

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 & 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.

ROLL CALL (5:04 PM)

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

Councilmembers Absent: Lowenthal, DeLong and Gabelich

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

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

Mayor Foster announced that Councilmember DeLong would be absent; that Agenda Item No. 15 was pulled from the Consent Calendar for discussion; and that Agenda Item No. 21 was withdrawn.

Julie Pruitt, spcaLA, presented a canine.

SECOND ROLL CALL (5:09 PM)

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

Councilmembers Absent: DeLong

Councilmembers Lowenthal and Gabelich joined the meeting.

HEARINGS (5:09 PM)

[see media](#)

1. [09-1297](#) Recommendation to receive supporting documentation into the record, conclude the hearing, declare an urgency ordinance relating to the temporary limitation (moratorium) on truck transfer and truck terminal facilities in the IG (General Industrial) Zone; declaring the urgency thereof; and declaring this ordinance shall take effect immediately, read, adopted as read and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Vice Mayor Lerch spoke.
A motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Schipske, to declare emergency to exist. 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-10-0001
- [09-1297](#) Recommendation to declare an urgency ordinance involving the temporary limitation (moratorium) on truck transfer and truck terminal facilities in the IG (General Industrial) Zone; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read (Ordinance No. ORD-10-0001). (Citywide)

A motion was made by Councilmember Reyes Uranga, seconded by Vice Mayor Lerch, to receive documentation into the record, conclude the hearing and declare urgency Ordinance No. ORD-10-0001 read, adopted as read 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, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

Enactment No: ORD-10-0001
- [see media](#)
2. [10-0001](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit, with conditions on the application of MCK & Company LLC, dba Cat Man Blu,

51 S. Pine Avenue, for Entertainment Without Dancing by Patrons.
(District 2)

Harvey Cochran spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Garcia, 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](#)

3. [10-0002](#)

Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit, with conditions on the application of S.C. Fish Grill LLC., dba Khoury's Restaurant, 110 Marina Drive, for Entertainment With Dancing by Patrons at an existing restaurant. (District 3)

A motion was made by Councilmember Lowenthal, seconded by Councilmember Garcia, 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](#)

4. [10-0003](#)

Recommendation to receive supporting documentation into the record, conclude the public hearing, find that the area to be vacated is not needed for present or prospective public use; adopt resolution ordering the vacation of a portion of Daisy Avenue and the alleys bounded by Third Street, Broadway, and Maine and Magnolia Avenues; and authorize a quitclaim of the reserved utility easement. (District 1)

A motion was made by Councilmember Garcia, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-10-0001. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-10-0001

PUBLIC COMMENT (5:18 PM)

Marla James spoke regarding raids on medical marijuana dispensaries.

Councilwoman Gabelich spoke.

Robert Shannon, City Attorney, spoke.

Drew Hayes spoke regarding raids on local medical marijuana collectives.

John Deats spoke regarding morale and the selection of a new Long Beach Police Chief.

Joe Weinstein spoke regarding the rise of coastal sea levels.

Harvey Cochran spoke regarding public safety and a variety of other issues.

[10-0050](#) Danny Kaye spoke regarding a new business in Long Beach, Totum Corp.; and submitted brochures.

This Handout was received and filed.

Charles Monson spoke regarding medical marijuana raids.

Councilmember Lowenthal spoke.

Billy Quach, Chief of Police, spoke.

Councilwoman Gabelich spoke.

Robert Shannon, City Attorney, spoke.

Mayor Foster spoke.

Robert Shannon, City Attorney, spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

CONSENT CALENDAR (5:55 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilmember Lowenthal, to approve Consent Calendar Items 5 - 22, except for Items 15 and 21. The motion carried by the following vote:

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

Absent: 1 - DeLong

5. [09-0833](#) Recommendation to City Council to concur in recommendation of the Housing and Neighborhoods Committee to approve revising the Long Beach Municipal Code to include single-family and duplex projects as possible impact fee exemptions.
A motion was made to approve recommendation on the Consent Calendar.
6. [09-0788](#) Recommendation to City Council to concur in recommendation of the Housing and Neighborhoods Committee to receive and approve the communications relating to naming new dog park at Pacific Avenue and Ninth Street as "K-9 Corner."
A motion was made to approve recommendation on the Consent Calendar.
7. [09-1334](#) Recommendation to authorize City Attorney to pay sum of \$45,000 in full settlement of lawsuit entitled Williams v. Cummings, et al.
A motion was made to approve recommendation on the Consent Calendar.
8. [09-1282](#) Recommendation to adopt resolution declaring support for *Get Connected!* and a Call to Action.
A motion was made to approve recommendation and adopt Resolution No. RES-10-0002 on the Consent Calendar.
Enactment No: RES-10-0002
9. [09-1313](#) Recommendation to approve the minutes for the City Council and City Council Special Meetings held Tuesdays, December 8 and 15, 2009.
A motion was made to approve recommendation on the Consent Calendar.
10. [09-1331](#) Recommendation to refer to City Attorney damage claims received

between December 7, 2009 and December 28, 2009.

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

11. [10-0004](#) Recommendation to approve the destruction of records for the Community Development Department as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-10-0003 on the Consent Calendar.

Enactment No: RES-10-0003

12. [10-0005](#) Recommendation to approve the destruction of records for the Parks, Recreation and Marine Department as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-10-0004 on the Consent Calendar.

Enactment No: RES-10-0004

13. [10-0006](#) Recommendation to authorize City Manager to execute all documents with the Long Beach Community College District to receive a contract in the amount of \$110,000 for the period of November 1, 2009 through October 31, 2011 for the Workforce Investment Network to deliver energy-sector employment services, and to execute any needed subsequent amendments. (Citywide)

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

14. [10-0007](#) Recommendation to authorize City Manager to execute all documents with Wells Fargo to receive \$25,000 in grant funds to support the Workforce Investment Network's Hire-A-Youth program, and to execute any needed subsequent amendments. (Citywide)

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

[see media](#)

15. [10-0008](#) Recommendation to adopt Specifications No. PA-02709 and award a contract to Tuttle Cameras, Inc., a local Long Beach-based business, for furnishing and delivering cameras, equipment and supplies, in the amount of \$100,000 plus tax with the option to add expenditures up to 20 percent (or \$20,000) above the contract amount, if necessary and if funds are available. (Citywide)

Mayor Foster spoke.

Eric Bitmar, Tuttle Camera, spoke.

Councilwoman Gabelich spoke.

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

16. [10-0009](#) Recommendation to authorize City Manager to execute a contract with Wittman Enterprises, LLC, in the amount of \$200,000 annually for providing billing and collection services for the Basic Life Support Transportation Program for a period of one year with the option to renew for two additional one-year periods at the discretion of the City Manager. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
17. [10-0011](#) Recommendation to authorize City Manager to execute Schedule A, Intrastate Transmission Service, which is an attachment to the current long-term Master Services Contract No. 26729 between the City and the Southern California Gas Company for the transmission of natural gas. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
18. [10-0012](#) Recommendation to receive and file the application of Shara Hussain, dba Convenient Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3808-3810 East 10th Street, with existing conditions. (District 3)
A motion was made to approve recommendation on the Consent Calendar.
19. [10-0013](#) Recommendation to receive and file the application of Choura Venue Services, dba The Grand Long Beach Event Center, for a person-to-person transfer of an Alcoholic Beverage Control License, at 4101 East Willow Street, with existing conditions. (District 5)
A motion was made to approve recommendation on the Consent Calendar.
20. [10-0014](#) Recommendation to receive and file the application of Dicks Palm Tree Liquor Incorporated, dba Dicks Palm Tree Liquor & Food Mart, for a person-to-person transfer of an Alcoholic Beverage Control License, at
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3014 North Studebaker Road, with existing conditions. (District 5)

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

21. [10-0015](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Utopia Good Food and Fine Arts restaurant located at 445 East First Street. (District 2)

This Agenda Item was withdrawn.

22. [10-0016](#) Recommendation to receive and file minutes for:
Civil Service Commission - November 18, 2009 and
December 2 and 9, 2009.
Cultural Heritage Commission - November 9, 2009.
Planning Commission - November 5 and 19, 2009 and
December 3, 2009.

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

REGULAR AGENDA (5:57 PM)

[see media](#)

23. [10-0017](#) Recommendation to request City Attorney to prepare a resolution of support for Religious Freedom Day 2010.

Councilwoman Schipske spoke and submitted proclamation language.

Pastor Donald Shoemaker 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](#)

24. [10-0018](#) Recommendation to request City Attorney to assess on a case-by-case basis whether or not removal of a City-owned tree is warranted because of the damage to public and/or private property and the continuing liability to the City.

Distributed at or prior to the meeting: Correspondence from Founders of Wrigley is Going Green! - Lisa Wibroe, Mauna Eichner and Lee Fukui.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Harvey Cochran spoke.

Lee Fukui spoke.

Joe Weinstein spoke.

Bill Barnes spoke.

Ana Wagner spoke.

Sebastian Gall spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

A motion was made by Councilwoman Schipske, seconded by Councilmember O'Donnell, to request the City Attorney to prepare a report regarding the City tree removal process; and refer discussion of the process to the Transportation and Infrastructure Committee. 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](#)

25. [10-0031](#)

Recommendation to request City Manager to take appropriate steps to evaluate a Project Labor Agreement for the Long Beach Airport Terminal Improvement Project and report back to the City Council in sixty (60) days.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Mayor Foster spoke.

Vice Mayor Lerch spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilmember Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Harvey Cochran spoke.

James Kerr spoke.

Jackie Nutting spoke and submitted information.

Laurie Lofstrom spoke.

Tony Rivera spoke.

Tom Moxley spoke.

Jane Kellerher spoke.

Jack Smith spoke.

Eric Christen spoke and submitted a brochure.

Terry Martin spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

A substitute motion was made by Councilmember Gabelich, seconded by Vice Mayor Lerch, that a study session be held prior to the issue returning to the City Council (within approximately 30 days). The motion failed by the following vote:

Yes: 2 - Gabelich and Lerch

No: 6 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews and Reyes Uranga

Absent: 1 - DeLong

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, Schipske, Andrews, Reyes Uranga and Lerch

No: 1 - Gabelich

Absent: 1 - DeLong

[see media](#)

26. [09-1354](#)

Recommendation to City Council to concur in recommendation of the State Legislation Committee to discuss and take action on the 2010 State Legislation Agenda.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Robert Shannon, City Attorney, spoke.

Councilmember O'Donnell spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilmember Garcia, to approve recommendation, with the addition of a request for the State to clarify laws regarding medical marijuana. 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](#)

27. [10-0019](#)

Recommendation to authorize City Manager to execute contracts with various service providers in support of the Workforce Investment Network's strategies for Layoff Aversion and Industry Cluster Analysis to support local businesses in an amount totaling \$490,000; to receive \$80,000 in funds from the City of Los Angeles to partially fund the strategies; and to execute any needed subsequent amendments. (Citywide)

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

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

Absent: 2 - DeLong and Lerch

[see media](#)

28. [10-0020](#)

Recommendation to authorize City Manager to execute contracts and amendments totaling \$894,000 with various training and other service providers outlined in Attachment A in support of the Workforce Investment Network's One-Stop Career Centers that provide employment services to adult and dislocated worker residents. (Citywide)

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

Yes: 5 - Garcia, Lowenthal, Schipske, Andrews and Reyes Uranga

Absent: 4 - DeLong, O'Donnell, Gabelich and Lerch

[see media](#)

29. [10-0021](#)

Recommendation to authorize City Manager to execute all documents necessary for an agreement with Overland, Pacific and Cutler, Inc., a California corporation, for acquisition, relocation, property management and site clearance services for a three-year term in an amount not to exceed \$300,000 per year. (Citywide)

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

Yes: 6 - Garcia, Lowenthal, Schipske, Andrews, Reyes Uranga and Lerch

Absent: 3 - DeLong, O'Donnell and Gabelich

[see media](#)

30. [09-1315](#) Recommendation to receive and file the Fiscal Year 2009 Year-End Budget Performance Report. (Citywide)

Mayor Foster spoke.

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

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

Absent: 3 - DeLong, O'Donnell and Andrews

[see media](#)

31. [10-0022](#) Recommendation to adopt resolution authorizing City Manager to execute all documents necessary to enter into an agreement with the County of Los Angeles to provide jail food services, in an amount not to exceed \$350,000 annually, for the period commencing January 6, 2010, for an initial term of two years with the option to renew for up to three additional one-year periods. (District 2)

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-10-0005. The motion carried by the following vote:

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

Absent: 3 - DeLong, O'Donnell and Andrews

Enactment No: RES-10-0005

[see media](#)

32. [10-0023](#) Recommendation to authorize City Manager to execute an amendment to Contract No. 31166 with American Eurocopter LLC (AEC) to increase the contract amount by \$200,963 for a total contract amount of \$441,362 for additional work for service repairs to the Police Department's helicopter, with the option to add expenditures up to 5 percent (or \$22,068) above the contract amount, if necessary and if reimbursable under the insurance claim, and if funds are available. (Citywide)

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

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

Absent: 3 - DeLong, O'Donnell and Andrews

[see media](#)

33. [10-0024](#)

Recommendation to receive and file the application of Forbidden City Resort & Casino LLC, dba Forbidden City, for an original Alcoholic Beverage Control License, at 6380 East Pacific Coast Highway Suite A, with conditions. (District 3)

Distributed at or prior to the meeting: ABC License conditions submitted by Councilmember DeLong.

Harvey Cochran spoke.

Michael Brausen, owner, spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Garcia, 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](#)

34. [10-0025](#)

Recommendation to adopt Plans and Specifications No. R-6717 for the reconstruction of the Belmont Shore alleys, and authorize City Manager to award and execute the contract with Sully Miller Contracting, in an estimated amount of \$586,891, plus a 20 percent contingency amount of \$117,378 if necessary, for a total of \$704,269, and any amendments thereto except for an increase in the contract price;

Adopt resolution ordering the vacation of alley portions south of Second Street and east of Argonne Avenue; and

Increase appropriations in the Special Assessment District Capital Projects Fund (CP 202) in the Department of Public Works (PW) in the amount of \$1,047,630. (District 3)

Joe Weinstein spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-10-0006. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-10-0006

[see media](#)

35. [10-0026](#)

Recommendation to adopt Plans and Specifications No. R-6760 for the rehabilitation of Long Beach Boulevard between Ocean Boulevard and 10th Street; and

Award project to and authorize City Manager to sign all documents necessary to execute a contract with Sully Miller Contracting, the lowest responsible bidder, and any necessary amendments thereto relative to the scope of work, in an estimated amount of \$998,896, with a 15 percent contingency in the amount of \$149,834, if necessary and if funds are available, for a total of \$1,148,730. (Districts 1,2)

Councilwoman Gabelich spoke.

A motion was made by Councilmember Garcia, 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](#)

36. [10-0027](#)

Recommendation to find that excavations are immediately required for the general health, safety, and welfare of the City and cannot be delayed; that alternatives to excavating, such as alternative routing, or construction methods, such as boring or excavation of the parkway, are not possible; approve a discretionary permit to excavate areas on Willow Street and Cherry Avenue, which have been reconstructed within the previous 60 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (Districts 5,7)

A motion was made by Councilmember O'Donnell, seconded by Councilwoman Schipske, 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](#)

37. [10-0028](#) Recommendation to adopt resolution committing to provide the local match for a Bicycle Transportation Account (BTA) Grant to complete gaps in the Long Beach bicycle network if the City's application is selected for funding; and

Authorize City Manager to administer and execute all necessary contracts and documents to accept and expend all BTA grant funds in connection therewith, and to take all other actions necessary to implement the use of such funds. (Districts 3,4,8)

A motion was made by Councilmember Lowenthal, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-10-0007. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-10-0007

[see media](#)

38. [10-0029](#) Recommendation to authorize City Manager to enter into agreements with the South Coast Air Quality Management District to accept grant funds to replace or retrofit on-road and off-road vehicles. (Citywide)

A motion was made by Councilmember Reyes Uranga, seconded by Vice Mayor Lerch, 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

ORDINANCES (7:43 PM)

[see media](#)

39. [09-1012](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.22.025 relating to parking in front of private driveways read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Distributed at or prior to meeting: Communication from Chair Frances Emily Dawson Harris, Citizen's Advisory Commission on Disabilities.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilmember Lowenthal spoke.

A motion was made by Councilmember O'Donnell, 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, as amended on page two: "6. A Driveway Parking Permit will not be issued for driveways located with twenty-five feet (25')...", rather than 35 feet. The motion carried by the following vote:

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

No: 1 - Garcia

Absent: 1 - DeLong

Enactment No: ORD-10-0002

[see media](#)

40. [09-1275](#)

Recommendation to declare an urgency ordinance relating to the temporary limitation (moratorium) on smoking lounges; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-09-0037) (Citywide)

Harvey Cochran spoke.

A motion was made by Councilmember Reyes Uranga, seconded by Councilman Andrews, to declare urgency Ordinance No. ORD-09-0037, read and adopted as read. 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-09-0037

NEW BUSINESS (7:51 PM)

41. Affidavit of Service for special meeting held Tuesday, January 5, 2010.

ANNOUNCEMENTS (7:51 PM)

Mayor Foster requested that the meeting be adjourned in memory of Candy Saenz.

Councilwoman Schipske made community announcements.

Councilman Andrews made community announcements and requested that the meeting be adjourned in memory of Aron Carmichael.

Councilmember Lowenthal made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Reyes Uranga expressed condolences to the Saenz, Dempsey and Miramontes families; and made community announcements.

Councilmember O'Donnell requested that the meeting be adjourned in memory of Wheeling Willie; and made community announcements.

Councilmember Garcia made community announcements.

PUBLIC (8:03 PM)

Ken Anderson spoke regarding the ordinance that prohibits smoking within 20 feet of bus stops and public noticing at bus stops.

Councilmember Garcia spoke.

ADJOURNMENT (8:05 PM)

At 8:05 PM, Mayor Foster adjourned the meeting in memory of Candy Saenz, Aron Carmichael, Wheeling Willie, and the Dempsey and Miramontes family members.

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