



# CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

# C-7

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July 6, 2010

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Approve the Minutes for the City Council Meetings and the Budget Meetings Held Tuesdays, June 15, 2010 and June 22, 2010

## DISCUSSION

The Legistar minutes for the City Council Meetings and the Budget Meetings held Tuesdays, June 15, 2010 and June 22, 2010, 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,

A handwritten signature in black ink, appearing to read "Larry Herrera".

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

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

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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 were considered in the following order: Agenda Items H-1 through R-26, R-34, R-27 through R-35, R-38, NB-45, R-39 through NB-44.

### ROLL CALL (5:17 PM)

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

**Councilmembers** Lowenthal  
**Absent:**

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

Mayor Foster announced that Agenda Item No. 34 will be considered at approximately 6:30 PM, and that Agenda Item No. 45 will be considered following Agenda Item No. 38.

Councilman Andrews made an announcements regarding Poly High School Girls Track Team.

Kathy Schofield, spcaLA, presented a canine.

Airport Awards.

Patrick West, City Manager, spoke.

Mario Rodriguez, Director of Long Beach Airport, spoke.

Recognition of John Callos, Jr.

John Callos, Jr. spoke regarding the "Toughest Footrace on the Planet."

### HEARING (5:30 PM)

1. 10-0595 Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution amending the Local Coastal Program of the General Plan as it relates to the Colorado Lagoon;  
  
Councilwoman Gabelich recused herself and retired.  
**A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-10-0058. The motion carried by the following vote:**  
**Yes:** 7 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga and Lerch  
**Abstentions:** 1 - Gabelich  
**Absent:** 1 - Lowenthal  
**Enactment No:** RES-10-0058
  
- 10-0594 Adopt ordinance amending the Zoning Code definition of Passive Park, Section 21.15.2007, read the first time and laid over to the next regular meeting of the City Council for final reading; and  
  
Authorize Director of Development Services to submit all necessary supporting materials to the California Coastal Commission. (District 3)  
**A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation that the ordinance be read the first time and laid over to the next regular meeting of the City Council for final reading; and authorize Director of Development Services to submit all necessary supporting materials to the California Coastal Commission. The motion carried by the following vote:**

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

**Abstentions:** 1 - Gabelich

**Absent:** 1 - Lowenthal

**PUBLIC COMMENT (5:35 PM)**

10-0678 Judy Crumpton spoke regarding new California spay and neuter license plate, and submitted a brochure.

**This Handout was received and filed.**

Greggory Moore spoke regarding medical marijuana collective fees.

Anthony and Cristella Lopez spoke regarding a police complaint.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

Dennis Dunn spoke regarding pets for jail inmates.

**CONSENT CALENDAR (5:53 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember Garcia, seconded by Councilmember DeLong, to approve Consent Calendar Items 2 - 23, except for Items 5 and 10. The motion carried by the following vote:**

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

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

2. 10-0626 Recommendation to receive and file report on travel to the meeting of the United States Conference of Mayors in Oklahoma City, Oklahoma, June 11 - 14, 2010.

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

3. 10-0625 Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$97,347.50 for the claim of Doris Thompson, in compliance with the Appeals Board Orders.

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

4. 10-0629 Recommendation to authorize City Manager to execute an agreement with the Law Offices of Michael M. Peters, pertaining to matters involving Civil Service Disciplinary Hearings.

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

5. 10-0630 Recommendation to authorize City Manager to execute an agreement with the law firm of Richards, Watson & Gershon, in the matter entitled, BKK Landfill West Covina.

Robert Shannon, City Attorney, spoke.

Councilwoman Gabelich spoke.

**A motion was made by Councilman Andrews, seconded by Councilmember O'Donnell, to approve recommendation with the correction to the "BKK Landfill - Victoria Golf Course" and the total of the contract for "\$125,000." The motion carried by the following vote:**

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

**Absent:** 1 - Lowenthal

6. 10-0596 Recommendation to approve the City Council minutes for the meeting held Tuesday, June 1, 2010.

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

7. 10-0597 Recommendation to refer to City Attorney damage claims received between May 24, 2010 to June 7, 2010.

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

8. 10-0598 Recommendation to authorize City Manager to execute any and all documents necessary for the Fourth Amendment to Lease No. 20755 with Baja La Palapa Restaurant Group, Inc., for City-owned property located at 4020 Olympic Plaza, for an additional five-year term, with one, five-year option to renew, at a minimum monthly base rent of \$6,400. (District 3)

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

9. 10-0607 Recommendation to authorize City Manager to execute any and all documents for the Operation of Belmont Shore Parking Meter Cash Key Program Agreement (City Agreement No. 27783) between the City of Long Beach and Farmers and Merchants Bank for the collection of parking meter funds through the sale of electronic cash keys for use in the Belmont Shore area, for a term of one year with an annual extension at the discretion of the City Manager. (District 3)

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

10. 10-0599 Recommendation to refer the suspension/revocation of Entertainment Permit No. BU20656240 for CNR Holdings, LLC, dba Evo Lounge, 5300 E. 2nd Street, to a hearing officer. (District 3)

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Erik Sund, Business Relations Manager, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

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

**Yes:** 6 - Garcia, DeLong, O'Donnell, Schipske, Andrews and Lerch

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

**Absent:** 1 - Lowenthal

11. 10-0600 Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the County of Los Angeles Chief Executive Office to receive and expend U.S. Department of Homeland Security grant funding for the 2009 Emergency Management Program Grant; and increase appropriations by \$47,603 in the General Grants Fund (SR 120) and the Fire Department (FD). (Citywide)

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

12. 10-0601 Recommendation to authorize City Manager, or designee, to execute all necessary agreements, and any subsequent amendments, between the City of Long Beach and the Los Angeles County Proposition 10 Commission – First 5 LA in the amount of \$172,964 to augment the Long Beach Department of Health and Human Services Black Infant Health program for the period of July 1, 2010 through June 30, 2011; and increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by the same amount. (Districts 1,6,7,9)

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

13. 10-0608 Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and the Los Angeles County Children and Families First – Proposition 10 Commission in the amount of \$394,167 for the period of August 1, 2010 through June 30, 2011 to continue the Long Beach-Wilmington Best Babies Collaborative Program; execute service subcontracts and subsequent amendments with the listed agencies for outreach and health education; and increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by the same amount. (Districts 1,6,7,9)

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

14. 10-0602 Recommendation to authorize City Manager, or designee, to execute all necessary documents between the City of Long Beach and the State of California Department of Public Health in the amount of \$20,525 for the Beach Water Quality Monitoring and Public Notification Services Program (AB 411 Program) for the period of July 1, 2010 through December 31, 2010; and increase appropriations in the Health Fund (SR 130) in the Department of Health and Human Services (HE) by the same amount. (Citywide)

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

15. 10-0603 Recommendation to authorize City Manager, or designee, to execute all necessary documents between the City of Long Beach and the State of California Department of Public Health in the amount of \$25,000 to provide Beach Water Quality Monitoring and Public Notification Services Program (Beach Act) for the period of October 1, 2010 through September 30, 2011; and increase appropriations in the Health Fund (SR 130) in the Department of Health and Human Services (HE) by the same amount. (Citywide)

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

16. 10-0604 Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and the California Department of Education in the amount of \$2,012 for the provision of health and sanitation inspections for the Summer Food Service Program for a period of three months. (Citywide)

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

17. 10-0605 Recommendation to authorize City Manager, or designee, to execute all necessary documents to amend and extend the current agreement (05-45244) between the City of Long Beach and the State of California Department of Health Services to provide services under the Community Challenge Grant Program, in an amount not to exceed \$210,000 for the period of July 1, 2010 through June 30, 2011. (Citywide)

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

18. 10-0609 Recommendation to authorize City Manager to execute all documents necessary for a Memorandum of Agreement and any amendments between the City of Long Beach and the United States of America, Department of Transportation, Federal Aviation Administration, for the use of City-owned property for the construction, operation and maintenance of navigation, communication and weather aids for the support of air traffic operations at the Long Beach Airport. (District 5)

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

19. 10-0606 Recommendation to authorize City Manager to execute the First Amendment to Site License No. 29003 between the City of Long Beach and Walton CWCA Garden Grove 62, LLC, successor in interest to Cal West Industrial Properties, LLC, for City-leased property at 7446-7472 Orangewood Avenue, Building A, Garden Grove, California, to house the flight tracking radar system for the Long Beach Airport. (Citywide)

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

20. 10-0610 Recommendation to authorize City Manager to execute a waiver of federal receipt of the City of Long Beach's twelfth year allocation of \$18,844 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.**

21. 10-0611 Recommendation to authorize City Manager to increase Contract No. BPPW10000002 with Fleming Environmental, Inc., by \$55,000, for an amount not to exceed \$150,000. (Citywide)

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

22. 10-0612 Recommendation to authorize City Manager to execute an agreement with Environmental Systems Research Institute, Inc. (ESRI) to participate in the Community Maps Program and grant ESRI permission to use and publish City of Long Beach geographic data. (Citywide)

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

23. 10-0613 Recommendation to receive and file minutes for:  
Civil Service Commission - May 19 and 26, 2010.  
Planning Commission - May 6, 2010.

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

#### **UNFINISHED BUSINESS (6:05 PM)**

24. 10-0544 Recommendation to receive and file the application of Norma Moradeperez, dba Brite Spot Coffee Shop, for an original Alcoholic Beverage Control License, at 412 West Pacific Coast Highway, with conditions. (District 1)

**A motion was made by Councilmember Garcia, seconded by Councilmember DeLong, to file a protest with ABC on the basis of high crime, proximity to residences and schools, as well as a potential denial of the business license based on inconsistent and incomplete information provided in the business license application. The motion carried by the following vote:**

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

**Absent:** 1 - Lowenthal

#### **REGULAR AGENDA (6:07 PM)**

25. 10-0628 Recommendation to authorize City Manager to implement an over-night
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parking program, by permit only, at Cesar Chavez Park; and request City Attorney to amend the Long Beach Municipal Code as needed.

Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

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

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

**Absent:** 1 - Lowenthal

26. 10-0631

Recommendation to request City Manager to review the Parks, Recreation and Marine Department's public permitting process; and request that City Council adopt the following public safety policies:

- A) Requirement that Parks, Recreation, and Marine Department notify the Police Department whenever a permit is issued to a group of twenty-five or more.
- B) Establishment of a public safety fee for permits issued by the Parks, Recreation and Marine Department to a group of twenty-five or more, with those fees directed towards funding Park Rangers or a "park patrol" that can patrol parks and alert the Police when there is a problem.
- C) Require that signs be posted notifying the public that a permit is required for groups of twenty-five or more and that violators will be fined and not allowed to use the park for a one year period.
- D) Require that signs be posted notifying the public that alcohol is not permitted.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Chris Ward, representative from IAM spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember Reyes Uranga, to approve recommendation, with an amendment to sub-points C and D to provide that such options be submitted as options to be considered and included in the City Manager's report back to City Council. The motion carried by the following vote:**

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

**Absent:** 1 - Lowenthal

27. 10-0632

Recommendation to respectfully request City Council support AB 1998 (Brownley - Single Use Carry Out Bags) and that our support be communicated to appropriate State and County officials;

Request City Attorney and City Manager review Los Angeles County's Draft Environmental Impact Report entitled "Ordinances to Ban Plastic Carryout Bags in Los Angeles County" and its applicability to the City of Long Beach and report back within 30 days; and

Request City Attorney and City Manager provide recommendations to City Council for submitting comments in response to the Draft EIR to the County of Los Angeles by its deadline of July 16, 2010.

Gabriel Weeks spoke.

Susie Santalina, representation Heal the Bay, spoke; and submitted information entitled, "The True Cost of Single-use Bags."

Matthew Johnson, representing the Grocers Association, spoke.

Mayor Foster spoke.

Councilmember Garcia spoke.

Councilmember Reyes Uranga spoke.

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

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

**Absent:** 2 - Lowenthal and Andrews

28. 10-0627

Recommendation to: 1) receive and file Harbor Department Transfer Analysis Report; 2) request Board of Harbor Commissioners to approve the annual transfer to the Tidelands Operating Fund for the total amount of \$12,423,706 based on the Fiscal Year 2009 Audited Financial Statements; 3) request Board of Harbor Commissioners to approve the annual transfer on October 1, 2010 based on 80 percent of the Harbor's unaudited change in net assets as of September 30, 2010, with the remaining 20 percent to be transferred upon issuance of the Harbor's Fiscal Year 2010 Audited Financial Statements; and 4) consider the elimination of the previous year's transfer from the base upon which the current year's transfer is calculated.

Laura L. Doud, City Auditor, spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilmember Reyes Uranga spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Reyes Uranga spoke.

**A motion was made by Councilmember DeLong, seconded by Councilwoman Gabelich, to approve recommendation, with a change in the wording of the City Auditor's recommendation No. 4 to read "request" rather than "consider" elimination of the previous year's transfer from the base upon which the current year's transfer is calculated. The motion carried by the following vote:**

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

**Absent:** 1 - Lowenthal

29. 10-0633 Recommendation to request City Council to fund the Naples Seawall project with \$9.5 million of Tidelands funds.

Mayor Foster

Councilmember DeLong spoke.

Motion: Approve recommendation to approve \$9.5 million in funding for the Naples Seawall project with Tidelands Funds, contingent upon Harbor Commission approval of an anticipated transfer of \$12,423,706. Moved by DeLong, seconded by Schipske.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Motion: Substitute motion that the item be deferred for discussion during the City's budget deliberations regarding the Tideland Funds.  
Moved by Gabelich, seconded by Reyes Uranga.

Councilman Andrews spoke.

Councilmember Garcia spoke.

Jim McCabe spoke.

Maureen Poe spoke.

Jack Hor spoke.

John Hennington spoke.

Lawrence Taylor spoke.

Richardo Maltran spoke.

Charles Abner spoke.

Ken Williams spoke.

Michael O'Toole spoke.

Councilwoman Gabelich spoke and withdrew the substitute motion.

Councilmember DeLong spoke.

Robert Shannon, City Attorney, spoke.

**A substitute motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Gabelich, to approve: [1] the \$9.5 million in funding for the Naples Seawall project with Tidelands Funds, contingent upon Harbor Commission approval of an anticipated transfer of \$12,423,706; and [2] a request that the City Manager provide a report to the City Council on funding alternatives, including a possible change in slip fee rates, for repair of other seawalls in the Naples area. The motion carried by the following vote:**

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

**Absent:** 1 - Lowenthal

- 30. 10-0614** Recommendation to authorize City Manager to execute all documents and any needed subsequent amendments with the State of California to accept Workforce Investment Act (WIA) grants totaling \$6,057,474; and authorize City Manager, or his designee, to execute agreements and amendments with necessary WIA training provider vendors. (Citywide)

Councilwoman Gabelich spoke.

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

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

**Absent:** 2 - Lowenthal and DeLong

- 31. 10-0576** Recommendation to authorize City Manager to accept grant funding from the State Water Resources Control Board for the Colorado Lagoon Dredging Project; increase appropriations in the Tidelands Operation Fund (TF) in the Department of Community Development (CD) in the amount of \$1,799,803; authorize City Manager to execute a grant agreement and any amendments thereto; and authorize City Manager to execute an amendment to Agreement No. 30947 between the City of Long Beach and LSA Associates for Regulatory Permitting and Environmental Professional Services, in an amount not to exceed \$33,000, and any amendments to the contract necessary to extend the term, amend the scope of work, or adjust the fee schedule of hourly rates for inflation in the extended term. (District 3)

Councilwoman Gabelich recused herself and retired.

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

**Yes:** 6 - Garcia, DeLong, O'Donnell, Schipske, Reyes Uranga and Lerch

**Abstentions:** 1 - Gabelich

**Absent:** 2 - Lowenthal and Andrews

- 32. 10-0616** Recommendation to authorize City Manager to execute any and all

documents necessary for a Right-of-Entry Agreement and any amendments between the City of Long Beach and The Boeing Company, a Delaware corporation, for airfield access at the Long Beach Airport. (District 5)

Councilwoman Schipske spoke.

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

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

**Absent:** 1 - Lowenthal

33. 10-0617

Recommendation to authorize City Manager to execute all documents necessary for the Fifth Amendment to Fixed Base Operation Lease No. 21569 between the City of Long Beach and Gulfstream Aerospace Corporation, a California corporation, to increase the leased premises of City-owned property at 4150 Donald Douglas Drive at the Long Beach Airport. (District 5)

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

**Yes:** 7 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

**Absent:** 2 - Lowenthal and Reyes Uranga

34. 10-0619

Recommendation to receive and file a report by the Long Beach Airport regarding the status of the Phase I Terminal Improvements. (District 5)

Mario Rodriguez, Director of Long Beach Airport, spoke; provided a PowerPoint presentation; and distributed a packet of informational brochures.

Jack Hor spoke.

Gabriel Weeks spoke.

Charles Handler spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.



Councilwoman Schipske spoke.

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

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

**Absent:** 2 - Lowenthal and Andrews

35. 10-0618

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

**Absent:** 2 - Lowenthal and Reyes Uranga

36. 10-0620

Recommendation to authorize City Manager to execute a Memorandum of Understanding between the City of Long Beach Department of Parks, Recreation and Marine, and the City of Long Beach Harbor Department, with regard to placement of dredge material from the Los Angeles River Estuary into Slip 1 in the Middle Harbor. (District 2)

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

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

**Absent:** 1 - Lowenthal

37. 10-0621

Recommendation to adopt resolution authorizing City Manager to submit a grant application to California State Parks through the Nature Education Facilities Program for the development and construction of a new environmental center at the El Dorado Nature Center, at a total estimated development cost of \$7 million. (District 4)

**A motion was made by Councilmember O'Donnell, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-10-0059. The motion carried by the following vote:**

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

**Absent:** 1 - Lowenthal

**Enactment No:** RES-10-0059

**38. 10-0622**

Recommendation to authorize City Manager to accept a non-monetary donation of planning, labor, materials, and improvements, equivalent to approximately \$46,000, for Phase II construction of Rosie the Riveter Park, located on the southwest corner of Clark Avenue and Conant Street; and execute a right-of-entry permit and any related documents with the Long Beach Rosie the Riveter Foundation. (District 5)

Councilwoman Schipske spoke; provide a video presentation; and distributed brochures.

Vice Mayor Lerch spoke.

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

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

**Absent:** 1 - Lowenthal

**39. 10-0623**

Recommendation to authorize City Manager to accept \$200,000 in County of Los Angeles funding for 14th Street Park, Wild Oats Community Gardens, and the El Dorado Nature Center; increase appropriations in the amount of \$200,000 in the Capital Projects Fund in the Department of Parks, Recreation and Marine; and execute any documents necessary for the implementation and administration of the projects. (Districts 1,4)

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

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

**Absent:** 1 - Lowenthal

40. 10-0624 Recommendation to increase Contract No. 31075 with Dutra Construction, Inc., for the improvement of the Aqualink Landing at Belmont Veterans Memorial Pier in the amount of \$225,000, to allow for emergency repair work needed on the Leeway Center dock. (District 3)

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

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

**Absent:** 1 - Lowenthal

#### **ORDINANCES (8:55 PM)**

41. 10-0548 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 5.72.130; and by repealing Section 14.04.070, both relating to permits, read and adopted as read. (Citywide)

**A motion was made by Vice Mayor Lerch, seconded by Councilwoman Schipske, to approve recommendation and adopt Ordinance No. ORD-10-0016. The motion carried by the following vote:**

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

**Absent:** 1 - Lowenthal

**Enactment No:** ORD-10-0016

42. 10-0582 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Chapter 6.08 and Sections 6.12.110, 6.12.120, 6.12.130, 6.12.140, and 6.12.150 all relating to Dog and Cat Licensing and rabies control, read and adopted as read. (Citywide)

**A motion was made by Councilmember Garcia, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-10-0017. The motion carried by the following vote:**

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

**No:** 1 - O'Donnell

**Absent:** 1 - Lowenthal

**Enactment No:** ORD-10-0017

- 43. 10-0585** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsection 10.28.130.A relating to parking meter zones established, read and adopted as read. (District 3)

**A motion was made by Councilmember Garcia, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-10-0018. The motion carried by the following vote:**

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

**Absent:** 2 - Lowenthal and DeLong

**Enactment No:** ORD-10-0018

**NEW BUSINESS (8:56 PM)**

- 44. 10-0635** Recommendation to request a brief presentation from Signal Hill Petroleum on their proposed next phase of seismic surveying across the City of Long Beach for the benefit of residents and businesses.

Dave Slater, Signal Hill Petroleum, spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilman Andrews spoke.

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

**Yes:** 6 - Garcia, O'Donnell, Schipske, Andrews, Reyes Uranga and Gabelich

**Absent:** 3 - Lowenthal, DeLong and Lerch

- 45. 10-0636** Recommendation to authorize City Manager to execute the agreement between the Long Beach Community College District, The Long Beach Rosie the Riveter Foundation, and the City of Long Beach to exhibit

Rosie the Riveter memorabilia in the building adjacent to Rosie the Riveter Park.

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:** 7 - DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

**Abstentions:** 1 - Garcia

**Absent:** 1 - Lowenthal

46. Affidavit of Service for the special meeting held Tuesday, June 15, 2010.

**ANNOUNCEMENTS (9:05 PM)**

Councilmember Garcia made community announcements.

Councilwoman Schipske made community announcements.

Councilman Andrews made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember O'Donnell made community announcements.

**ADJOURNMENT (9:11 PM)**

At 9:11 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



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

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## FINISHED AGENDA & DRAFT MINUTES

### ROLL CALL: (3:37 PM)

**Councilmembers** DeLong, Schipske, Reyes Uranga, Gabelich and Lerch

**Present:**

**Councilmembers** Garcia, Lowenthal, O'Donnell and Andrews

**Absent:**

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

Vice Mayor Lerch presiding.

### SPECIAL MEETING: (3:37 PM)

1. 10-0634 Recommendation to conduct a Budget Meeting to:

- Receive and file presentation of City Manager Department Operational Overviews (City Manager, Community Development, Development Services, Financial Management, Health and Human Services, Human Resources, Long Beach Airport, Long Beach Gas & Oil, Public Works and Technology Services);
- City Council deliberation; and
- Public input.

**This Agenda Item was received and filed.**

Patrick West, City Manager, spoke.

Mario Rodriguez, Director of Long Beach Airport, spoke and provided a PowerPoint presentation.

## SECOND ROLL CALL

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

**Councilmembers** Garcia, Lowenthal and Andrews  
**Absent:**

Councilmember O'Donnell joined the meeting.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Suzanne Frick, Assistant City Manager, spoke and continued with the PowerPoint presentation.

Councilwoman Schipske spoke.

## THIRD ROLL CALL

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

**Councilmembers** Lowenthal and Andrews  
**Absent:**

Councilmember Garcia joined the meeting.

Suzanne Frick, Assistant City Manager, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Dennis Thys, Director of Community Development, spoke and continued with the PowerPoint presentation.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Reginald Harrison, Interim Director of Development Services, spoke and continued with the PowerPoint presentation.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Suzanne Frick, Assistant City Manager, spoke.

Councilwoman Gabelich spoke.

Lori Ann Farrell, Director of Financial Management, spoke and continued with the PowerPoint presentation.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Ron Arias, Director of Health and Human Services, spoke and continued with the PowerPoint presentation.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Vice Mayor Lerch spoke.

**ADJOURNMENT: (5:00 PM)**

At 5:00 PM, Vice Mayor Lerch adjourned the meeting.

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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

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 were considered in the order presented, with the exception of the Recognition of Colonel Tom Magness, which was considered during Agenda Item No. 23.

### ROLL CALL (5:12 PM)

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

**Councilmembers** Lowenthal and Schipske  
**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: Councilwoman Rae Gabelich, Eighth District.

Presentation from Signal Hill Petroleum for Movies in the Park.

Jeff King, President, Partners of Parks, spoke.

Drew Satariano, President, Parks and Recreation Commission, spoke.

Deborah Russell, Signal Hill Petroleum, spoke.

**SECOND ROLL CALL (5:16 PM)**

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

**Councilmembers** Schipske  
**Absent:**

Councilmember Lowenthal joined the meeting.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Kathy Schofield, spcaLA, presented a feline.

Mayor Foster spoke.

**HEARING (5:23 PM)**

1. 10-0641 Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution amending the General Plan of the City of Long Beach by adding an Historic Preservation Element. (Citywide)

Suzanne Frick, Assistant City Manager, spoke.

Reginald Harrison, Interim Director of Development Services, spoke and presented a PowerPoint presentation.

Jill Griffiths, Advance Planning Officer, spoke and continued the PowerPoint presentation.

John Thomas, President, Long Beach Heritage, spoke.

Frances Emily Dawson Harris spoke.

Dennis Dunn spoke.

Sara Michaels spoke.

Jim Dan spoke.

Bill Napier spoke.

Councilmember Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Councilmember Garcia spoke.

**A motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-10-0060. The motion carried by the following vote:**

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

**Absent:** 1 - Schipske

**Enactment No:** RES-10-0060

**PUBLIC COMMENT (5:47 PM)**

Anitra Joiner spoke regarding Juneteenth Worldwide Concert.

Mike Murchison spoke regarding the towing yard proposals.

Juan Rendon spoke regarding the towing yard proposals.

Jose Magadaleno spoke regarding the towing yard proposals.

Erik Sund, Business Relations Manager, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Patrick West, City Manager, spoke.

Frances Emily Dawson Harris commended Councilmember Garcia and staff; and spoke regarding bicycle riding on sidewalks while on cell phone or listening to Ipod.

Mayor Foster announced that Councilwoman Schipske was excused from tonight's meeting; and that Agenda Item No. 21 was withdrawn.

**CONSENT CALENDAR (6:08 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve Consent Calendar Items 2 - 19. The motion carried by the following vote:**

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

**Absent:** 1 - Schipske

2. 10-0637 Recommendation to receive and file report on travel to the convention of the International Council of Shopping Centers (ICSC) in Las Vegas, Nevada, May 22 - 25, 2010.  
**A motion was made to approve recommendation on the Consent Calendar.**
3. 10-0638 Recommendation to adopt resolution supporting the preservation of funding for services provided by The Guidance Center.  
**A motion was made to approve recommendation and adopt Resolution No. RES-10-0061 on the Consent Calendar.**  
**Enactment No:** RES-10-0061
4. 10-0673 Recommendation to authorize City Manager to execute a first amendment to the agreement with the law firm of Law Offices of Michael M. Peters, in the matter entitled Thomas Lee Goldstein vs. City of Long Beach, et al., Case No. CV 04-9692 AHM (Ex).  
**A motion was made to approve recommendation on the Consent Calendar.**
5. 10-0674 Recommendation to authorize City Manager to execute a first amendment to agreement with the law firm of Ferguson, Praet & Sherman, in the matter entitled Thomas Lee Goldstein vs. City of Long Beach, et al., Case No. CV 04-9692 AHM (Ex).  
**A motion was made to approve recommendation on the Consent Calendar.**
6. 10-0640 Recommendation to refer to City Attorney damage claims received between June 7, 2010 and June 14, 2010.

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

7. 10-0639 Recommendation to direct City Clerk to notify all City departments and advisory bodies that have previously adopted conflict of interest codes of the biennial review requirements for such conflict of interest codes; and to require all departments and advisory bodies that have previously adopted conflict of interest codes to review such conflict of interest codes and report to the City Council any amendments, or report that no amendments are necessary no later than October 1, 2010.

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

8. 10-0668 Recommendation to approve the destruction of records for Long Beach Police Department as shown in Exhibit A; and adopt resolution.

**A motion was made to approve recommendation and adopt Resolution No. RES-10-0062 on the Consent Calendar.**

**Enactment No: RES-10-0062**

9. 10-0645 Recommendation to authorize City Manager to execute all documents necessary for the First Amendment to Lease No. 30218 with Kiet Chi Hong, an individual, for approximately 800 square feet of rentable space at 1526 East 4th Street, for the continued operation of a children's art program, for a three-year term at the current monthly base rent of \$950, with one, two-year option to renew; and increase appropriations in the General Fund (GP) and in the Department of Parks, Recreation and Marine (PR) by \$11,400. (District 2)

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

10. 10-0646 Recommendation to authorize Department of Development Services to process a refund in the amount of \$13,167 to Tabernaculo Christiano Misionero de Salem for the property located at 201-233 Anaheim Street. (District 1)

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

11. 10-0647 Recommendation to adopt Specifications No. PA-02410 and award a contract to Ferguson Enterprises, Inc., a Long Beach-based business (SBE, Local), for the purchase of Fusion Bonded Epoxy (FBE) coated pipe, in the amount of \$160,000 for a one-time purchase. (Citywide)

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

12. 10-0648 Recommendation to adopt Specifications No. PA-00110 and award a contract to Pardess Air, Inc., of Los Angeles, California (SBE) in the amount of \$135,000 for a one-time purchase for furnishing, delivering and installing a heating, ventilating, and air conditioning (HVAC) system at the Crime Lab of the Long Beach Police Department, with the option to add expenditures up to 5 percent (or \$6,750) above the contract amount, if necessary and if funds are available. (District 1)
- A motion was made to approve recommendation on the Consent Calendar.**
13. 10-0649 Recommendation to authorize City Manager to purchase excess workers' compensation insurance for the period of July 1, 2010 through July 1, 2011, through Marsh USA, Inc., for a total premium not to exceed \$310,000. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
14. 10-0650 Recommendation to authorize City Manager to purchase "all risk" property insurance for City buildings, contents, and vehicles through the Alliant Insurance Service's Public Entity Property Insurance Program, for a total premium of \$567,821 for the period from July 1, 2010 through July 1, 2011. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
15. 10-0651 Recommendation to authorize City Manager to purchase excess municipal liability insurance for the period of July 1, 2010 through July 1, 2011, through Marsh USA, Inc., for a total premium not to exceed \$580,000;
- Authorize City Manager to purchase airport liability insurance for the period of June 30, 2010 through June 30, 2011, through Marsh USA, Inc., for a total premium not to exceed \$90,000; and
- Authorize City Manager to purchase aircraft liability and hull insurance for police helicopters for the period of June 30, 2010 through June 30, 2011, through Marsh USA, Inc., for a total premium not to exceed \$70,000. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
16. 10-0653 Recommendation to authorize City Manager to execute a sponsor/site agreement with the Long Beach Community Services Development

Corporation, dba Long Beach Community Action Partnership, a nonprofit organization, for participation in the 2010 Summer Food Service Program. (District 7)

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

17. 10-0654 Recommendation to receive and file the application of Frewoini Hadghembes Tesfai, dba Joes Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1710 East Artesia Boulevard, with existing conditions. (District 9)

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

18. 10-0482 Recommendation to authorize City Manager to release and reassign security deposit funds in the amount of \$15,000, related to a sidewalk-dining permit at 144 Pine Avenue, originally Mum's Restaurant. (District 2)

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

19. 10-0655 Recommendation to receive and file minutes for:  
Civil Service Commission - June 2, 2010.  
Planning Commission - May 20, 2010.

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

#### **REGULAR AGENDA (6:09 PM)**

20. 10-0671 Recommendation to direct City Manager to send a letter of support for the reconstruction of aircraft runways at the Joint Force Training Base (JFTB), Los Alamitos.

Councilmember O'Donnell spoke.

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

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

**Absent:** 2 - DeLong and Schipske

21. 10-0675 Recommendation to request a report from the City Auditor regarding the review of the inventory of the historical contents and photographs in

storage at the Public Service Yard and efforts made to preserve the items.

**This Agenda Item was withdrawn.**

22. 10-0656

Recommendation to adopt resolution authorizing participation in the Los Angeles County Energy Program (LACEP); adopt the LACEP report; and authorize City Manager, or designee, to act for the City and to execute all necessary documents on behalf of the City. (Citywide)

Suzanne Frick, Assistant City Manager, spoke.

**A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-10-0063. The motion carried by the following vote:**

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

**Absent:** 2 - DeLong and Schipske

**Enactment No:** RES-10-0063

23. 10-0657

Recommendation to authorize City Manager to execute a Federal Cost-Share Agreement (FCSA) with the United States Army Corps of Engineers for the East San Pedro Bay Ecosystem Restoration Feasibility Study (Long Beach Breakwater Feasibility Study) and any necessary amendments, in an amount not to exceed \$4,145,700, for a term of four years; and provide direction to staff on the funding options for the Feasibility Study. (Citywide)

Distributed at or prior to the meeting: Correspondence from David Baker and Western States Petroleum Association.

Patrick West, City Manager, spoke.

Tom Modica, Manager of Government Affairs, spoke and presented a PowerPoint presentation.

Vice Mayor Lerch spoke.

Motion: That the item be laid over to the City Council meeting of Tuesday, August 10, 2010, with staff to identify the funding sources. Moved by Lerch, seconded by Andrews.

Councilmember O'Donnell spoke.



**A second substitute motion was made by Councilmember DeLong, seconded by Vice Mayor Lerch, to approve staff recommendation, the federal study and cost sharing agreement, but defer allocation of City funds until the actual amount of federal funding is determined by Congress. The motion failed by the following vote:**

**Yes:** 1 - DeLong

**No:** 7 - Garcia, Lowenthal, O'Donnell, Andrews, Reyes Uranga, Gabelich and Lerch

**Absent:** 1 - Schipske

Recognition of Colonel Magness.

Mayor Foster spoke.

Colonel Tom Magness spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Larry Forester, City of Signal Hill Councilmember, spoke.

Tim Lee, Deputy District Director, Office of Congresswoman Laura Richardson, spoke.

Frances Emily Dawson Harris spoke.

Rich Steins spoke.

Bill Napier spoke.

Randy Gordon, President and CEO, Long Beach Chamber of Commerce, spoke.

Mayor Foster spoke.

Emiko Innes, Long Beach Surfrider Foundation, spoke.

Seamus lam Innes, Long Beach Surfrider Foundation, spoke.

Shelly Back, Friends of LA River, spoke.

Jim Dan spoke.

Gabrielle Weeks spoke.

Joe Geebler spoke.

Allan Reed spoke.

Tom Jacobsen, owner of Jacobsen Pilot Services, spoke.

Michele Grubbs, PMSA, spoke.

Elizabeth Warren, Future Ports, spoke.

Dan Miler spoke.

Carl Kemp spoke.

Koby Scott spoke.

Travis Miller spoke.

Bill Orton spoke.

Stephanie Esparza spoke.

John Morris spoke.

Shawn Hawk spoke.

Rick Risidine spoke.

Lori Package spoke.

Mayor Foster spoke.

Councilmember Garcia spoke.

Councilmember Lowenthal spoke.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

Tom Modica, Manager of Government Affairs, spoke.

Mayor Foster spoke.

**A substitute motion was made by Councilmember O'Donnell, seconded by Councilmember Lowenthal, to approve staff recommendation and adopt a funding strategy that: [1] provides \$825,000 in the form of City in-kind services; [2] designates \$2.5 million set aside from the expected one-time Port transfer; [3] reserves \$2.5 million with the expectation that City staff will pursue grants to minimize the use of these funds; [4] that the balance of \$820,000 will be unfunded, but with the expectation that staff will try to reduce the scope of the study using existing data, or generate additional in-kind contributions, with any additional grant funding used to assist with closing the project funding gap; [5] that the City will only appropriate an amount equal to the funding provided by Congress each year, ensuring that the entire set-aside funds are not committed; and [6] that the City will not exceed the annual amount appropriated by the Army Corps, ensuring that the entire balance will not be committed until needed. The motion carried by the following vote:**

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

**Absent:** 1 - Schipske

- 24. 10-0658** Recommendation to approve an amendment to the Fiscal Year 2010 Action Plan; and increase Community Development Block Grant (CDBG) funding for Economic Development and Special Needs Population activities. (Citywide)

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

**Yes:** 5 - Lowenthal, DeLong, O'Donnell, Andrews and Reyes Uranga

**Absent:** 4 - Garcia, Schipske, Gabelich and Lerch

- 25. 10-0659** Recommendation to authorize City Manager to execute contracts totaling \$801,251 with qualified service providers to operate Workforce Investment Act Youth Academy Projects, for the period of July 1, 2010 through June 30, 2012. (Citywide)

Patrick West, City Manager, spoke.

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

**Yes:** 5 - Lowenthal, DeLong, O'Donnell, Reyes Uranga and Gabelich

**Absent:** 4 - Garcia, Schipske, Andrews and Lerch

26. 10-0660

Recommendation to authorize City Manager to execute all documents and any needed subsequent amendments with the City of Los Angeles to receive funds totaling \$828,982 to continue operations of the Harbor WorkSource Center for the term of July 1, 2010 through June 30, 2011; and authorize City Manager, or his designee, to execute agreements and amendments with necessary Workforce Investment Act training provider vendors. (Citywide)

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

**Yes:** 6 - Garcia, Lowenthal, DeLong, O'Donnell, Reyes Uranga and Gabelich

**Absent:** 3 - Schipske, Andrews and Lerch

27. 10-0661

Recommendation to authorize City Manager to execute all necessary agreements with the State of California to receive \$245,960 in American Recovery and Reinvestment Act funds to support the Disability Program Navigator Initiative; to execute all necessary documents with Goodwill Serving the People of Los Angeles County, a Long Beach-based nonprofit, for a contract totaling \$60,000; and to execute any subsequent needed amendments. (Citywide)

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

**Yes:** 6 - Garcia, Lowenthal, DeLong, O'Donnell, Reyes Uranga and Gabelich

**Absent:** 3 - Schipske, Andrews and Lerch

28. 10-0662

Recommendation to adopt resolution requesting Board of Harbor Commissioners to approve the transfer in full of \$12,423,706, based on 10 percent of the Fiscal Year 2009 change in net assets, from the Harbor Revenue Fund (HR) to the Tidelands Operating Fund (TF) effective immediately;

Approve the subsequent annual transfer on October 1, 2010 based on 80 percent of the Harbor Revenue Fund's unaudited change in net assets as of September 30, 2010, for \$9,938,965, with the remaining 20 percent of \$2,484,741 to be transferred after March 31, 2011 upon issuance of the Harbor Department's Fiscal Year 2010 audited financial statements, with a corresponding true-up adjustment, as necessary, to reflect the final audited amount; and

Consider the elimination of the previous year's transfer from the base upon which the annual transfer is calculated, effective with the Harbor Department's Fiscal Year 2010 audited financial statements, for an additional \$1.2 million. (Citywide)

Lori Ann Farrell, Director of Financial Management, spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation, subject to three amendments to the actions requested of the Harbor Commission, as follows: [1] that the \$12.4 million transfer will take place on October 1, 2010; [2] that after FY 2011, the annual transfers of 80% and 20% will take place annually, on October 31 and March 31, on an ongoing basis; and [3] request the elimination of the previous year transfer from the base upon which the annual transfer is calculated, effective with the Harbor Department Fiscal Year 2010 audited financial statements, for an additional \$1.2 million; and adopt Resolution No. RES-10-0064. The motion carried by the following vote:**

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

**Absent:** 2 - Schipske and Lerch

**Enactment No:** RES-10-0064

**29. 10-0615** Recommendation to receive and file the Fiscal Year 2010 Second Quarter Budget Performance Report. (Citywide)

**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, O'Donnell, Andrews, Reyes  
Uranga and Gabelich

**Absent:** 2 - Schipske and Lerch

**30. 10-0663** Recommendation to authorize City Manager to accept \$100,000

awarded through the Los Angeles County Proposition A Excess Funds Program, for the Drake/Chavez Greenbelt Project; increase appropriations in the Capital Projects Fund (CP) in the Department of Parks, Recreation and Marine (PR) by \$100,000; and execute any documents necessary for the implementation and administration of the project. (District 1)

Councilmember Garcia spoke.

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

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

**Absent:** 2 - Schipske and Lerch

31. 10-0664 Recommendation to adopt resolution authorizing a temporary waiver for the restriction of alcohol at El Dorado Regional Park, Area III, for an Oktoberfest event scheduled for October 22, 2010 through October 31, 2010. (District 5)

**A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-10-0065. The motion carried by the following vote:**

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

**Absent:** 2 - Schipske and Lerch

**Enactment No:** RES-10-0065

32. 10-0665 Recommendation to authorize City Manager to increase appropriations in the Capital Projects Fund in the Department of Parks, Recreation and Marine by \$142,500 for the Ramona Park Improvement Project; and execute any documents necessary for the implementation and administration of the project. (District 9)

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

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

**Absent:** 2 - Schipske and Lerch

33. 10-0666 Recommendation to authorize Department of Public Works to convert

one parking space in the public right-of-way in front of 435 E. First Street into an on-street bike parking corral as a pilot project. (District 2)

Councilmember Lowenthal spoke.

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

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

**Absent:** 2 - Schipske and Lerch

#### **ORDINANCE (8:29 PM)**

34. 10-0667 Recommendation to declare ordinance amending the Long Beach Municipal Code by adding District "AA" to Section 10.32.110 creating a new Preferential Parking District read the first time and laid over to the next regular meeting of the City Council for final reading. (District 5)

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

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

**Absent:** 2 - Schipske and Lerch

#### **NEW BUSINESS (8:29 PM)**

35. 10-0680 Recommendation to authorize City Manager to execute an addendum to Agreement No. 29956 with Hart InterCivic to establish a fixed five-year annual licensing and support fee.

**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, O'Donnell, Andrews, Reyes Uranga and Gabelich

**Absent:** 2 - Schipske and Lerch

36. 10-0681 Recommendation to adopt resolution declaring results of the City of Long Beach General Municipal Election held Tuesday, June 8, 2010.

Councilmember Reyes Uranga spoke.

**A motion was made by Councilmember Lowenthal, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-10-0066. The motion carried by the following vote:**

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

**Absent:** 2 - Schipske and Lerch

**Enactment No:** RES-10-0066

37. 10-0594

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 21.15.2007, relating to the definition of Passive Park, read and adopted as read. (District 3)

**A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to approve recommendation and adopt Ordinance No. ORD-10-0019. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews and Reyes Uranga

**Abstentions:** 1 - Gabelich

**Absent:** 2 - Schipske and Lerch

**Enactment No:** ORD-10-0019

38. Affidavit of Service for special meeting held Tuesday, June 22, 2010.

### **ANNOUNCEMENTS (8:31 PM)**

Mayor Foster spoke.

Councilmember Lowenthal made community announcements.

Councilmember Andrews made community announcements and offered condolences regarding Pastor Verdell Calhoun, Sr., who passed over the weekend.

Councilmember Gabelich made community announcements.

Councilmember Reyes Uranga requested that the meeting be adjourned in memory of Mark Saade.

### **ADJOURNMENT (8:36 PM)**



At 8:36 PM, Mayor Foster adjourned the meeting in memory of Pastor Verdell Calhoun, Sr. and Mark Saade.

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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

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## FINISHED AGENDA & DRAFT MINUTES

### ROLL CALL (3:38 PM)

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

**Councilmembers** Andrews  
**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;  
Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

### SPECIAL MEETING

1. 10-0672 Recommendation to conduct a Budget Meeting to:
  - Receive and discuss presentation on Government Reform Initiatives and Efficiencies;
  - City Council deliberation; and
  - Public input.

**This Agenda Item was received and filed.**

Patrick West, City Manager, spoke and provided a PowerPoint presentation.

### SECOND ROLL CALL (3:54 PM)

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

Councilman Andrews joined the meeting.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilmember Lowenthal spoke.

Councilmember Reyes Uranga spoke.

**ADJOURNMENT (4:53 PM)**

At 4:53 PM, Mayor Foster adjourned the meeting.

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