



CITY OF LONG BEACH

C-5

DEPARTMENT OF CITY CLERK

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August 4, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the City Council and the Budget Meeting minutes for the meetings held Tuesday, July 14, 2009; and the City Council minutes for the meeting held, Tuesday, July 21, 2009

DISCUSSION

The Legistar minutes for the City Council and the Budget Meeting held Tuesday, July 14, 2009, and the City Council meeting held Tuesday, July 21, 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

Robert E. Shannon, City Attorney

Bob Foster, Mayor

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (3:05 PM)

Councilmembers Present: DeLong, Andrews, Reyes Uranga, Gabelich and Lerch

Councilmembers Absent: Garcia, S. Lowenthal, O'Donnell and Schipske

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; Allison Bunma, City Clerk Analyst.

Mayor Foster presiding.

Recommendation to hold a Budget Meeting to:

Pat West, City Manager, spoke.

SECOND ROLL CALL (3:09 PM)

Councilmembers Present: Garcia, DeLong, Andrews, Reyes Uranga, Gabelich and Lerch

Councilmembers Absent: S. Lowenthal, O'Donnell and Schipske

Garcia joined the meeting.

1. 09-0710 Receive and file preview of Fiscal Year 2010 Budget Approach; and

Lori Ann Farrell, Director of Financial Management, presented a PowerPoint presentation.

A motion was made by Vice Mayor Lerch, seconded by Councilmember DeLong, that the item be received and filed. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

THIRD ROLL CALL (3:12 PM)

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

Councilmembers S. Lowenthal and O'Donnell
Absent:

Schipske joined the meeting.

Mayor Foster spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

FOURTH ROLL CALL (3:45 PM)

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

Councilmembers O'Donnell
Absent:

S. Lowenthal joined the meeting.

Pat West, City Manager, spoke.

Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Janet Schabow spoke.

2. 09-0711 Receive and file schedule for the Workshops and Hearings on the Fiscal Year 2010 Proposed Budget to hear presentations by the Mayor, Budget Oversight Committee, City Manager and City Department representatives and to provide an opportunity for all interested persons to be heard regarding the Proposed Budget. (Citywide)

A motion was made by Vice Mayor Lerch, seconded by Councilmember DeLong, that the item be received and filed. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

ADJOURNMENT (4:01 PM)

At 4:01 PM, Mayor Foster adjourned the meeting.

adb

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

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 (5:16 PM)

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

Councilmembers O'Donnell
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Heather Mahood, Chief Assistant City Attorney; Michael 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: Rae Gabelich, Councilwoman, Eighth District.

Kathy Schofield, spcaLA, presented a feline.

Mayor Foster introduced members of the Commission on Youth and Children.

HEARINGS (5:19 PM)

1. 09-0685 Recommendation to receive supporting documents into the record, conclude the public hearing, and declare ordinance amending the Downtown Shoreline Planned Development District (PD-6) read the first time and laid over to the next regular meeting of the City Council for final reading; and

Distributed at the meeting: Mike Mais, Assistant City Attorney, submitted a copy of the Planning Commission Resolution No. R-1145, adopted June 5, 2009.

Chris Gebert, Lodgeworks, LP, and Jeff Krehbiel, Krehbiel Architecture, spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Chris Gebert, Lodgeworks, LP, spoke.

Ben Rockwell spoke.

Gary Hitrie spoke.

Irene Madison spoke.

Nelson Natua spoke.

Allan Montoya spoke on behalf of Paul Tang.

Janeane Pearce spoke.

Maria Patlana spoke.

Rachael Torrez spoke.

Derick Smith spoke.

Thomas Marchese spoke.

Lori Lofstrom spoke.

Mike Murchison spoke on behalf of Lodgeworks, LP.

Maria Loia spoke.

Tehran Boldon spoke.

Councilmember S. Lowenthal spoke.

Craig Beck, Director of Development Services, spoke.

Mike Mais, Assistant City Attorney, spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Councilwoman Schipske, that the item be continued to the meeting of Tuesday, July 21, 2009. The motion carried by the following vote:

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

No: 1 - DeLong

Absent: 1 - O'Donnell

09-0686

Adopt resolution submitting the amendment of the Local Coastal Program to the California Coastal Commission for its consideration and approval. (District 2)

A motion was made by Councilmember S. Lowenthal, seconded by Councilwoman Schipske, that the item be continued to the meeting of Tuesday, July 21, 2009. The motion carried by the following vote:

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

No: 1 - DeLong

Absent: 1 - O'Donnell

2. 09-0687

Recommendation to receive supporting documents into the record, conclude the public hearing, and declare ordinance amending the Rancho Estates Planned Development District (PD-11) read the first time and laid over to the next regular meeting of the City Council for final reading; and

Councilwoman Schipske spoke.

Gary Frahm spoke.

David Thompson spoke.

Doug Kramer spoke.

Allison Banadera spoke.

Angie Merrill spoke.

Cheryl Nevarro spoke.

Maggie Ackerman spoke.

Andrea Trauta spoke.

Debbie Welch spoke.

Sal Sanders spoke.

Dave Gazarca spoke.

Karen Onsgard spoke.

Andrea Anderson spoke.

Neil Evans spoke.

Councilmember Reyes Uranga spoke.

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, 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, S. Lowenthal, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 2 - DeLong and O'Donnell

09-0688

Declare ordinance amending a portion of the use district map from the Rancho Estates Planned Development District (PD-11) to Single Family Residential (R-1-N) read the first time and laid over to the next regular meeting of the City Council for final reading. (District 5)

Councilwoman Schipske spoke.

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, 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, S. Lowenthal, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 2 - DeLong and O'Donnell

PUBLIC COMMENT (7:08 PM)

Ben Rockwell spoke regarding ADA requirements and streetscape along First Street.

Tehran Boldon spoke regarding policing on Second Street.

CONSENT CALENDAR (7:12 PM)

Passed The Consent Calendar

A motion was made by Councilwoman Gabelich, seconded by Councilmember DeLong, to approve Consent Calendar Items 3 - 14. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

3. 09-0705 Recommendation to receive and file the Independent Auditors' Report on Agreed-Upon Procedures Applied to the Appropriations Limit Worksheet of the City of Long Beach, California for the year ended September 30, 2008.
A motion was made to approve recommendation on the Consent Calendar.
4. 09-0689 Recommendation to refer to City Attorney damage claims received between June 29, 2009 and July 6, 2009.
A motion was made to approve recommendation on the Consent Calendar.
5. 09-0690 Recommendation to authorize City Manager to execute any and all documents necessary for the Fourth Amendment to Lease No. 27279 with Edwin White, an individual, for office space located at 2023 Pacific Avenue for the continued operation of the Department of Community Development, Neighborhood Services Bureau, Wrigley Community Police Center, for an additional one-year term at the monthly rental rate

of \$1,220. (District 6)

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

6. 09-0691 Recommendation to adopt resolution establishing an annual special tax of \$0.12 per square foot for Community Facilities District No. 1 for commercial properties in Belmont Shore for Fiscal Year 2010, and authorizing the Los Angeles County Auditor-Controller to include this levy on the 2009-10 Secured Tax Roll. (District 3)

A motion was made to approve recommendation and adopt Resolution No. RES-09-0068 on the Consent Calendar.

Enactment No: RES-09-0068

7. 09-0692 Recommendation to adopt resolution directing the Los Angeles County Auditor-Controller to include, on the 2009-10 Secured Tax Roll, certain levies made pursuant to the provisions of the Long Beach Municipal Code for weed, debris removal and/or building abatement in the amount of \$41,971.45. (Districts 1,2,4,6,7)

A motion was made to approve recommendation and adopt Resolution No. RES-09-0069 on the Consent Calendar.

Enactment No: RES-09-0069

8. 09-0693 Recommendation to authorize City Manager to execute a First Amendment to the Lease-Back Agreement No. 25916 between the City of Long Beach and the Society for the Prevention of Cruelty to Animals Los Angeles (spcaLA) for clarification purposes. (District 5)

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

9. 09-0694 Recommendation to authorize City Manager, or designee, to execute all necessary documents with the State of California Department of Health Services to provide Beach Water Quality Monitoring and Public Notification activities in the amount of \$25,000 for the period of October 1, 2009 through September 30, 2010. (Citywide)

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

10. 09-0695 Recommendation to authorize City Manager, or designee, to execute all necessary documents and amendments between the City of Long Beach and the State of California Department of Health Services for the provision of immunization services in the amount of \$388,000 for the period of July 1, 2009 through June 30, 2010. (Citywide)

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

11. 09-0696 Recommendation to receive and file the application of The Gallos, dba Cheapshots Place, for a person-to-person transfer of an Alcoholic Beverage Control License, at 941 East 4th Street, with existing conditions. (District 2)

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

12. 09-0697 Recommendation to adopt Resolution of Intention to vacate a portion of the alley north of Artesia Boulevard and west of Orange Avenue, accept the dedication of a new branch alley, and set a date for a public hearing on the vacation for Tuesday, August 11, 2009 at 5:00 p.m. (District 9)

A motion was made to approve recommendation and adopt Resolution No. RES-09-0070 on the Consent Calendar.

Enactment No: RES-09-0070

13. 09-0703 Recommendation to amend agreement with Steve Aichele, dba Pacific Coast Tank, to extend current professional services for the City's Underground Storage Tank Program through December 31, 2009, and increase the Agreement by an amount not to exceed \$145,000. (Citywide)

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

14. 09-0698 Recommendation to receive and file minutes of: Planning Commission - June 4, 2009.

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

REGULAR AGENDA (7:12 PM)

15. 09-0704 Recommendation to request City Attorney to draft and return within 60 days an Equal Benefits Ordinance, requiring that contractors doing business with the City demonstrate they provide benefits for registered domestic partners that are equal to those provided for married spouses.

Distributed at the meeting: Legislative letters of support from Senator Jenny Oropeza, Senator Alan Lowenthal, Assemblymember Bonnie Lowenthal, and Assemblymember Warren Furutani.

Councilmember Garcia spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember S. Lowenthal spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Mike Donelon spoke.

Thomas Marchese spoke.

Leonard Barick spoke.

Sarah Solcraft spoke.

Michelle spoke.

Ben Rockwell spoke.

Kimberly Eslinger spoke.

Jus Austin spoke.

Andras Gallegos spoke.

Tom Crow spoke.

Oscar Reza spoke.

Maria Loya spoke.

Megan Chopeka spoke.

Eduardo Lara spoke.

Ted Lesh spoke.

Maricela DeLa Reva spoke.

Jeff Price spoke.

Gary Frahm spoke.

Councilmember Garcia spoke.

Unidentified man spoke.

Councilmember Garcia spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember Garcia, seconded by Councilmember S. Lowenthal, to support an Equal Benefits Ordinance, requiring that contractors doing business with the City demonstrate they provide benefits for registered domestic partners that are equal to those provided for married spouses; and forward to the Economic Development and Finance Committee for recommendation to the City Council. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

A motion was made by Councilmember Garcia, seconded by Councilmember S. Lowenthal, to support an Equal Benefits Ordinance, requiring that contractors doing business with the City demonstrate they provide benefits for registered domestic partners that are equal to those provided for married spouses; and refer to the Human Relations Commission. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

16. 09-0699

Recommendation to approve the Fiscal Year 2009 - 2010 Action Plan for the Use of Community Development Block Grant, Home Investment Partnership Grant, and Emergency Shelter Grant Funds. (Citywide)

Councilmember Reyes Uranga spoke.

Councilman Andrews spoke.

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

Yes: 6 - DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 3 - Garcia, S. Lowenthal and O'Donnell

17. 09-0700

Recommendation to authorize City Manager to execute all documents with the City of Hawthorne on behalf of the South Bay Workforce Investment Board, for the Workforce Investment Network to operate a subsidized employment program for families in the California Work Opportunity and Responsibility to Kids program funded by up to \$880,000 in American Recovery and Reinvestment Act funds through June 30, 2010, and to execute any needed subsequent amendments. (Citywide)

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

Yes: 6 - DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 3 - Garcia, S. Lowenthal and O'Donnell

18. 09-0701

Recommendation to authorize City Manager, or designee, to execute a contract and all necessary amendments, including term extensions, between the City of Long Beach and HLP Inc., in an amount not to exceed \$130,000 for a three-year period, to procure and implement an integrated data management system. (Citywide)

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

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

Absent: 1 - O'Donnell

19. 09-0702

Recommendation to authorize City Manager, or designee, to execute all necessary documents between the City of Long Beach and the County of Los Angeles to accept funding in the amount of \$1,069,732, effective August 10, 2009 through August 9, 2010, to provide for bioterrorism preparedness and public health infrastructure development. (Citywide)

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

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

Absent: 1 - O'Donnell

ORDINANCES (7:51 PM)

- 20. 09-0132** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 21.21.302 relating to noticing requirements for hearings, read and adopted as read. (Citywide)

Gary Frahm spoke.

Thomas Marchese spoke.

Councilmember DeLong spoke.

Motion: Substitute motion to amend ordinance to exempt Bixby Hill community.

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

A motion was made by Councilwoman Gabelich, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-09-0016. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

Enactment No: ORD-09-0016

- 21. 09-0679** Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 5.59 relating to the regulation of mortgage modification consultants, read and adopted as read. (Citywide)

A motion was made by Councilman Andrews, seconded by Vice Mayor Lerch, to approve recommendation and adopt Ordinance No. ORD-09-0017. The motion carried by the following vote:

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

Absent: 2 - DeLong and O'Donnell

Enactment No: ORD-09-0017

NEW BUSINESS (7:59 PM)

22. 09-0743 Recommendation to respectfully request that City Council name the Queen Mary Special Events Park as the "Harry Bridges Memorial Park at the Queen Mary," and that this request be referred to the Housing and Neighborhoods Committee and the Parks and Recreation Commission.

Rich Dines, President of ILWU Local, spoke.

Vice Mayor Lerch spoke.

Councilmember Reyes Uranga spoke.

Councilman Andrews spoke.

Councilmember S. Lowenthal spoke.

Councilmember Garcia spoke.

A motion was made by Councilman Andrews, seconded by Councilmember S. Lowenthal, to approve recommendation and refer to the Housing and Neighborhoods Committee. The motion carried by the following vote:

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

Absent: 2 - DeLong and O'Donnell

A motion was made by Councilman Andrews, seconded by Councilmember S. Lowenthal, to approve recommendation and refer to the Parks and Recreation Commission. The motion carried by the following vote:

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

Absent: 2 - DeLong and O'Donnell

23. Affidavits of Service for the special meetings held Tuesday, July 14, 2009.

ANNOUNCEMENTS (8:07 PM)

Mayor Foster requested that the meeting be adjourned in memory of David Lee Williams.

Councilman Andrews made community announcements.

Councilwoman Schipske made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Reyes Uranga made community announcements.

Councilmember S. Lowenthal made community announcements.

ADJOURNMENT (8:15 PM)

At 8:15 PM, Mayor Foster adjourned the meeting in memory of David Lee Williams.

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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, with the exception of Agenda Item No. 2, which was considered immediately following the Presentations, followed by Agenda Item No. 32, and then the remaining agenda items in order.

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

ROLL CALL (5:05 PM)

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

Councilmembers DeLong and Reyes Uranga
Absent:

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Vice Mayor Lerch, Councilmember, Ninth District.

Kathy Schofield, spcaLA, presented a canine.

Mayor Foster announced that Hearing Item No. 1 was withdrawn, Hearing No. 2 would be considered immediately following the ceremonial items.

Recognition of Polytechnic High School Girls' Track Team - State Champions.

Councilman Andrews spoke.

Lorretta Irving, Polytechnic High School Girls' Track Team coach, spoke.

Presentation by Downtown Long Beach Associates on the Downtown Summer and Music (SAM) Series.

Kraig Kojian, Executive Director, Downtown Long Beach Associates, spoke.

Councilwoman Schipske introduced children who raised money for the Long Beach Rescue Mission by selling lemonade.

CONTINUED HEARING (5:48 PM)

32. 09-0685 Recommendation to receive supporting documents into the record, conclude the public hearing, and declare ordinance amending the Downtown Shoreline Planned Development District (PD-6) read the first time and laid over to the next regular meeting of the City Council for final reading; and

Craig Beck, Director of Development Services, spoke.

Councilmember S. Lowenthal spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Councilwoman Gabelich, 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, S. Lowenthal, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - DeLong and Reyes Uranga

- 09-0686 Adopt resolution submitting the amendment of the Local Coastal Program to the California Coastal Commission for its consideration and approval. (District 2)

A motion was made by Councilmember S. Lowenthal, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-09-0072. The motion carried by the following vote:

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

Absent: 2 - DeLong and Reyes Uranga

Enactment No: RES-09-0072

HEARINGS (5:21 PM)

1. 09-0715 Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution making certain findings; and authorize City Manager to execute an Owner Participation Agreement with Cowelco Properties, Inc., for the development of 1328-1340 West Canal Avenue. (District 1)

This Resolution was withdrawn.

2. 09-0716 Recommendation to receive supporting documents into the record, conclude the public hearing, and adopt resolution amending the General Plan designation of the site from Open Space and Park District (LUD No.11) to Institutional and School District (LUD No.10); and

Dave Heery, Heery International, spoke.

Mayor Ellen Ward, Signal Hill, spoke and submitted written comments.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

Olina Wibroe-Benson spoke.

Mayor Foster spoke.

Councilman Andrews spoke.

Councilmember S. Lowenthal spoke.

Councilmember Garcia spoke.

A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-09-0071. The motion carried by the following vote:

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

Absent: 2 - DeLong and Reyes Uranga

Enactment No: RES-09-0071

09-0717 Declare ordinance amending the zoning designation of the site from Park (P) to Institutional (I) read the first time and laid over to the next regular meeting of the City Council for final reading for the Kroc Center Project located at 1900 Walnut Avenue. (District 6)

A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, 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, S. Lowenthal, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - DeLong and Reyes Uranga

PUBLIC COMMENT (5:53 PM)

There was no public comment.

CONSENT CALENDAR (5:54 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilwoman Schipske, to approve Consent Calendar Items 3 - 20, except for Items 4 and 8. The motion carried by the following vote:

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

Absent: 2 - DeLong and Reyes Uranga

3. 09-0718 Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay 1) \$72,936.25, and 2) a separate authority to pay \$10,000 to resolve vocational rehabilitation benefits for the claim of Patrick Russell; and authority to pay 1) \$4,795, 2) a separate authority to pay \$4,795, 3) a separate authority to pay \$2,070, 4) a separate authority to pay \$15,065, and 5) a separate authority to pay \$25,932.50 for the claim of James Watson, in compliance with the Appeals Board Orders.

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

4. 09-0741 Recommendation to adopt resolution requesting the California Department of Transportation (Caltrans) to place community signs for Bixby Knolls on the San Diego (405) Freeway pursuant to the California

Streets and Highways Code. (Districts 7,8)

Councilwoman Gabelich spoke.

A motion was made by Councilwoman Gabelich, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0074. The motion carried by the following vote:

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

Absent: 2 - DeLong and Reyes Uranga

Enactment No: RES-09-0074

5. 09-0719 Recommendation to approve the City Council minutes for the meeting held Tuesday, July 7, 2009.

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

6. 09-0720 Recommendation to refer to City Attorney damage claims received between July 6, 2009 and July 13, 2009.

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

7. 09-0721 Recommendation to approve the destruction of records for Community Development Department Housing Authority Bureau as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-09-0073 on the Consent Calendar.

Enactment No: RES-09-0073

8. 09-0754 Recommendation to receive and forward the 2010 Elections Plan to the Elections Oversight Committee (EOC) for a report back to the City Council by October 20, 2009; and

Receive and forward the FY 2010 Proposed Budgets for the April 13, 2010 Primary Nominating Election and the June 8, 2010 General Election to the Budget Oversight Committee for review and comment.

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, to approve recommendation to forward the 2010 Elections Plan to the Elections Oversight Committee for a report back to the City Council by Tuesday, October 20, 2009. The motion carried by the following vote:

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

Absent: 2 - DeLong and Reyes Uranga

9. 09-0723 Recommendation to authorize City Manager to execute any and all documents necessary for the Fourth Amendment to Lease No. 28948 with Patricia Ann Waters, an individual, for office space located at 910 Daisy Avenue for the continued operation of the Department of Community Development, Neighborhood Services Bureau's Willmore Community Police Center, for an additional one-year term at the monthly rental rate of \$1,003. (District 1)

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

10. 09-0724 Recommendation to receive and file the application of Anthony Renard Bell, dba Cha Chas Restaurant, for a person-to-person transfer of an Alcoholic Beverage Control License at 762 Pacific Avenue, with existing conditions. (District 1)

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

11. 09-0725 Recommendation to receive and file the application of Garfield Beach CVS LLC, dba CVS Pharmacy 9566, for a person-to-person transfer of an Alcoholic Beverage Control License at 596 Long Beach Boulevard, with existing conditions. (District 1)

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

12. 09-0726 Recommendation to receive and file the application of Garfield Beach CVS LLC, dba CVS Pharmacy 8838, for a person-to-person transfer of an Alcoholic Beverage Control License at 2130 North Bellflower Boulevard, with existing conditions. (District 4)

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

13. 09-0727 Recommendation to receive and file the application of Garfield Beach CVS LLC, dba CVS Pharmacy 9505, for a person-to-person transfer of an Alcoholic Beverage Control License at 1928 North Lakewood Boulevard, with existing conditions. (District 4)

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

14. 09-0728 Recommendation to receive and file the application of Garfield Beach CVS LLC, dba CVS Pharmacy 8876, for a person-to-person transfer of an Alcoholic Beverage Control License at 233 East Willow Street, with existing conditions. (District 6)
- A motion was made to approve recommendation on the Consent Calendar.**
15. 09-0729 Recommendation to receive and file the application of Garfield Beach CVS LLC, dba CVS Pharmacy 9557, for a person-to-person transfer of an Alcoholic Beverage Control License at 1250 East Pacific Coast Highway, with existing conditions. (District 6)
- A motion was made to approve recommendation on the Consent Calendar.**
16. 09-0730 Recommendation to receive and file the application of Garfield Beach CVS LLC, dba CVS Pharmacy 8864, for a person-to-person transfer of an Alcoholic Beverage Control License at 3575 Atlantic Avenue, with existing conditions. (District 7)
- A motion was made to approve recommendation on the Consent Calendar.**
17. 09-0731 Recommendation to receive and file the application of Garfield Beach CVS LLC, dba CVS Pharmacy 9579, for a person-to-person transfer of an Alcoholic Beverage Control License at 4570 Atlantic Avenue, with existing conditions. (District 8)
- A motion was made to approve recommendation on the Consent Calendar.**
18. 09-0732 Recommendation to receive and file the application of Garfield Beach CVS LLC, dba CVS Pharmacy 9590, for a person-to-person transfer of an Alcoholic Beverage Control License at 6000 Atlantic Avenue, with existing conditions. (District 9)
- A motion was made to approve recommendation on the Consent Calendar.**
19. 09-0733 Recommendation to authorize City Manager to execute a waiver of federal receipt of the City of Long Beach's eleventh year allocation of \$16,566 in Juvenile Accountability Block Grant program funds to the County of Los Angeles, for the Juvenile Offender Intervention Network Program, to divert first-time serious juvenile offenders from the court system through an intensive, one-year program. (Citywide)

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

20. 09-0722 Recommendation to receive and file the minutes for:
Civil Service Commission - June 24, 2009.

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

REGULAR AGENDA (5:59 PM)

21. 09-0752 Recommendation to adopt resolution declaring a fiscal emergency.

Councilwoman Gabelich spoke.

Tom Modica, Manager of Government Affairs, spoke.

Kristin Drill spoke.

Tom Modica, Manager of Government Affairs, spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Schipske spoke.

Pat West, City Manager, spoke.

A motion was made by Councilwoman Schipske, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0075. The motion carried by the following vote:

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

Absent: 2 - DeLong and Reyes Uranga

Enactment No: RES-09-0075

22. 09-0734 Recommendation to adopt Specifications No. RFP GO 09-036 authorizing City Manager to execute a contract and any amendments thereto with Geodetics, Inc., to purchase Global Positioning System Real-Time Network Software, provide installation, support and training for a period of three years, at a cost of \$178,480 with an option to renew for two one-year periods in an amount not to exceed \$29,700 annually. (Citywide)

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

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

Absent: 2 - DeLong and Reyes Uranga

23. 09-0735

Recommendation to adopt Specifications No. PA-01309 and award a contract to Tom's Truck Center, Inc., for four line construction crew trucks in the contract amount of \$613,170 including tax, with the option of adding expenditures up to 10 percent (or \$61,317) above the annual contract amount, if necessary and if funds are available. (Citywide)

Councilwoman Gabelich spoke.

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

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

Absent: 2 - DeLong and Reyes Uranga

24. 09-0736

Recommendation to adopt Specifications No. RFP PW 09-007 authorizing City Manager to execute contracts and any amendments thereto with Waste Management, Inc., and Consolidated Disposal Service for transfer station operations for receiving, processing, transferring and disposal of waste collected by the City of Long Beach for the term April 1, 2009 to April 1, 2014, in an estimated annual contract amount of \$1,097,000 with the option of adding expenditures up to 10 percent (or \$109,700) above the annual contract amount, if necessary and if funds are available. (Citywide)

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

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

Absent: 2 - DeLong and Reyes Uranga

25. 09-0737

Recommendation to authorize City Manager to execute an amendment to the Crude Oil Marketing Agreement with Tidelands Oil Production Company to allow for automatic contract renewal annually until cancelled by either party upon 180 days notice. (Districts 1,2)

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

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

Absent: 2 - DeLong and Reyes Uranga

- 26. 09-0738** Recommendation to adopt Plans and Specifications No. R-6739 for the Atherton Storm Drain between McNab Avenue and Hackett Avenue; and authorize City Manager to award the contract to Sully-Miller Contracting Co., in an estimated amount of \$1,173,477, plus a 25 percent contingency amount of \$293,369. (District 4)

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: 6 - Garcia, S. Lowenthal, Schipske, Andrews, Gabelich and Lerch

Abstentions: 1 - O'Donnell

Absent: 2 - DeLong and Reyes Uranga

ORDINANCES (6:20 PM)

- 27. 09-0739** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 2.57.020, relating to the Senior Citizen Advisory Commission members, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

A motion was made by Councilman Andrews, seconded by Councilmember S. Lowenthal, 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: 6 - Garcia, S. Lowenthal, Schipske, Andrews, Gabelich and Lerch

Absent: 3 - DeLong, O'Donnell and Reyes Uranga

- 28. 09-0740** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.02.040, Section 10.04.010, Section 10.040.020, Section 10.08.010, Section 10.08.040, Section

10.08.050, Section 10.08.060, Section 10.08.070, Section 10.08.080, Subsection 10.08.090.A, Subsection 10.08.110.A, Section 10.08.120, Subsection 10.10.010.A, Section 10.10.020, Section 10.10.040, Section 10.10.050, Section 10.14.010, Section 10.20.030, Section 10.22.060, Section 10.22.090, Section 10.24.075, Section 10.24.079, Section 10.24.090, Subsection 10.24.140.B, Section 10.26.010, Section 10.26.020, Subsection 10.26.030.B, Section 10.26.040, Section 10.34.025 and Section 10.58.060; and by adding Section 10.18.050, Subsection 10.24.130.D, and Section 10.58.015 all relating to traffic and parking controls read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

Heather Mahood, Assistant City Attorney, spoke.

Dave Roseman, City Traffic Engineer, spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

A motion was made by Councilwoman Schipske, seconded by Councilmember S. Lowenthal, 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, S. Lowenthal, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - DeLong and Reyes Uranga

29. 09-0753

Recommendation to declare ordinance amending Subsection 1.32.010(E) and Chapters 6.04, 6.08, 6.12, 6.16 and 9.65 of the Long Beach Municipal Code, related to Animal Care Services Bureau, Code Enforcement, and Development Services use of administrative citations, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Councilmember S. Lowenthal spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilmember S. Lowenthal, 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, S. Lowenthal, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - DeLong and Reyes Uranga

30. 09-0685 Recommendation to declare ordinance amending and restating the Downtown Shoreline Planned Development District (PD-6), read and adopted as read.

This Ordinance was withdrawn.

31. 09-0687 Recommendation to declare ordinance amending and restating the Rancho Estates Planned Development District (PD-11), read and adopted as read; and

A motion was made by Councilwoman Schipske, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-09-0018. The motion carried by the following vote:

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

Absent: 2 - DeLong and Reyes Uranga

Enactment No: ORD-09-0018

- 09-0688 Declare ordinance amending the use district map of the City of Long Beach as said map has been established and amended by amending portions of Part 19 of said map from Rancho Estates Planned Development District (PD-11) to Single Family Residential (R-1-N), read and adopted as read. (District 5)

A motion was made by Councilwoman Schipske, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-09-0019. The motion carried by the following vote:

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

Absent: 2 - DeLong and Reyes Uranga

Enactment No: ORD-09-0019

NEW BUSINESS (6:31 PM)

32. Agenda Item No. 32 is listed under Continued Hearing (page 1).

ANNOUNCEMENTS (6:31 PM)

Mayor Foster requested that the meeting be adjourned in memory of Byrna "Bertie" Lowenthal, mother of State Senator Alan Lowenthal; Valoria Tate; and Patricia Kempster.

Councilman Andrews made community announcements.

Councilwoman Gabelich made community announcements.

Councilwoman Schipske made community announcements.

Councilmember S. Lowenthal made community announcements.

Councilmember Garcia made community announcements.

PUBLIC (6:40 PM)

Tehran Boldon spoke regarding the proposed LBUSD parcel tax.

Thomas Marchese spoke regarding the Wetlands and expressed condolences to the Lowenthal family.

Ben Rockwell spoke regarding the state budget.

ADJOURNMENT (6:50 PM)

At 6:50 PM, Mayor Foster adjourned the meeting in memory of Byrna Lowenthal, Valoria Tate and Patricia Kempster.

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