

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 for this meeting were considered in the order presented.

Mayor Foster announced that Agenda Item No. 22 was withdrawn.

ROLL CALL (5:57 PM)

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

Councilmembers Gabelich
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.

Invocation: Moment of Silence.

Flag Salute: Suja Lowenthal, Councilmember, Second District.

HEARING (5:58 PM)

1. [09-0799](#) 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 the alley north of Artesia Boulevard and west of Orange Avenue, and authorize a quitclaim of the reserved utility easement. (District 9)

Vice Mayor Lerch spoke.

A motion was made by Vice Mayor Lerch, seconded by Councilmember Reyes Uranga, to approve recommendation and adopt Resolution No. RES-09-0080. The motion carried by the following vote:

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

Absent: 4 - Garcia, Lowenthal, Schipske and Gabelich

Enactment No: RES-09-0080

PUBLIC COMMENT (6:01 PM)

Karen Ashikeh LaMantia spoke regarding community television.

Pat West, City Manager, spoke.

Councilmember O'Donnell spoke.

Larry Goodhue spoke regarding graffiti and the budget.

Mike Ruehle spoke regarding police.

Councilmember DeLong spoke.

Mayor Foster spoke.

Vicki Cooper spoke regarding renovations taking place without permits.

Ben Rockwell spoke regarding inappropriate business signage on Pine Avenue.

Tom Stout spoke regarding lawsuit with police officers.

Larry Boland spoke regarding pensions.

Robert Shannon, City Attorney, spoke.

CONSENT CALENDAR (6:22 PM)

Passed The Consent Calendar

A motion was made by Councilmember Reyes Uranga, seconded by Vice Mayor Lerch, to approve Consent Calendar Items 2 - 9, except for Item 8. The motion carried by the following vote:

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

Absent: 1 - Gabelich

2. [09-0800](#) Recommendation to approve the City Council Special Meeting and Breakwater Study Session minutes for the meetings held Monday, July 27, 2009.
A motion was made to approve recommendation on the Consent Calendar.
3. [09-0801](#) Recommendation to refer to City Attorney damage claims received between July 27, 2009 and August 3, 2009.
A motion was made to approve recommendation on the Consent Calendar.
4. [09-0802](#) Recommendation to authorize City Manager to execute the First Amendment to Lease No. 28350 with The Bolder Group, Inc., to extend the term through September 30, 2014, and adjust the annual minimum rent. (District 3)
A motion was made to approve recommendation on the Consent Calendar.
5. [09-0803](#) Recommendation to request City Manager, or designee, to accept an easement deed for alley widening and a corner cut at 601 West Willow Street. (District 7)
A motion was made to approve recommendation on the Consent Calendar.
6. [09-0804](#) Recommendation to request City Manager, or designee, to accept an easement deed for street widening at 3850 Cherry Avenue. (District 7)
A motion was made to approve recommendation on the Consent Calendar.
7. [09-0805](#) Recommendation to authorize City Manager to execute an Assignment Consent Agreement for Facility/Pipeline Permit No. P-132-81, from Raytheon Technical Services Company, LLC, to Linwood Avenue Limited Partnership, in accordance with Long Beach Municipal Code Section 15.44.220, Permit-Transfer. (District 8)
A motion was made to approve recommendation on the Consent Calendar.
8. [09-0806](#) [see media](#) Recommendation to refer the Proposed Capital Improvement Program for Fiscal Year 2010 to the Planning Commission for review of its

consistency with the General Plan. (Citywide)

Councilmember DeLong spoke.

Pat West, City Manager, spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation and request that the Planning Commission also identify any increased staffing costs. The motion carried by the following vote:

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

Absent: 1 - Gabelich

9. [09-0807](#) Recommendation to receive and file minutes of:
Planning Commission - June 18, 2009.
Water Commission - July 9, 2009.

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

REGULAR AGENDA (6:29 PM)

[see media](#)

10. [09-0831](#) Recommendation to receive and file the appointment of Councilmembers to serve on Standing Committees of the City Council.

Mayor Foster spoke.

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 Lerch

No: 1 - Schipske

Absent: 1 - Gabelich

Mayor Foster retired and Vice Mayor Lerch assumed the chair.

[see media](#)

11. [09-0808](#)

Recommendation to authorize City Manager to execute an amendment to the Los Cerritos Wetlands Authority Joint Exercise of Powers Agreement to delete the prohibition of appointment of an elected official, appointed official or employee from either the City of Long Beach or the City of Seal Beach by the Rivers and Mountains Conservancy (RMC) or the State Coastal Conservancy (SCC).

Thomas Marchese spoke.

Councilmember DeLong spoke.

Larry Goodhue spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Terry Slavin spoke.

Councilmember Reyes Uranga spoke.

A substitute motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Schipske, to receive backup material and a revised Joint Powers Agreement. The motion failed by the following vote:

Yes: 2 - Schipske and Reyes Uranga

No: 6 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews and Lerch

Absent: 1 - Gabelich

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

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

No: 2 - Schipske and Reyes Uranga

Absent: 1 - Gabelich

[see media](#)

12. [09-0809](#)

Recommendation to respectfully request Long Beach Gas and Oil Department to investigate the feasibility of offering a rebate program.

Councilmember DeLong spoke.

Councilman Andrews spoke.

Francis Emily Dawson Harris spoke.

Councilwoman Schipske spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to approve recommendation and explore educating consumers with a "Go Green, Save Green" Program that includes ways to help save energy and help the environment. The motion carried by the following vote:

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

Absent: 2 - Reyes Uranga and Gabelich

[see media](#)

13. [09-0832](#)

Recommendation to request City Manager to provide a detailed report that outlines what has been specifically done by City staff within the past twelve (12) months to attract employers, especially Tesla Motors.

Councilwoman Schipske spoke.

Councilman Andrews spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

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, Reyes Uranga and Lerch

No: 1 - Lowenthal

Absent: 1 - Gabelich

[see media](#)

14. [09-0833](#)

Recommendation to respectfully request City Attorney work with Development Services to revise the Long Beach Municipal Code to include single-family and duplex projects as possible impact fee exemptions.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Robert Shannon, City Attorney, spoke.

Councilmember O'Donnell spoke.

Keith Jackson spoke and submitted written comments.

Francis Emily Dawson Harris spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, that the item be referred to the Housing and Neighborhoods Committee for review. The motion carried by the following vote:

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

Absent: 1 - Gabelich

[see media](#)

15. [09-0811](#)

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 Department of Homeland Security grant funding for the 2008 State Homeland Security Grant Program; and increase appropriations by \$401,917 in the General Grants Fund (SR 120) and the Fire Department (FD). (Citywide)

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

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

Absent: 1 - Gabelich

[see media](#)

16. [09-0810](#) Recommendation to authorize City Manager, or designee, to execute all necessary documents and amendments between the City of Long Beach and the State Department of Health Care Services to claim reimbursement for allowable Medi-Cal administrative activities (MAA) in an amount up to \$3,300,000 for a three-year period. (Citywide)

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

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

Absent: 1 - Gabelich

[see media](#)

17. [09-0812](#) Recommendation to receive and file the application of John William McLaughlin and Maria Elizabeth McLaughlin, dba J M Chef Catering at Last Cafe, for an original Alcoholic Beverage Control License, at 204 Orange Avenue, with conditions. (District 2)

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

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

Absent: 1 - Gabelich

[see media](#)

18. [09-0813](#) Recommendation to receive and file the application of Oscar Olaf Cuellar, dba El Picosito Restaurant, for an original Alcoholic Beverage Control License, at 5140 Long Beach Boulevard, with conditions. (District 8)

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember DeLong, that the item be laid over one week to the meeting of Tuesday, August 18, 2009. The motion carried by the following vote:

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

Absent: 1 - Gabelich

[see media](#)

19. [09-0814](#)

Recommendation to approve the conversion of Cerritos Avenue between 3rd Street and 4th Street, and Bonito Avenue between 3rd Street and 4th Street to one-way streets, and request City Attorney to prepare the required amendment to Section 10.14.020 of the Long Beach Municipal Code adding the following new subsection:

“(Southbound) Cerritos Avenue between 3rd Street and 4th Street”
“(Northbound) Bonito Avenue between 3rd Street and 4th Street,” and

Adopt resolution authorizing installation of angled parking on the east side of Cerritos Avenue between 3rd Street and 4th Street and the west side of Bonito Avenue between 3rd Street and 4th Street. (District 2)

Karen LaMantia spoke.

James Dodd spoke.

Dave Roseman, City Traffic Engineer, spoke.

Liz Palmer spoke.

Francis Emily Dawson Harris spoke.

Councilmember Lowenthal spoke.

Councilman Andrews spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Reyes Uranga, to approve recommendation and adopt Resolution No. RES-09-0081. The motion carried by the following vote:

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

Absent: 2 - O'Donnell and Gabelich

Enactment No: RES-09-0081

[see media](#)

20. [09-0815](#)

Recommendation to approve the conversion of Argonne Avenue between Livingston Drive and Broadway to a one-way street, and request City Attorney to prepare the required amendment to Section 10.14.020 of the Long Beach Municipal Code adding the following new subsection:

“(Southbound) Argonne Avenue between Livingston Drive and Broadway.” (District 3)

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, Schipske, Andrews, Reyes Uranga and Lerch

Absent: 2 - O'Donnell and Gabelich

[see media](#)

21. [09-0816](#)

Recommendation to request City Attorney to revise Section 21.42.060 of the Long Beach Municipal Code regarding public parkways. (Citywide)

Councilwoman Schipske spoke.

Vice Mayor Lerch spoke.

Councilmember Lowenthal spoke.

Councilmember Garcia spoke.

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

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

Absent: 2 - O'Donnell and Gabelich

22. 09-0817

Recommendation to:

1. Direct City Attorney to draft amendments to the Long Beach Municipal Code Chapter 8.60 regarding operating rules and regulations for private refuse haulers;
2. Authorize City Manager to develop and execute seven-year agreements, with three one-year renewal options, with all private refuse haulers currently operating in compliance with their Refuse Transportation Permit; and
3. Authorize Director of Public Works to:
 - a. Develop and implement rules and regulations as required for the successful execution, implementation and administration of the agreements and to ensure compliance with federal, state and local regulations;

- b. Limit the number of permits to be issued to the 16 existing permitted haulers only;
- c. Collect any and all fees as authorized by the City Council including the currently authorized AB 939 fee and the proposed Refuse Hauler Business Fee;
- d. Require private haulers to utilize alternative fuel vehicles when operating in the City after September 30, 2012; and
- e. Continue to require private haulers to provide recycling services to all multi-family and commercial accounts as determined by the Director of Public Works.

This Agenda Item was withdrawn.

[see media](#)

23. [09-0818](#)

Recommendation to authorize City Manager to execute a lease-purchase agreement and related financing documents with Banc of America Public Capital Corp for the financing of personal computers, computer related equipment, and servers in an amount not to exceed \$1,446,000 including interest, payable over a four-year period; and authorize City Manager to execute a Master Purchase Agreement with GTSI, Inc. (Citywide)

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

Yes: 6 - Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga and Lerch

No: 1 - Garcia

Absent: 2 - DeLong and Gabelich

NEW BUSINESS (7:38 PM)

24. Affidavits of Service for the special meetings held Tuesday, August 11, 2009.

ANNOUNCEMENTS (7:38 PM)

Councilwoman Schipske requested that the meeting be adjourned in memory of Thomas Cominski.

Councilman Andrews made community announcements.

Councilmember Lowenthal made community announcements.

PUBLIC (7:41 PM)

Glen Mathews spoke regarding homelessness and the Multi-Service Center that serves the homeless.

ADJOURNMENT (7:43 PM)

At 7:43 PM, Vice Mayor Lerch adjourned the meeting in memory of Thomas Cominski.

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