing. (Long Beach City Gas and Oil Department and Water Department)~~
- ~~- Provide rental and utilities assistance for this target population. (The City of Long Beach is currently contracting with Catholic Charities to assess households for eligibility for the Homeless Prevention component.)~~
- ~~- Provide case management and support services to address issues that may link the household as at risk of homelessness. (This is linked to rental and utilities assistance.)~~

~~Outreach: Reach out to people who are living in vehicles on the streets of Long Beach in order to identify who they are, what their needs are, and how to connect them to services and housing. This includes:~~

- ~~- Since law enforcement is typically the first responders, provide law enforcement with Pocket Guide Resource Directories that list services at the City's Multi-Service Center; and also provide to neighborhood and business associations.~~
- ~~- Begin to track the incidence of Vehicular Occupancy to learn about who is living in their vehicles and what their needs are.~~
- ~~- Support current City street Outreach teams to regularly canvass neighbors reaching out to people living in vehicles.~~
- ~~- Assign an existing Outreach staff person at the City's Multi-Service Center to assist in coordinating and strategizing outreach to people living in vehicles.~~

~~Rapid Re Housing: Refer people in vehicles to Beyond Shelter located at the Multi-Service Center to access services and housing for people already homeless and living in vehicles. This includes:~~

- ~~- "Outreach" as described above.~~
- ~~- Link people in vehicles to services at the City's Multi-Service Center; services such as employment, case management, health care, mental health care, food, etc.~~
- ~~- Provide people with housing locator assistance, rental assistance and move-in costs for 6 months. This would be linked with intensive case management and employment placement services.~~
- ~~- Provide people with direct access to emergency and transitional shelters for people who do not qualify for Rapid Re Housing Program.~~

~~This adopted strategy allows the City of Long Beach to immediately serve and house people who are living in vehicles as a first priority.~~

This Agenda Item was withdrawn.

7. 09-1294

Recommendation to receive and file report on meeting with Senate President Pro Tem Darrell Steinberg regarding a vacancy for South Coast Representative of the California Coastal Commission.

Councilmember Lowenthal spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

8. 09-1135

Recommendation to City Council to concur in recommendation of the Public Safety Committee that City Council request the Police Department to provide City Council with quarterly crime reports to determine if there are patterns and for the purpose of forecasting budgeting needs based on data included in the reports; and

Request City Manager to provide City Council with reports that would take a look at other departments, with the exception of the Police Department, to determine a cooperative process to deal with the major hot spots in the City of Long Beach.

Distributed at the meeting: PowerPoint presentation entitled, City Council Crime Update.

Patrick West, City Manager, spoke.

Billy Quach, Acting Chief of Police, spoke.

Bill Blair, Deputy Chief, Police Department, spoke.

Vice Mayor Lerch spoke.

Councilwoman Schipske spoke.

Vice Mayor Lerch spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Braden Phillips, Administration Bureau Manager, Police Department, spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

A motion was made by Vice Mayor Lerch, seconded by Councilwoman Schipske, to approve recommendation. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - O'Donnell

9. 09-1283

Recommendation to adopt Resolution of Intention to vacate Daisy Avenue and the alleys bounded by Third Street, Broadway, Maine and Magnolia Avenues, and set a date for a public hearing on the vacation for Tuesday, January 5, 2010 at 5:00 p.m. (District 1)

A motion was made by Councilmember Garcia, seconded by Vice Mayor Lerch, to approve recommendation and adopt Resolution No. RES-09-0156. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - O'Donnell

Enactment No: RES-09-0156

ORDINANCES: (6:05 PM)

10. 09-1295

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.32.110 relating to Preferential Parking Districts "O", "R" and "U" read the first time and laid over to the next regular meeting of the City Council for final reading. (District 4)

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, 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 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - O'Donnell

11. 09-1296

Recommendation to declare ordinance amending the Long Beach

Municipal Code by amending Subsections 8.68.020.R and 8.68.060.B; and by adding Chapter 5.88 all relating to smoking lounge regulations read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Robert Shannon, City Attorney, spoke.

Linda Trang, Deputy City Attorney, spoke.

Councilwoman Gabelich spoke.

Councilmember Lowenthal spoke.

Erik Sund, Business Relations Manager, spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Crystal Rodriguez spoke.

Pat Eatum spoke.

Erin Huffer spoke.

Tom Fallon spoke.

Beatrice Reyes spoke.

Malinda Cotton spoke.

Claudette Powers spoke.

A motion was made by Vice Mayor Lerch, seconded by Councilman Andrews, 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: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Reyes Uranga, Gabelich and Lerch

Absent: 2 - Schipske and Andrews

12. 09-1266

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 2.73 establishing an "Equal Benefits Ordinance" requiring contractors on City contracts to provide employee benefits to their employees with domestic partners equivalent to those provided to their employees with spouses, read and adopted as read.

(Citywide)

Marcos Lopez spoke.

Theo Diaz spoke.

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Garcia, to approve recommendation and adopt Ordinance No. ORD-09-0036. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: ORD-09-0036

13. 09-1270

Recommendation to declare an urgency ordinance relating to the temporary limitation (moratorium) imposing interim regulations on the issuance of building permits or other entitlements for billboards, supergraphic signs, and the conversion of existing billboard/sign displays into electronic or digital billboards, read and adopted as read. (Ordinance No. ORD-09-0035) (Citywide)

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

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

Absent: 1 - DeLong

Enactment No: ORD-09-0035

NEW BUSINESS: (6:41 PM)

14. 09-1333

Recommendation to authorize City Manager to offer and negotiate incentives with Boeing and Tesla Motors to locate a production facility in the City of Long Beach including: (1) rebate of 50 percent of sales tax generated to Long Beach for a term of 10 years, (2) provide a Section 108 Loan in the amount of \$2 million with a term of 10 years for facility improvements, and (3) other economic development tools as described below. (District 5)

Distributed at or before the meeting: E-mail correspondence received regarding Tesla Motors.

Mayor Foster spoke.

Stephan Wondell, Boeing representative, spoke.

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

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

Absent: 1 - DeLong

15. 09-1299

Recommendation to respectfully request City Manager to work with the City Attorney to research and draft a Low Impact Development (LID) ordinance for the public and private sectors and update existing development standards where appropriate; and

Request City Manager to present the draft ordinance to the Planning Commission, the Sustainable City Commission and the Environmental Committee for input before returning to the City Council within 180 days for final approval.

Councilmember Lowenthal spoke.

Councilmember Garcia spoke.

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

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

Absent: 1 - DeLong

16. Affidavit of Service for the special meetings held Tuesday, December 8, 2009.

ANNOUNCEMENTS: (6:51 PM)

Mayor Foster requested that the meeting be adjourned in memory of Aldolfo Angelo Pullido, Virginia Brennen and Marvin Marker.

Councilmember Reyes Uranga expressed condolences to the Pullido, Brennen and Marker families; and made community announcements.

Councilwoman Gabelich made community announcements.

Councilman Andrew made community announcements; and requested that the meeting be adjourned in memory of Ivory Williams and the McBride family.

Councilwoman Schipske made community announcements.

Councilmember Garcia expressed condolences to the Pullido family.

Councilmember Lowenthal expressed condolences to the Pullido family.

ADJOURNMENT: (6:59 PM)

At 6:59 PM, Mayor Foster adjourned the meeting in memory of Aldofo Angelo Pullido, Virginia Brennen, Marvin Marker, Ivory Williams and the McBride family.

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



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

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

Robert E. Shannon, City Attorney

Bob Foster, Mayor

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (7:08 PM)

Councilmembers Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga,
Present: Gabelich and Lerch

Councilmembers DeLong
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager;
Robert Shannon, City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk;
Carolyn Harris, City Clerk Specialist.

Mayor Foster presiding.

1. 09-1346 Recommendation to adopt resolution declaring a shelter crisis; suspending applicable provisions of local law, including those contained in the City's zoning ordinances and regulations; and authorizing the operation of a winter shelter between the dates of December 1, 2009 and March 31, 2010; and authorize City Manager to execute any and all documents necessary for a lease between Discount Storage Facility LLC (Lessor) and the City (Lessee) and a sublease between the City (Sublessor) and the Long Beach Rescue Mission (Sublessee) and any amendments at the discretion of the City Manager for approximately 12,000 rentable square feet of industrial space at 1405 Lewis Avenue at the monthly base rent of \$7,000 for use as a winter shelter. (District 6)

Patrick West, City Manager, spoke.

Jim Lewis spoke.

Mayor Foster spoke.

Councilman Andrews spoke.

A motion was made by Councilman Andrews, seconded by Councilwoman Schipske, to approve recommendation and adopt Resolution No. RES-09-0157. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-09-0157

ADJOURNMENT: (7:15 PM)

At 7:15 PM, Mayor Foster adjourned the meeting.

cah

Robert Garcia, 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 & DRAFT 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 following order: Agenda Item Nos. 1, 40, 2 and 3, Public Comment, Consent Calendar 4 - 14, followed by Agenda Item Nos. 21, 5 and 13 from the Consent Calendar, Agenda Item Nos. 24, 42, 15, 41, 38, 37, 16 - 23, 25 - 36 and 39.

ROLL CALL (5:09 pm)

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

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Heather Mahood, Chief 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: Vice Mayor Lerch, Councilmember, Ninth District.

Mayor Foster announced that Agenda Item Nos. 5, 13 and 21 were pulled from the Consent Calendar for discussion; that Agenda Item Nos. 24, 38 and 42 would be considered at the beginning of the Regular Agenda section; and that Agenda Item No. 20 was withdrawn.

Presentation to the Long Beach K-9 Officers Association.

Councilmember O'Donnell spoke.

HEARINGS (5:16 PM)

1. 09-1275 Recommendation to receive supporting documentation into the record, conclude the hearing, and declare an urgency ordinance extending a temporary limitation (moratorium) on smoking lounges for one additional (1) year; declaring the urgency thereof; and declaring this ordinance shall take effect immediately, read, adopted as read and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Linda Trang, Deputy City Attorney, spoke.

Councilmember Reyes Uranga spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to declare emergency to exist. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

A motion was made by Councilmember Lowenthal, seconded by Councilmember Reyes Uranga, to declare urgency Ordinance No. ORD-09-0037 extending a temporary limitation (moratorium) on smoking lounges for one additional (1) year read and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: ORD-09-0037

2. 09-1301 Recommendation to receive supporting documentation into the record, conclude the hearing and adopt resolutions modifying parking fees; authorize City Manager to establish event parking rates and an on-line monthly parking permit system; and adopt resolution granting permission to members of the public to park in the Civic Center parking garages, establishing fees related thereto and amending and restating the conditions and regulations with respect to said parking;

Barbara Long spoke.

Councilmember Lowenthal spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0158. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

Enactment No: RES-09-0158

09-1339 Adopt resolution granting permission to members of the public to park in the City Place Parking Garage and establishing conditions and regulations with respect to said parking;

A motion was made by Councilmember Lowenthal, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0159. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

Enactment No: RES-09-0159

09-1340 Adopt resolution granting permission to members of the public to park in the Aquarium Parking Structure and to revise fees with respect thereto; and

A motion was made by Councilmember Lowenthal, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0160. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

Enactment No: RES-09-0160

09-1341 Adopt resolution granting permission to members of the public to park in the City owned parking lots located on Broadway between Long Beach Boulevard and Elm Avenue and establishing fees with respect thereto. (Districts 1,2)

A motion was made by Councilmember Lowenthal, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0161. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

Enactment No: RES-09-0161

3. 09-1302 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit with conditions on the application of Keller Enterprises LLC, dba Kavikas, 95 Aquarium Way, for Entertainment with Dancing by Patrons. (District 2)

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

PUBLIC COMMENT (5:34 PM)

Amelia Nieto spoke regarding security for residents in Long Beach.

Councilmember Garcia spoke.

Acting Chief Quach, Long Beach Police Department, spoke.

Councilmember Reyes Uranga spoke.

Councilmember Lowenthal spoke.

Amelia Nieto spoke.

Councilwoman Schipske spoke.

Annette Quintero spoke regarding immigration raids last week.

Dennis Dunn spoke regarding the park clock.

- 09-1358 Mary Beth Stephens, Muscular Dystrophy Association, and a Long Beach Firefighter spoke regarding event, Fill the Boot; and submitted a flyer.

This Handout was received and filed.

Rev. C. Kit Wilke spoke regarding homeless issues.

Evet and Isaac spoke regarding Long Beach Boulevard car dealers.

Suzanne Frick, Assistant City Manager, spoke.

CONSENT CALENDAR (5:58 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to approve Consent Calendar Items 21 and 4 - 14, with the exception of Agenda Item Nos. 21, 5 and 13. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

21. 09-1349 Recommendation to receive and file Parks, Recreation and Marine Purchasing and Competitive Bidding Process Audit Report.

Laura L. Doud, City Auditor, spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

4. 09-1303 Recommendation to approve the minutes for the City Council and Study Session meetings of Tuesday, December 1, 2009.

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

5. 09-1304 Recommendation to refer to City Attorney damage claims received between November 23, 2009 and December 7, 2009.

Councilwoman Schipske spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

6. 09-1305 Recommendation to adopt Specifications No. PA-02609 and authorize City Manager to award a contract to Shunt Electric Motor Corporation for the repair of electric motors and generators in the amount of \$133,500 for the period commencing December 15, 2009 for one year, with the option to renew for one additional one-year period, at the discretion of the City Manager. (Citywide)

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

7. 09-1345 Recommendation to authorize City Manager to execute a contract with the City of Los Angeles for the Health Department to perform fee-for-service housing-related testing services for one year with revenues estimated at \$40,000 per year, and to execute any other necessary documents, amendments or subsequent renewal options to extend the contract for two additional years at the discretion of the City Manager. (Citywide)

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

8. 09-1318 Recommendation to authorize City Manager, or designee, to execute all documents with the Orange County Transportation Authority (OCTA) necessary to relocate a segment of City-owned natural gas pipeline in connection with OCTA's widening of the Seal Beach Boulevard Bridge and State Route 22 (SR 22). (Citywide)

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

9. 09-1319 Recommendation to authorize City Manager to enter into miscellaneous agreements with Orange County Transportation Authority (OCTA) and the California Department of Transportation (CalTrans) in order to protect a segment of City-owned natural gas pipeline in connection with the widening of State Route 22 (SR 22) between Seal Beach Boulevard and Bolsa Chica Road in the County of Orange. (Citywide)

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

10. 09-1306 Recommendation to receive and file the application of Veronica Anile, dba (no active dba), for a person-to-person transfer of an Alcoholic Beverage Control License, at 329 Pacific Avenue, with existing conditions. (District 1)

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

11. 09-1307 Recommendation to receive and file the application of Isela Luqueno Devera, Jorge Vera and Margarito Vera, dba Veras Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3667 Delta Avenue, with existing conditions. (District 7)

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

12. 09-1308 Recommendation to find that all requirements of the final subdivision map for condominium conversion have been satisfied and approve the final map for Tract No. 71057 located north of 4th Street and west of Linden Avenue. (District 1)

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

13. 09-1309 Recommendation to authorize City Manager, or designee, to accept an easement deed for sidewalk widening adjacent to the California National Guard Armory located at 2100 Redondo Avenue. (District 5)

Councilwoman Schipske spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

14. 09-1310 Recommendation to request City Manager, or designee, to accept easement deeds for alley and storm drain purposes at 3140 Long Beach Boulevard. (District 7)

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

REGULAR AGENDA (6:04 PM)

15. 09-1347 Recommendation to receive and approve Commission/Board/Committee Reappointments and New Appointments to Non-Charter Commissions.

Councilmember Reyes Uranga spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

16. 09-1290 Recommendation to respectfully request City Council to adopt the following three strategies to address homelessness and vehicular occupation in conjunction with the City's current "Homeless Prevention and Rapid Re-Housing Program" (HPRP):

Prevention: Assist people who are within three months of being evicted, and could be at risk of being homeless. This includes:

- Identify the issuance of utility shut-off notices in order to assess households that may be at risk for losing their housing. (Long Beach City Gas and Oil Department and Water Department)
- Provide rental and utilities assistance for this target population. (The City of Long Beach is currently contracting with Catholic Charities to assess households for eligibility for the Homeless Prevention component.)
- Provide case management and support services to address issues that may link the household as at risk of homelessness. (This is linked to rental and utilities assistance.)

Outreach: Reach out to people who are living in vehicles on the streets of Long Beach in order to identify who they are, what their needs are, and how to connect them to services and housing. This includes:

- Since law enforcement is typically the first responders, provide law enforcement with Pocket Guide Resource Directories that list services at the City's Multi-Service Center; and also provide to neighborhood and business associations.
- Begin to track the incidence of Vehicular Occupancy to learn about who is living in their vehicles and what their needs are.
- Support current City street Outreach teams to regularly canvass neighbors reaching out to people living in vehicles.
- Assign an existing Outreach staff person at the City's Multi-Service Center to assist in coordinating and strategizing outreach to people living in vehicles.

Rapid Re-Housing: Refer people in vehicles to Beyond Shelter located at the Multi-Service Center to access services and housing for people already homeless and living in vehicles. This includes:

- "Outreach" as described above.
- Link people in vehicles to services at the City's Multi-Service Center; services such as employment, case management, health care, mental health care, food, etc.
- Provide people with housing locator assistance, rental assistance and move-in costs for 6 months. This would be linked with intensive case management and employment placement services.
- Provide people with direct access to emergency and transitional shelters for people who do not qualify for Rapid Re-Housing Program.

This adopted strategy allows the City of Long Beach to immediately serve and house people who are living in vehicles as a first priority.

Councilman Andrews spoke.

Councilmember Lowenthal spoke.

Christine Glasgow spoke.

Gail Davis spoke.

Sofie Bay spoke.

Judy Krumpton spoke.

Sharon Grover spoke.

Desire Tessier spoke.

Councilman Andrews spoke.

Michelle Canigan spoke.

Mary Coburn spoke.

Anna Tatta spoke.

James Brown spoke.

Patricia Benoit spoke.

Sieta Gibson spoke.

Evelyn Knight spoke.

Councilwoman Schipske spoke.

Susan Price, Homeless Services Officer, spoke.

Councilman Andrews spoke.

Vice Mayor Lerch spoke.

Susan Price, Homeless Services Officer, spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

17. 09-1348

Recommendation to request City Manager and City Attorney to work with appropriate staff to ban the sale of alcohol at self-checkout counters in the City of Long Beach.

Robert Shannon, City Attorney, spoke.

Motion: To receive and file.
Moved by DeLong, seconded by Lerch.

Councilmember Reyes Uranga spoke.

Vice Mayor Lerch spoke.

Robert Shannon, City Attorney, spoke.

Vice Mayor Lerch spoke.

A substitute motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Gabelich, that the item be referred to the State Legislation Committee. The motion carried by the following vote:

Yes: 7 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga and Gabelich

No: 2 - DeLong and Lerch

18. 09-1350

1) Recommendation to respectfully request The Long Beach Housing Development Company to consider the following:

a. To allow the funds already allocated for homeowners assistance to include low income applicants.

b. To change the requirements of Long Beach residents only to preferred Long Beach residents. The owner would demonstrate good faith best efforts to attract Long Beach residents.

2) All City resources, with zero net general fund cost, should be utilized to attract new home ownership opportunities in Long Beach which would include but not limited to:

Email Blasts	Port Newsletters
Neighborhood Newsletters	Heart of the City Program Segment
Community Meetings	Weed and Seed Outreach
Section 8 Housing Materials	Workforce Development Outreach
Utility Bills and Public Mailers	Community Health Worker Outreach
Printed Materials at City Facilities	City Website
On Hold Messages	City Council Meeting "Crawlers"
Electronic Message Boards	Printed Materials at City Facilities

Councilman Andrews spoke.

John Edmunds, Chief of Staff, Sixth District, provided a PowerPoint presentation.

Romel Delena spoke.

Ann Lee spoke.

James Bigalow spoke.

Stephanie Cooper spoke.

Karen Pho spoke.

Doug Rotermond spoke.

Sherrie Wang spoke.

Marty Clausner spoke.

Provencio Rivera spoke.

Shaun Wong spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

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

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

Absent: 1 - DeLong

achieve the following goals:

- To guarantee to the residents of the City that the City of Long Beach (City) continues the highest ethical work environment for the residents of the City and the City's elected officials and employees; and
- In the spirit of open and transparent government, to allow the public to know and better understand the relationship between its elected officials and lobbyist's clients.

Councilmember Garcia spoke.

Councilmember Reyes Uranga spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilmember DeLong spoke.

Lou Bagliotto spoke.

Joe Sopo spoke.

Jeannine Pierce spoke.

Annette Quintero spoke.

Casey Terrasas spoke.

Jack Smith spoke.

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

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

Absent: 1 - Andrews

~~Recommendation to authorize City Attorney to pay sum of \$45,000.00 in full settlement of lawsuit entitled Williams vs. Cummings, et al.~~

This Agenda Item was withdrawn.

21. Agenda item No. 21 has been moved to the Consent Calendar.

22. 09-1311 Recommendation to authorize City Manager to execute an agreement with Public Corporation for the Arts of the City of Long Beach, Inc., a California Nonprofit Corporation, dba Arts Council of Long Beach, in the amount of \$370,000 to fund arts and cultural activities for a period of one year. (Citywide)

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

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

Absent: 1 - Andrews

23. 09-1312 Recommendation to authorize City Manager to execute a contract with BigBelly Solar for the implementation of a Solar Powered Trash Compactor and Bottle/Can Recycling Pilot Program. (Districts 2,3,8)

Councilwoman Schipske spoke.

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

Yes: 7 - Garcia, Lowenthal, DeLong, Schipske, Reyes Uranga, Gabelich and Lerch

Absent: 2 - O'Donnell and Andrews

24. 09-1300 Recommendation to adopt Plans and Specifications No. R-6806 for the Colorado Lagoon Restoration Project; and authorize City Manager to award and execute the contract with ARB Inc. in an estimated amount of \$3,787,238, plus a 20 percent contingency amount of \$757,448, if necessary and if funds are available, for a total of \$4,544,686, and any necessary amendments thereto; authorize City Manager to accept \$1,300,000 from the Port of Long Beach and \$1,116,131 from the State Water Resources Control Board for construction of the Colorado Lagoon improvements, and execute all documents necessary to accept the funds; and increase appropriations in the Tidelands Operation Fund (TF) in the Department of Community Development (CD) in the amount of \$2,416,131. (District 3)

Distributed at or prior to the meeting: Memorandum dated December 14, 2009 from Richard Steinke, Executive Director, Port of Long Beach.

Motion: Approve recommendation, with the inclusion of the Port of Long Beach conditions as follows: 1. If the resource agencies determine that no mitigation credits are generated by the project, then the City must refund the advanced funds within 30 days of the resource agencies' decision. 2. The Board could elect not to proceed with the proposed project if it deems the cost per acre credit is not cost-effective. The Board could then request a full refund of the advanced funds. 3. Provision of these funds does not create a precedent for additional funding for the Project. 4. The City must construct the entire project or refund the entire amount advanced by the Port.
Moved by DeLong, seconded by Lowenthal.

Dave Perazzi spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Patrick West, City Manager, spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember Lowenthal spoke.

Samara Ashley, Port of Long Beach, spoke.

Councilmember Reyes Uranga spoke.

A substitute motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Gabelich, to approve recommendation, with the inclusion of the Port of Long Beach conditions as follows: 1. If the resource agencies determine that no mitigation credits are generated by the project, then the City must refund the advanced funds within one year of the resource agencies' decision. 2. The Board could elect not to proceed with the proposed project if it deems the cost per acre credit is not cost-effective. The Board could then request a full refund of the advanced funds. 3. Provision of these funds does not create a precedent for additional funding for the Project. 4. The City must construct the entire project or refund the entire amount advanced by the Port. The motion carried by the following vote:

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

No: 1 - Lerch

25. 09-1314

Recommendation to receive and file the Fiscal Year 2009 Year-End Operational Performance Report. (Citywide)

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

Yes: 6 - Garcia, Lowenthal, DeLong, Schipske, Reyes Uranga and Gabelich

Absent: 3 - O'Donnell, Andrews and Lerch

26. 09-1316

Recommendation to adopt resolution establishing the need to receive summary criminal history information on all Emergency Medical Technicians employed by the City of Long Beach, including any volunteer or contract employees, and establishing the authorization to

access local, state and federal level summary Criminal Offender Record Information and Subsequent Arrest Notifications from the Department of Justice for current and newly hired employees. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-09-0162. The motion carried by the following vote:

Yes: 6 - Garcia, Lowenthal, DeLong, Schipske, Reyes Uranga and Gabelich

Absent: 3 - O'Donnell, Andrews and Lerch

Enactment No: RES-09-0162

27. 09-1317

Recommendation to authorize City Manager to execute all necessary documents to apply to the Federal Aviation Administration (FAA) for new Passenger Facility Charge (PFC) program, and to accept, implement, administer, collect and expend the new PFCs related to the Airport Capital Improvement Program (CIP), within the existing authorized PFC level of \$4.50 per enplaned passenger. (District 5)

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

Yes: 5 - Lowenthal, DeLong, Schipske, Reyes Uranga and Gabelich

Absent: 4 - Garcia, O'Donnell, Andrews and Lerch

28. 09-1321

Recommendation to receive and file the application of Shannons On Pine Incorporated, dba Shannons On Pine, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 209 Pine Avenue No. A and B, with conditions. (District 2)

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

Yes: 7 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga and Gabelich

Absent: 2 - O'Donnell and Lerch

29. 09-1322

Recommendation to receive and file the application of Avina Wine Company LLC, dba Avina, for an original Alcoholic Beverage Control License, at 3260 Petaluma Avenue, with conditions. (District 5)

Councilwoman Schipske spoke.

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

Yes: 5 - DeLong, Schipske, Andrews, Reyes Uranga and Gabelich

Absent: 4 - Garcia, Lowenthal, O'Donnell and Lerch

30. 09-1323

Recommendation to receive and file the application of Santiago Perez Escobar, dba Portofino Pizzeria, for an original Alcoholic Beverage Control License, at 5900 East Spring Street Suite B, with conditions. (District 5)

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga and Gabelich

Absent: 2 - Lowenthal and Lerch

31. 09-1324

Recommendation to authorize City Manager to execute a new agreement between the Long Beach Police Department and the Long Beach Unified School District to staff School Resource Officers (SROs) and Juvenile Car Officers for an amount not to exceed \$602,000. (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 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga and Gabelich

Absent: 2 - Lowenthal and Lerch

32. 09-1325

Recommendation to adopt Plans and Specifications No. R-6763 for the construction of storm drain pollution trap (vortex separation system) at pump station No. 11; and authorize City Manager to award and execute the contract with Clarke Contracting Corporation in an estimated amount of \$264,275 plus a 15 percent contingency in the amount of \$39,641, if necessary and if funds are available, for a total of \$303,916, and any amendments thereto. (District 9)

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga and Gabelich

Absent: 2 - Lowenthal and Lerch

33. 09-1326

Recommendation to adopt Plans and Specifications No. R-6755 for the construction of storm drain pollution trap nets at pump station No. 12; and authorize City Manager to award and execute the contract with Humphrey Constructors, in an estimated amount of \$245,500 plus a 15 percent contingency in the amount of \$36,825, if necessary and if funds are available, for a total of \$282,325, and any amendments thereto. (District 9)

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Reyes
Uranga and Gabelich

Absent: 2 - Lowenthal and Lerch

34. 09-1327

Recommendation to adopt Plans and Specifications No. R-6809 for the construction of storm drain pollution trap nets at pump station No. 13; and authorize City Manager to award and execute the contract with Humphrey Contractors, in an estimated amount of \$367,900 plus a 15 percent contingency in the amount of \$55,185, if necessary and if funds are available, for a total of \$423,085, and any amendments thereto. (District 9)

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Reyes
Uranga and Gabelich

Absent: 2 - Lowenthal and Lerch

35. 09-1328

Recommendation to adopt Plans and Specifications No. R-6814, award an as-needed contract to Martinez Concrete Inc., for the Annual Contract for Concrete Repairs and Related Improvements in an amount not to exceed \$6,500,000; and authorize City Manager to execute the contract and any necessary amendments thereto with Martinez Concrete Inc. (Citywide)

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Reyes
Uranga and Gabelich

Absent: 2 - Lowenthal and Lerch

36. 09-1329 Recommendation to adopt Plans and Specifications No. R-6819; award an as-needed contract to All American Asphalt, for the Annual Contract for Street Improvements in an amount not to exceed \$6,000,000; and authorize City Manager to execute the contract and any necessary amendments thereto with All American Asphalt. (Citywide)

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

37. 09-1330 Recommendation to adopt Plans and Specifications No. R-6821 for Furnishing Citywide Bike Parking Equipment;

Award the project and authorize City Manager to execute a contract with Dero Bike Racks, and any necessary amendments thereto relative to the scope of work, in an estimated amount of \$837,764, for the purchase of approximately 1,800 bike racks and shelters; and

Increase appropriations in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) in the amount of \$837,764. (Citywide)

Distributed at or prior to the meeting: Correspondence from Vern Schooley of Fulwider Patton LLP; and Linda Trang, Deputy City Attorney.

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

Yes: 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

No: 1 - O'Donnell

38. 09-1332 Recommendation to authorize City Manager to execute a contract with Mark Sauer Construction for construction of a visitor education center and restoration of the arroyo at Rancho Los Cerritos in an estimated amount of \$1,943,636, plus a 10 percent contingency amount of \$194,364, for a total of \$2,138,000, and execute any documents necessary for the implementation and administration of the project;

Increase appropriations in the amount of \$275,000 in Capital Projects

Fund (CP 201) in the Department of Public Works (PW) to budget a Rivers and Mountains Conservancy (RMC) state grant; and

Authorize City Manager to submit an application to the Rancho Los Cerritos Foundation (Foundation) and receive a gift of grant funds in the amount of \$1,232,733 from the Foundation, and increase appropriations in the Capital Projects Fund (CP 201) in the Department of Public Works (PW) in the amount of \$1,232,733. (District 8)

Councilmember O'Donnell spoke.

Councilmember Garcia spoke.

Loretta Kramer spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

ORDINANCES (5:16 PM)

39. 09-1295 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.32.110 relating to Preferential Parking Districts "O", "R" and "U", read and adopted as read. (District 4)

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-09-0039. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - O'Donnell

Enactment No: ORD-09-0039

40. 09-1296 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsections 8.68.020.R and 8.68.060.B; and by adding Chapter 5.88 all relating to smoking lounge regulations, read and adopted as read. (Citywide)

A motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-09-0038. The motion carried by the following vote:

Yes: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Reyes Uranga and Lerch

No: 2 - Schipske and Gabelich

Enactment No: ORD-09-0038

NEW BUSINESS (6:43 PM)

41. 09-1292

Recommendation to City Council to concur in recommendation of the Personnel and Civil Service Committee to receive the communication and confirm the following appointments and reappointments: Citizen Police Complaint Commission (1 appointment); Harbor Commission (1 appointment); and Parks and Recreation Commission (2 reappointments).

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilman Andrews spoke.

Councilmember Lowenthal spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

42. 09-1357

Recommendation to refer to the Charter Amendment Committee a discussion of possible measures to stabilize the budget for the Tidelands Operating Fund.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Motion: Approve recommendation, with the inclusion of a presentation on the report from the City Auditor relative to the Port of Long Beach. Moved by Gabelich, seconded by Reyes Uranga.

Councilmember Reyes Uranga spoke.

Councilmember Lowenthal spoke.

Mayor Foster spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Jill Morgan, President of International Business Association, spoke.

Blake Christian spoke.

Councilmember Lowenthal spoke.

Robert Shannon, City Attorney, spoke.

Rich Dines, ILWU, spoke.

Lou Bagliotto spoke.

Elizabeth Horton spoke.

Patty Senecal spoke.

Michael Larison spoke.

Peter Garon spoke.

Councilwoman Schipske spoke.

Larry Herrera, City Clerk, spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Mayor Foster spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

A substitute motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to receive and file with the condition that a study session would be held in the near future with the Port to discuss a variety of Port issues. The motion carried by the following vote:

Yes: 7 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga and Lerch

No: 2 - DeLong and Gabelich

ANNOUNCEMENTS (9:36 PM)

Mayor Foster expressed thanks to retiring Sgt. Dan Tellez for his service; and requested that the meeting be adjourned in memory of Loren Eslinger.

Councilman Andrews made community announcements.

Councilwoman Schipske requested that the meeting be adjourned in memory of Robert Durbin.

Councilmember Reyes Uranga made community announcements.

Councilwoman Gabelich made community announcements.

ADJOURNMENT (9:47 PM)

At 9:47 PM, Mayor Foster adjourned the meeting in memory of Loren Eslinger and Robert Durbin.

nem