

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 & MINUTES

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

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

### ROLL CALL (5:04 PM)

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

**Councilmembers Absent:** Garcia, Lowenthal, Schipske and Gabelich

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

Mayor Foster presiding.

Invocation: Moment of Silence.

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

Julie Pruitt, spcaLA, presented a feline.

Presentation from Assemblymember Bonnie Lowenthal.

Assemblymember Bonnie Lowenthal spoke.

### SECOND ROLL CALL (5:13 PM)

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

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

[09-1355](#)

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

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

Councilmember O'Donnell spoke.

Mayor Foster spoke.

**This Handout was received and filed.**

Tour de Cure Ride Presentation.

Patrick West, City Manager, spoke.

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

Charles Gandy, Department of Public Works, spoke.

Julian Dillon, American Diabetes Association, spoke.

Mayor Foster spoke.

**HEARING: (5:28 PM)**

[see media](#)

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

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

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

**PUBLIC COMMENT: (5:28 PM)**

[see media](#)

Mike Ruehle spoke regarding dishonesty.

Dennis Dunn spoke regarding public art.

[09-1356](#)

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

Mayor Foster spoke.

**This Handout was received and filed.**

**CONSENT CALENDAR: (5:37 PM)**

[see media](#)

Passed The Consent Calendar

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

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

2. [09-1277](#)

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

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

3. [09-1278](#)

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

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

**Enactment No:** RES-09-0153

[09-1279](#)

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

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

**Enactment No:** RES-09-0154

[09-1280](#)

Adopt resolution consenting to requests from the Board of Education of

the Long Beach Unified School District and the Board of Trustees of the Long Beach Community College District to consolidate Governing Board Member elections with the City of Long Beach Primary Nominating Election to be held on April 13, 2010. (Citywide)

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

**Enactment No:** RES-09-0155

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

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

#### REGULAR AGENDA (5:39 PM)

[see media](#)

[see media](#)

5. [09-1282](#) Recommendation to request City Attorney to prepare a resolution of support for *Get Connected!*  
Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Councilman Andrews spoke.

**This Resolution was approve recommendation.**

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

6. [09-1290](#) WITHDRAWN  
~~Recommendation to respectfully request City Council to adopt the following three strategies to address homelessness and vehicular occupation in conjunction with the City's current "Homeless Prevention and Rapid Re-Housing Program" (HPRP):~~

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

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

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

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

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

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

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

**This Agenda Item was withdrawn.**

[see media](#)

7. [09-1294](#) Recommendation to receive and file report on meeting with Senate President Pro Tem Darrell Steinberg regarding a vacancy for South Coast Representative of the California Coastal Commission.

Councilmember Lowenthal spoke.

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

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

[see media](#)

8. [09-1135](#) Recommendation to City Council to concur in recommendation of the Public Safety Committee that City Council request the Police Department to provide City Council with quarterly crime reports to determine if there are patterns and for the purpose of forecasting budgeting needs based on data included in the reports; and

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

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

Patrick West, City Manager, spoke.

Billy Quach, Acting Chief of Police, spoke.

Bill Blair, Deputy Chief, Police Department, spoke.

Vice Mayor Lerch spoke.

Councilwoman Schipske spoke.

Vice Mayor Lerch spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

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

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

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

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

**Absent:** 1 - O'Donnell

[see media](#)

9. [09-1283](#)

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

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

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

**Absent:** 1 - O'Donnell

**Enactment No:** RES-09-0156

**ORDINANCES: (6:05 PM)**

[see media](#)

10. [09-1295](#)

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

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

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

**Absent:** 1 - O'Donnell

**Enactment No:** ORD-09-0039

[see media](#)

11. [09-1296](#)

Recommendation to declare ordinance amending the Long Beach

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

Robert Shannon, City Attorney, spoke.

Linda Trang, Deputy City Attorney, spoke.

Councilwoman Gabelich spoke.

Councilmember Lowenthal spoke.

Erik Sund, Business Relations Manager, spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Crystal Rodriguez spoke.

Pat Eatum spoke.

Erin Huffer spoke.

Tom Fallon spoke.

Beatrice Reyes spoke.

Malinda Cotton spoke.

Claudette Powers spoke.

**A motion was made by Vice Mayor Lerch, seconded by Councilman Andrews, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:**

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

**Absent:** 2 - Schipske and Andrews

**Enactment No:** ORD-09-0038

[see media](#)

**12.** [09-1266](#)

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 2.73 establishing an "Equal Benefits

Ordinance" requiring contractors on City contracts to provide employee benefits to their employees with domestic partners equivalent to those provided to their employees with spouses, read and adopted as read. (Citywide)

Marcos Lopez spoke.

Theo Diaz spoke.

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

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

**Enactment No:** ORD-09-0036

[see media](#)

**13. [09-1270](#)**

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

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

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

**Absent:** 1 - DeLong

**Enactment No:** ORD-09-0035

**NEW BUSINESS: (6:41 PM)**

[see media](#)

[see media](#)

**14. [09-1333](#)**

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

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

Mayor Foster spoke.

Stephan Wondell, Boeing representative, spoke.

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

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

**Absent:** 1 - DeLong

[see media](#)

15. [09-1299](#)

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

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

Councilmember Lowenthal spoke.

Councilmember Garcia spoke.

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

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

**Absent:** 1 - DeLong

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

**ANNOUNCEMENTS: (6:51 PM)**

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

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

Councilwoman Gabelich made community announcements.

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

Councilwoman Schipske made community announcements.

Councilmember Garcia expressed condolences to the Pullido family.

Councilmember Lowenthal expressed condolences to the Pullido family.

**ADJOURNMENT: (6:59 PM)**

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

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