



# CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

# C-4

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May 19, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Approve the City Council minutes for the meeting held Tuesday, May 5, 2009

## DISCUSSION

The Legistar minutes for the City Council meetings held Tuesday, May 5, 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



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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

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## 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, with the exception of Agenda Item No. 18, which was considered first, followed by the swearing in of Robert Garcia, Agenda Item Nos. 27, 33 and 17, all considered prior to Hearing No. 1; and Agenda Item Nos. 10 and 32 were considered following the Consent Calendar and prior to Agenda Item No. 16.

### ROLL CALL (5:12 PM)

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

**Councilmembers** Garcia and S. Lowenthal  
**Absent:**

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; 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: Dee Andrews, Councilman, Sixth District.

Mayor Foster announced that Agenda Item No. 18 would be considered first, followed by the swearing in of the new First District Councilmember, Robert Garcia, and then Agenda Item Nos. 33, 27 and 17 would be considered prior to the Hearings.

### SECOND ROLL CALL (5:14 PM)

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

**Councilmembers** Garcia  
**Absent:**

S. Lowenthal joined the meeting.

Swearing in of Robert Garcia as the new First District Councilmember. (5:16 PM)

Senator Jenny Oropeza spoke and swore in Councilmember Robert Garcia.

**THIRD ROLL CALL (5:21 PM)**

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

Garcia joined the meeting.

Councilmember Garcia spoke.

City of San Pedro Councilwoman Hahn spoke and presented a proclamation.

Councilmember Reyes Uranga spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Vice Mayor Lerch spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

**HEARINGS (8:44 PM)**

1. 09-0431 Recommendation to receive supporting documentation into the record, conclude the hearing, grant the appeal of George Romo, and overturn the Planning Commission decision to deny a Conditional Use Permit and Local Coastal Development Permit to demolish a single family home and construct a courtesy parking lot with nine parking stalls located at 1831 E. 2nd Street. (District 2)

Distributed at the meeting: Correspondence from Larry Forester and Vivian Miller.

Michael Barber, appellant, spoke.

George Romo spoke.

Richard Orosco spoke.

Tom Hertzog spoke.

Pierre Belard spoke.

Matt Clorick spoke.

Mr. Donahue spoke.

Rick McGilton spoke.

Katie Deladonna spoke.

Ray Clark spoke.

Ed Goolian spoke.

Doug Ashbridge spoke.

Carlos Jimenez spoke.

Jack Orr spoke.

Chip Hendri spoke.

Sydney spoke.

Eric Davis spoke.

Thomas Cedonco spoke.

Lamont Lee spoke.

Veronica Organista spoke.

Councilmember S. Lowenthal spoke.

Councilmember Reyes Uranga spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Councilmember DeLong, to approve recommendation with revision of Exhibit D CUP conditions as follows: [1] that proposed Sunday through Thursday valet parking operating hours until 10:00 p.m. are acceptable, provided that the valet lot remain operational until close of business hours if there are more than 12 cars in the parking lot as of 10:00 p.m.; [2] that Friday through Saturday valet operating hours continue until close of business at 1:00 a.m.; [3] that Condition 5 (C) shall be revised to read "Post parking hours sign on site, with the business telephone number and with relevant Long Beach Municipal Code Sections; [4] Condition 5 (I) be revised to read "Parking is required to be made available to residents during non-business hours must be permitted parking"; and [5] that a first CUP compliance inspection be conducted within the first six months from commencement of valet operations. The motion carried by the following vote:

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

**Absent:** 1 - Garcia

2. 09-0432

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 Mark Kaake and Mary Rose Goodwin, dba Ashley's Bar & Grill, 1731 E. Fourth Street, for Entertainment Without Dancing by Patrons at an existing restaurant. (District 2)

Mark Kaake, applicant, spoke.

Roule Hernandez spoke.

Juanna Hernandez spoke.

Diana Discern spoke.

Mary Rose Goodwin, applicant, spoke.

Councilmember S. Lowenthal spoke.

**A motion was made by Councilmember S. Lowenthal, seconded by Councilmember O'Donnell, to approve recommendation to grant a One-Year Short-Term Permit, with conditions. The motion carried by the following vote:**

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

**Absent:** 1 - Garcia

3. 09-0433 Recommendation to receive supporting documentation into the record, conclude the hearing and either approve or deny the Permit for May 16, 2009, with conditions, on the application of DG Boxing Enterprises, Inc., dba DG Boxing, 4901 E. Carson Street, for a permit for Boxing/Wrestling/Mixed Martial Arts. (District 5)

Mark Ming, representing DG Boxing, spoke.

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

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

**Absent:** 2 - Garcia and Gabelich

#### **PUBLIC COMMENT (10:00 PM)**

Harvey Cochran spoke regarding speeding cars.

- 09-0498 Gary Shelton spoke regarding an upcoming Homelessness forum and submitted a flyer for the event.

**This Handout was received and filed.**

#### **CONSENT CALENDAR (10:04 PM)**

Passed The Consent Calendar

**A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, to approve Consent Calendar Items 4 - 15, except for Item 10. The motion carried by the following vote:**

**Yes:** 5 - DeLong, Schipske, Andrews, Reyes Uranga and Lerch

**Absent:** 4 - Garcia, S. Lowenthal, O'Donnell and Gabelich

4. 09-0435 Recommendation to authorize City Attorney to submit three Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay 1) \$1,995, 2) separate authority to pay \$45,950, and 3) separate authority to pay \$22,050 for the claim of Joseph Bahash in compliance with the Appeals Board Order.

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

5. 09-0436 Recommendation to approve the City Council minutes for the meetings held Tuesday, April 14, 2009 and Tuesday, April 21, 2009.  
**A motion was made to approve recommendation on the Consent Calendar.**
6. 09-0437 Recommendation to refer to City Attorney damage claims received between April 13, 2009 and April 27, 2009.  
**A motion was made to approve recommendation on the Consent Calendar.**
7. 09-0439 Recommendation to adopt the revisions to the Police Department Records Retention Schedule (as shown in Attachment I), and rescind all previously applicable Records Retention Titles for the Police Department.  
**A motion was made to approve recommendation on the Consent Calendar.**
8. 09-0441 Recommendation to authorize City Manager to execute all documents with the City of Los Angeles to receive \$80,164 in Workforce Investment Act funds; to authorize an increase to appropriations totaling \$80,164; and to execute any needed subsequent amendments. (Citywide)  
**A motion was made to approve recommendation on the Consent Calendar.**
9. 09-0442 Recommendation to authorize City Manager to execute all necessary agreements with the State of California to receive \$83,250 in Workforce Investment Act funds to support the Disability Program Navigator Initiative, and to execute any subsequent needed amendments. (Citywide)  
**A motion was made to approve recommendation on the Consent Calendar.**
10. 09-0458 Recommendation to authorize City Manager to adopt the recommendations of the Homeless Services Advisory Committee for allocation of Mayor's Fund for the Homeless funds in the total amount of \$75,000 to agencies in the amounts as outlined, and to execute all necessary documents with these community agencies for the provision of services for the homeless. (Citywide)

Councilmember Reyes Uranga spoke.

Jack Smith spoke.

Vanessa Romain spoke.

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

**Yes:** 7 - S. Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

**Absent:** 2 - Garcia and O'Donnell

11. 09-0443 Recommendation to authorize City Manager to execute all necessary documents with the LA84 Foundation to accept Summer Swim 2009 grant funds for summer aquatic programs for economically disadvantaged youth at Martin Luther King, Jr. Pool, Silverado Pool, Millikan High School Pool, Jordan High School Pool, and Belmont Plaza Pool, from June 22, 2009 to August 28, 2009; and authorize City Manager to execute all necessary documents to implement and administer the grant and any amendments. (Districts 3,5,6,7,9)
- A motion was made to approve recommendation on the Consent Calendar.**
12. 09-0444 Recommendation to authorize City Manager or designee to accept an easement deed for sidewalk widening and an irrevocable offer to dedicate for street widening at 1070 East Seventh Street. (District 2)
- A motion was made to approve recommendation on the Consent Calendar.**
13. 09-0445 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Hole Mole Restaurant located at 2125 Bellflower Boulevard. (District 4)
- A motion was made to approve recommendation on the Consent Calendar.**
14. 09-0446 Recommendation to authorize City Manager to grant easements to the County Sanitation District of Los Angeles County No. 3 (LACSD) for the improvement of sanitary sewer facilities at 6120 East Pacific Coast Highway and at 640 Ximeno Avenue. (District 3)
- A motion was made to approve recommendation on the Consent Calendar.**
15. 09-0438 Recommendation to receive and file minutes for:  
Civil Service Commission - April 8 and 15, 2009.  
Parks and Recreation Commission - March 18, 2009.
- A motion was made to approve recommendation on the Consent Calendar.**
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**REGULAR AGENDA (10:20 PM)**

16. 09-0447            Recommendation to respectfully request that City Council request City Manager to examine methods that would increase parking spaces on Pine Avenue from Pacific Coast Highway to Willow Street; and request City Manager to seek community input in developing a solution to parking impact and consider diagonal parking in this neighborhood on Pine Avenue.

Councilman Andrews spoke.

Carrie Swain spoke.

Joan Swain spoke.

**A motion was made by Councilman Andrews, 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

**Absent:** 1 - Garcia

17. 09-0448            Recommendation that three separate votes be taken:
1. Reaffirm approval of the reuse of the entire Schroeder Hall site for an East Division Police Substation;
  2. Rescind the approval of the offsite homeless assistance accommodation at the 1-acre City's Public Health and Human Services Department-owned site; and
  3. Rescind an alternate proposal that would provide onsite homeless assistance accommodation in conjunction with an East Division Police Substation.

Councilwoman Schipske spoke.

Fred Maggenheimer spoke.

Andrea Maccini spoke.

John Mackey spoke.

Dr. Dave Pelan spoke.

James Stricklin spoke.

Jack Smith spoke.

Sonny Isacowski spoke.

Jim Lewis, Long Beach Rescue Mission, spoke.

Anna Christiansen spoke.

Joe Sopo spoke.

Tom Hertzog spoke.

Joanne Padilla spoke.

Gary Shelton spoke.

Mary Gage spoke.

Ken Houden spoke.

Regina Wyatt spoke.

Candy Brizallara spoke.

Gary Levi spoke.

Terrance Wecher spoke.

Ed McMahan spoke.

Alan Robins spoke.

Don Thompson spoke.

Danny Wilson spoke.

Betty Bradley spoke.

Mike Kohl spoke.

Don Darnauer spoke.

Rene Castro, CCEJ, spoke.

Jenny McShaw spoke.

Councilwoman Schipske spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Motion: Approve recommendation.

Moved by Schipske, motion failed due to lack of second.

Councilmember O'Donnell spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Vice Mayor Lerch spoke.

Councilman Andrews spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Schipske spoke.

Pat West, City Manager, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

**A motion was made by Councilmember O'Donnell, seconded by Councilwoman Schipske, to direct staff to engage all applicable Federal agencies to pursue an extension to the BRAC process, and that the lease and project description include the requirement that all access to the facility be via transportation provided by MHA with no walk-in access. The motion carried by the following vote:**

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

18. 09-0454

Recommendation to adopt resolution declaring results of the City's Special Municipal Election held on April 7, 2009. (District 1)

**A motion was made by Councilmember DeLong, seconded by Councilmember Reyes Uranga, to approve recommendation and adopt Resolution No. RES-09-0041. The motion carried by the following vote:**

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

**Absent:** 1 - Garcia

**Enactment No:** RES-09-0041

19. 09-0449

Recommendation to authorize City Manager to execute any and all documents necessary for the First Amendment to Agreement No. 31079 with the Wyland Foundation for refurbishing the marine life mural, "Planet Ocean," to include an "Earth: The Blue Planet" mural on the Arena roof of the Long Beach Convention and Entertainment Center, located at 300 East Ocean Boulevard. (District 2)

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

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

**Absent:** 1 - Garcia

20. 09-0440

Recommendation to declare City-owned property located at 2075 Atlantic Avenue, Los Angeles County Assessor Identification No. 7209-001-900, as surplus property; and authorize City Manager to execute any and all documents necessary to convey the property to The Long Beach Housing Development Company. (District 6)

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

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

**Absent:** 1 - Garcia

21. 09-0450

Recommendation to adopt resolution authorizing the acquisition of tax-defaulted property, Assessor Parcel No. 7208-014-010, in the City of Long Beach from the County of Los Angeles;

Authorize City Manager to execute a Chapter 8 Agreement and any and all documents necessary for the acquisition of the tax-defaulted property; and

Authorize City Manager to execute all necessary documents for the conveyance of Assessor Parcel No. 7208-014-010 to The Long Beach Housing Development Company. (District 6)

**A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-09-0044. The motion carried by the following vote:**

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

**Absent:** 1 - Garcia

**Enactment No:** RES-09-0044

**22. 09-0451**

Recommendation to authorize City Manager to execute all documents with the State of California to accept \$6,373,593 in federal Workforce Investment Act funds as part of the American Recovery and Reinvestment Act of 2009; to authorize an increase to appropriations totaling \$2,500,000; and to execute any needed subsequent amendments. (Citywide)

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

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

**Absent:** 1 - Garcia

**23. 09-0452**

Recommendation to authorize City Manager to execute contracts and amendments with various training service providers outlined in Attachment A in support of the Workforce Investment Network's One-Stop Career Centers that provide employment services to adult and dislocated worker residents in the amount totaling \$616,000. (Citywide)

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

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

**Absent:** 1 - Garcia

**24. 09-0453**

Recommendation to approve a second amendment to the Fiscal Year 2008 - 2009 Action Plan incorporating the American Recovery and Reinvestment Act's (ARRA) Homeless Prevention and Rapid Re-Housing Program (HPRP), and authorize City Manager to (i) execute all necessary documents with the U.S. Department of Housing and Urban Development (HUD) and other entities necessary to receive HPRP funds, (ii) increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Community

Development (CD) by \$3,566,451, and (iii) execute all necessary documents with eligible non-profit agencies necessary for HPRP implementation. (Citywide)

**A motion was made by Vice Mayor Lerch, 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

**Absent:** 1 - Garcia

25. 09-0455

Recommendation to authorize City Manager to execute any and all documents necessary for the Lease with The Abbey Company for the installation of a retail development monument sign on a street easement adjacent to a public parking lot at the northeast corner of Atlantic Avenue and 52nd Street, for a 20-year term, at the monthly rental rate of \$100. (District 8)

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

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

**Absent:** 1 - Garcia

26. 09-0457

Recommendation to adopt Specifications No. PA-01109 and award a contract to CED, dba Metropolitan Electrical Distributors, Global Access Supply, Inc., and Walters Wholesale Electric Company for furnishing and delivering electrical supplies, in the estimated total amount of \$500,000 for the period of one year, commencing June 1, 2009, with the option to renew for one additional one-year period, at the discretion of the City Manager with the option to add expenditures up to 10 percent (or \$50,000) above the contract amount, if necessary, and if funds are available. (Citywide)

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

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

**Absent:** 1 - Garcia

27. 09-0459

Recommendation to adopt resolution authorizing implementation of an employee work furlough in order to generate an amount equivalent to 1.92 percent in pay (40 hours for regular, full-time employees) for all

permanent City employees in Fiscal Year (FY) 2009, and include associated appropriation reductions in the second quarter budget adjustments to reflect the anticipated furlough or equivalent savings. (Citywide)

Suzanne Mason, Director of Human Resources, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilmember S. Lowenthal spoke.

Vice Mayor Lerch spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Motion: Approve recommendation to authorize implementation of an employee work furlough or equivalent savings.  
Moved by S. Lowenthal, seconded by Andrews.

Councilmember S. Lowenthal spoke.

Councilmember O'Donnell spoke.

Anthony Batts, Chief of Police, spoke.

Motion: Substitute motion that the item be laid over for one week, to the City Council meeting of Tuesday, May 12, 2009.  
Moved by Reyes Uranga, seconded by Lerch.

Sarah Michaels spoke.

Steve James, President of Long Beach Police Officers Association, spoke.

Annie Greenfeld spoke.

Mike Kohl spoke.

Richard Sanchez spoke.

Don Darnauer spoke.

Phyllis McDaniels spoke.

Janet Schabow spoke.

Dora Hacildo spoke.

Jamie Chavez spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

**A second substitute motion was made by Councilmember DeLong, seconded by Councilmember S. Lowenthal, to support staff recommendation, with the exception of mandated equivalent savings rather than furloughs for Police and Fire; and adopt Resolution No. RES-09-0042. The motion carried by the following vote:**

**Yes:** 7 - Garcia, S. Lowenthal, DeLong, O'Donnell, Andrews, Gabelich and Lerch

**No:** 2 - Schipske and Reyes Uranga

**Enactment No:** RES-09-0042

28. 09-0460

Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Sean David Schwenk, dba Bin 133, for an original Alcoholic Beverage Control License, at 133 The Promenade North Suite 106, with conditions. (District 2)

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

**Yes:** 7 - S. Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

**Absent:** 2 - Garcia and O'Donnell

29. 09-0400

Recommendation to receive and file the application of Hofs Hut Restaurants Incorporated, dba Lucilles Smokehouse BBQ, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 4828 East 2nd Street, with conditions. (District 3)

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



**Yes:** 7 - S. Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

**Absent:** 2 - Garcia and O'Donnell

30. 09-0461 Recommendation to adopt Plans and Specifications No. R-6737 for the Improvement of Atlantic Avenue Northbound Right Turn Pocket between Esther Street and Pacific Coast Highway, and authorize City Manager to execute a contract with the lowest bidder, LMT Enterprises, dba Tyner Paving Company. The estimated contract amount is \$473,217 plus a 25 percent contingency amount of \$118,304, if necessary, for a total of \$591,521, and any amendments thereto except for an increase in the contract price. (District 6)

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

**Yes:** 7 - S. Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

**Absent:** 2 - Garcia and O'Donnell

#### **ORDIINANCE (10:36 PM)**

31. 09-0378 Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Subsections 21.25.206.D, 21.25.407.D, 21.25.506.6, 21.25.508.A.3, and Section 21.25.400, all related to Green Building construction, read and adopted as read. (Citywide)

**A motion was made by Councilmember Reyes Uranga, seconded by Councilmember S. Lowenthal, to approve recommendation and adopt Ordinance No. ORD-09-0013. The motion carried by the following vote:**

**Yes:** 7 - S. Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

**Absent:** 2 - Garcia and O'Donnell

**Enactment No:** ORD-09-0013

#### **NEW BUSINESS (10:37 PM)**

32. 09-0484 Recommendation to request City Attorney to draft a resolution in support of SB 696 (Wright) - Emission Reduction Credits and direct City Manager to communicate the City's support to Long Beach legislative offices.

Representative from the office of California State Senator Roderick

Wright, District 25, spoke.

**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

**Absent:** 1 - Garcia

33. 09-0228

Recommendation to adopt resolution proclaiming a local emergency under California Government Code Section 8630 and authorizing City Manager to execute any necessary agreements with the State of California for Swine Influenza A (swH1N1) control, and ratifying the declaration of a local health emergency issued by the City Health Officer under California Health and Safety Code Section 101080. (Citywide)

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

Dr. Helen Calvet, City Health Officer, spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-09-0043. The motion carried by the following vote:**

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

**Absent:** 1 - DeLong

**Enactment No:** RES-09-0043

34. Affidavits of Service for the special meetings held Wednesday, April 29, 2009 and Tuesday, May 5, 2009.

**ANNOUNCEMENTS (10:38 PM)**

Councilwoman Gabelich spoke regarding the Middle Harbor project.

Councilman Andrews spoke regarding Mrs. Norvell; and made community announcements.

Councilmember Reyes Uranga spoke regarding Mrs. Norvell and the Middle Harbor project; and made community announcements.

Councilwoman Gabelich spoke regarding the Middle Harbor project; and made community announcements.

Vice Mayor Lerch made community announcements.

Mayor Foster made community announcements.

**ADJOURNMENT (10:44 PM)**

At 10:44 PM, Mayor Foster adjourned the meeting.

nem