

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 (6:20 PM)

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

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: Vice Mayor Val Lerch, Ninth District.

Mayor Foster announced that Agenda Item Nos. 20, 22 and 29 - 33 were withdrawn.

Presentation for Cesar Chavez Day.

[10-0356](#) Distributed at the meeting: Cesar E. Chavez Festival flyer.

This Handout was received and filed.

Councilmember Garcia spoke.

Councilman Andrews spoke.

Councilmember Reyes Uranga spoke.

Presentation for National Donate Life Month.

Councilmember Lowenthal spoke.

HEARINGS (6:34 PM)

[see media](#)

1. [10-0300](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permit with conditions on the application of Kenneth W. Parks, dba All American Melodrama Theatre and Music Hall, 429 Shoreline Village Drive, for Entertainment Without Dancing by Patrons. (District 2)

Councilmember Lowenthal spoke.

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, Reyes Uranga, Gabelich and Lerch

Absent: 1 - Andrews

[see media](#)

2. [10-0301](#) 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 Gaslamp Partners LLC., dba The Gaslamp Restaurant, 6251 E. Pacific Coast Highway, for Entertainment With Dancing by Patrons. (District 3)

A motion was made by Councilmember DeLong, seconded by Councilwoman Gabelich, that the item be laid over two weeks to the meeting of Tuesday, April 6, 2010. The motion carried by the following vote:

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

Absent: 1 - Andrews

[see media](#)

3. [10-0302](#) Recommendation to receive supporting documentation into the record,

conclude the hearing and request City Attorney to prepare an amendment to the Long Beach Municipal Code, modifying Preferential Parking Districts "I" and "L" as recommended by the City Traffic Engineer. (District 3)

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

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

Absent: 1 - Andrews

PUBLIC COMMENT (6:40 PM)

Harvey Cochran spoke regarding conduct at City Council meetings.

[10-0357](#) Bernard Sango spoke regarding a variety of issues and submitted written comments.

This Handout was received and filed.

Larry Goodhue spoke regarding a variety of issues.

[10-0358](#) Francis Emily Dawson Harris spoke and submitted correspondence from Citizens' Advisory Commission on Disabilities concerning Purple Day and an exemption for people with disabilities for parking in front of private driveways.

This Handout was received and filed.

Michael Varela spoke regarding mosquitoes in his neighborhood; and concerning the Google application.

Councilmember Garcia spoke.

Robert Weaver spoke regarding being homeless.

CONSENT CALENDAR (7:04 PM)

Larry Goodhue spoke.

Councilwoman Gabelich spoke.

Passed The Consent Calendar

A motion was made by Councilmember Lowenthal, seconded by Councilwoman Gabelich, to approve Consent Calendar Items 4 - 17. The motion carried by the following vote:

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

Absent: 1 - Andrews

4. [10-0317](#) Recommendation to receive and file report on travel by the Federal Legislation Committee to Washington, D.C., February 22 - 25, 2010.
A motion was made to approve recommendation on the Consent Calendar.
5. [10-0303](#) 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 \$68,872.80 for the claim of Daniel Tellez, in compliance with the Appeals Board Order.
A motion was made to approve recommendation on the Consent Calendar.
6. [10-0304](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, March 9, 2010.
A motion was made to approve recommendation on the Consent Calendar.
7. [10-0305](#) Recommendation to refer to City Attorney damage claims received between March 8, 2010 and March 15, 2010.
A motion was made to approve recommendation on the Consent Calendar.
8. [10-0334](#) Recommendation to approve the destruction of records for the Public Works Department Administration Bureau and Public Works Department Engineering Bureau as shown; and adopt resolution.
A motion was made to approve recommendation and adopt Resolution No. RES-10-0030 on the Consent Calendar.
Enactment No: RES-10-0030
9. [10-0306](#) Recommendation to authorize City Manager, or designee, to execute all necessary documents, including but not limited to, contracts, subcontracts and amendments, with the RAND Corporation to accept funding for the provision to develop and pilot test an acceptable, feasible, and sustainable intervention to reduce stigma in African American and Latino congregations, and to promote Human Immunodeficiency Virus (HIV) testing, for an amount up to \$104,988 for a period of up to two

years. (Citywide)

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

10. [10-0307](#) Recommendation to authorize City Manager to execute an amendment to the existing agreement between the City of Long Beach and the State of California Department of Health Services for the Women, Infants and Children Nutrition Supplement Program, to accept additional funding in the amount of \$208,000 through September 30, 2011. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
11. [10-0308](#) Recommendation to receive and file the report, "Elevation Changes in the City of Long Beach, May 2009 through October 2009." (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
12. [10-0309](#) Recommendation to authorize City Manager to execute an agreement with the Long Beach Unified School District for food preparation for the 2010 Summer Food Service Program; authorize City Manager to execute sponsor/site agreements with the agencies listed on Attachment A; and authorize City Manager to execute any future documents, including amendments, necessary to accept funds, implement, and administer the 2010 Summer Food Service Program. (Districts 1,2,4,6,7,8,9 and portions of Signal Hill)
- A motion was made to approve recommendation on the Consent Calendar.**
13. [10-0310](#) Recommendation to receive and file the application of Milanias Pizzeria Incorporated, dba Milanias New York Pizzeria, for a person-to-person transfer of an Alcoholic Beverage Control License, at 250 East 4th Street, with existing conditions. (District 1)
- A motion was made to approve recommendation on the Consent Calendar.**
14. [10-0311](#) Recommendation to receive and file the application of 7 Eleven Incorporated, dba (No Active DBA), for a person-to-person transfer of an Alcoholic Beverage Control License, at 805 East Ocean Boulevard, with existing conditions. (District 2)
- A motion was made to approve recommendation on the Consent Calendar.**
15. [10-0312](#) Recommendation to receive and file the application of Chang Han Yoon and Gina Younae Yoon, dba Cherry Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3601 Cherry

Avenue, with existing conditions. (District 7)

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

16. [10-0313](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Kress Market located at 443 Pine Avenue. (District 1)

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

17. [10-0314](#) Recommendation to authorize City Manager to enter into an agreement and any subsequent amendments with the South Coast Air Quality Management District to accept Fiscal Year 2008-09/Year 11 Carl Moyer program grant funds to partially offset the purchase costs to replace off-road equipment. (Citywide)

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

REGULAR AGENDA (7:06 PM)

[see media](#)

18. [10-0315](#) Recommendation to suspend Council rule contained in Long Beach Municipal Code Section 2.03.020 (B) relating to the meeting schedule of the City Council in order to cancel the meeting of April 13, 2010 due to the Primary Nominating Election.

Harvey Cochran spoke.

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

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

Absent: 1 - Andrews

[see media](#)

19. [10-0316](#) Recommendation to request City Attorney to prepare an amendment to Long Beach Municipal Code Section 10.22.080, adding the prohibition of parking "for sale" vehicles on the entire block of Artesia Boulevard (both sides of the street).

Vice Mayor Lerch spoke.

Councilmember Lowenthal spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Harvey Cochran spoke.

Dave San Jose spoke.

A motion was made by Vice Mayor Lerch, seconded by Councilmember O'Donnell, to approve recommendation, with the following amendments: 1) Prohibit parking of vehicles displaying "for sale" signs on Artesia Boulevard between Orange and Cherry; 2) Prohibit parking of vehicles displaying "for sale" signs on Artesia Boulevard between Orange and Atlantic; 3) Prohibit parking of vehicles displaying "for sale" signs on Artesia Boulevard between Paramount and Cherry; and refer to the Housing and Neighborhoods Committee for further discussion. The motion carried by the following vote:

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

Absent: 1 - Andrews

20. 10-0318

~~Recommendation to: A) Request City Manager to explore a "Business Tax Holiday". This would include a 15% business license renewal discount from December 1st through January 31st;~~

~~B) Request City Manager to create a business licensing tax exemption for Long Beach Small Businesses Enterprises. A Long Beach Small Business Enterprise is defined in the Long Beach SBE program, Ordinance No. ORD-09-0005, as a qualifying Long Beach small business enterprise that is new or newly relocated to Long Beach will not be required to pay any business licensing fee for three years;~~

~~C) Request City Manager to explore tax/fee exemptions and incentives for businesses that create high paying jobs including film production, hospitality, and healthcare related industries, and respectfully request a report to City Council in 60 days; and~~

~~D) Request City Manager to report back to City Council in 60 days with a report that compares how our business taxes and fees are relative to neighboring cities and counties.~~

This Agenda Item was withdrawn.

[see media](#)

21. [10-0319](#) Recommendation to adopt Resolution of Intention to form the East Anaheim Street Parking and Business Improvement Area, to set the date for public hearing for April 20, 2010 at 5:00 p.m., and to designate the Advisory Board; authorize City Manager to initiate majority protest proceedings; increase appropriations in the Parking and Business Area Improvement Fund (SR 132) in the Department of Community Development (CD) for \$33,178; and authorize City Clerk to receive written protests. (Districts 3,4)

A motion was made by Councilmember O'Donnell, seconded by Councilwoman Schipske, to approve recommendation and adopt Resolution No. RES-10-0031. The motion carried by the following vote:

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

Absent: 1 - Andrews

Enactment No: RES-10-0031

22. [10-0330](#) Recommendation to adopt Specifications No. PA-02310 and award a contract to Harris Steel Fence Co., Inc., of Los Angeles, California (not an SBE, WBE, MBE or local) in the amount of \$136,823 for a one-time purchase for furnishing, delivering and installing the perimeter fence at the Marine Stadium at 5255 Paoli Way, Long Beach, with the option to add expenditures up to 10 percent (or \$13,682) above the contract amount, if necessary and if funds are available. (District 3)

This Contract was withdrawn.

[see media](#)

23. [10-0320](#) Recommendation to receive and file the Fiscal Year 2010 First Quarter Budget Performance Report. (Citywide)

Councilwoman Schipske spoke.

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, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich and Lerch

Absent: 1 - Andrews

[see media](#)

24. [10-0321](#) Recommendation to adopt resolution providing for a temporary amnesty period for unlicensed businesses for the period from April 1, 2010 through April 1, 2011. (Citywide)

Harvey Cochran spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-10-0032. The motion carried by the following vote:

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

Absent: 1 - Andrews

Enactment No: RES-10-0032

[see media](#)

25. [10-0322](#)

Recommendation to receive a report on funding options for conducting Police Officer academies in Fiscal Year 2010, and receive City Council direction. (Citywide)

Councilmember O'Donnell spoke.

Jim McDonnell, Police Chief, spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilwoman Schipske, seconded by Vice Mayor Lerch, that the City Manager be directed to proceed with a lateral academy for police officers for Fiscal Year 10. The motion carried by the following vote:

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

Absent: 1 - Andrews

Motion: Direct the City Manager to proceed with conduct of a 2010-2011 police officer academy using one or a combination of the funding options outlined in the City Manager staff report dated March 23, 2010.
Moved by Gabelich, seconded by Reyes Uranga.

Councilmember Lowenthal spoke.

Councilmember Garcia spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Motion: Substitute motion to conduct a police academy prior to the end of calendar year 2010, which is to be funded 1/3 by each funding source identified in the City Manager report dated March 23, 2010.
Moved by Reyes Uranga, seconded by Gabelich.

Councilwoman Gabelich spoke.

Councilmember Lowenthal spoke.

Councilmember O'Donnell spoke.

Motion: Call for the question.
Moved by O'Donnell, no second required.

Vote: Call for the question.(Failed 2-6)
Yes: DeLong, and O'Donnell.
No: Garcia, Lowenthal, Schipske, Reyes Uranga, Gabelich, Lerch.
Absent: Andrews.

Councilmember Garcia spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Vice Mayor Lerch spoke.

A second substitute motion was made by Councilwoman Schipske, seconded by Councilmember O'Donnell, to request City Manager to schedule a workshop on pension cost reduction options and along with the Chief of Police return to Council within 60 days with a report relative to: [1] police staffing levels; [2] identification of potential reductions in the Police Department budget that could be used for funding of a full police academy, in the event that funding options identified in the City Manager staff report are not utilized; [3] identify means by which the cost of a full police academy could be further reduced; and [4] provide further information on the rate of crime within the City. The motion carried by the following vote:

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

No: 2 - Reyes Uranga and Gabelich

Absent: 1 - Andrews

[see media](#)

26. [10-0257](#)

Recommendation to adopt resolution authorizing the City of Long Beach, California to issue Harbor Revenue Bonds Series 2010, in an amount not to exceed \$630,000,000, acting by and through its Board of Harbor Commissioners (Board) to finance certain capital improvements at the Port of Long Beach, refund certain Harbor Revenue Bonds previously authorized by the City and issued by the Board, fund the reserve funds for the Series 2010 Bonds, and pay the cost of issuance of the Series 2010 Bonds. (District 2)

Councilwoman Gabelich spoke.

Larry Goodhue spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Reyes Uranga, to approve recommendation and adopt Resolution No. RES-10-0033. The motion carried by the following vote:

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

Absent: 2 - Garcia and Andrews

Enactment No: RES-10-0033

[see media](#)

27. [10-0323](#)

Recommendation to adopt Specifications No. PA-00510 to award contracts to Danny's Auto Painting, a local Long Beach-based business, and Laszlo's Sports Car Center Inc., a local Long Beach-based business, in a combined annual amount not to exceed \$615,000 to furnish and deliver light, medium and heavy-duty autobody repair services, with the option of adding expenditures up to 10 percent (or \$61,500) above the contract amount, if necessary, for the period commencing April 1, 2010 for one year, with the option to renew for one additional one-year period, at the discretion of the City Manager. (Citywide)

Vice Mayor Lerch spoke.

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

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

Absent: 2 - DeLong and Andrews

[see media](#)

28. [10-0324](#)

Recommendation to receive and file the application of Sababa Entertainment Incorporated, dba Sababa, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 6527 East Pacific Coast Highway, with conditions. (District 3)

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

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

Absent: 1 - Andrews

29. 10-0235

~~Recommendation to receive and file the application of Walgreen Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 6310 East Pacific Coast Highway, and submit a Public Notice of Protest. (District 3)~~

This ABC License was withdrawn.

30. 10-0236 ~~Recommendation to receive and file the application of Walgreen Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 3339 East Anaheim Street, and submit a Public Notice of Protest. (District 4)~~

This ABC License was withdrawn.

31. 10-0237 ~~Recommendation to receive and file the application of Walgreen Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 2627 Pacific Avenue, and submit a Public Notice of Protest. (District 6)~~

This ABC License was withdrawn.

32. 10-0238 ~~Recommendation to receive and file the application of Walgreen Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 3570 Atlantic Avenue, and submit a Public Notice of Protest. (District 7)~~

This ABC License was withdrawn.

33. 10-0239 ~~Recommendation to receive and file the application of Walgreen Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 5400 Cherry Avenue, and submit a Public Notice of Protest. (District 8)~~

This ABC License was withdrawn.

[see media](#)

34. [10-0325](#) Recommendation to adopt Plans and Specifications No. R-6773 for the rehabilitation of Pacific Avenue between Ocean Boulevard and 7th Street; authorize City Manager to award and execute the contract with Griffith Company, in an estimated amount of \$726,733, plus a 10 percent contingency amount of \$72,673, if necessary, for a total of \$799,406, and any amendments thereto except for an increase in the contract price; and
- Increase appropriations by \$885,985 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (Districts 1,2)

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lerch spoke.

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

35. [10-0326](#)

Recommendation to adopt Plans and Specifications No. R-6775 for the rehabilitation of Colorado Street between Havana Avenue and Bellflower Boulevard; authorize City Manager to award and execute the contract with Elite Bobcat Service, Incorporated in an estimated amount of \$249,094, plus a 10 percent contingency amount of \$24,909, if necessary, for a total of \$274,003, and any amendments thereto except for an increase in the contract price; and

Increase appropriations by \$315,104 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (District 3)

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

36. [10-0327](#)

Recommendation to adopt Plans and Specifications No. R-6790 for the rehabilitation of Broadway between Livingston Drive and Bay Shore Avenue; authorize City Manager to award and execute the contract with B & T Works, Incorporated, in an estimated amount of \$246,256, plus a 10 percent contingency amount of \$24,626, if necessary, for a total of \$270,882, and any amendments thereto except for an increase in the contract price; and

Increase appropriations by \$310,099 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this

project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (District 3)

A motion was made by Councilmember O'Donnell, 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

[see media](#)

37. [10-0328](#)

Recommendation to adopt Plans and Specifications No. R-6782 for the rehabilitation of Los Coyotes Diagonal between Outer Traffic Circle and Studebaker Road; authorize City Manager to award and execute the contract with Elite Bobcat Service, Incorporated, in an estimated amount of \$3,347,571, plus a 10 percent contingency amount of \$334,757, if necessary, for a total of \$3,682,328, and any amendments thereto except for an increase in the contract price; and

Increase appropriations by \$4,154,260 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (Districts 4,5)

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

38. [10-0329](#)

Recommendation to adopt Plans and Specifications No. R-6780 for the rehabilitation of Atlantic Avenue between San Antonio Drive and 52nd Street; authorize City Manager to award and execute the contract with Sequel Contractors, Incorporated, in an estimated amount of \$1,797,781, plus a 10 percent contingency amount of \$179,778, if necessary, for a total of \$1,977,559, and any amendments thereto except for an increase in the contract price; and

Increase appropriations by \$1,721,871 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from a combination of funds from the American Recovery and Reinvestment Act of 2009 (ARRA) and the Redevelopment Agency. (District 8)

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

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

ORDINANCE (9:13 PM)

[see media](#)

39. [10-0335](#)

Recommendation to declare ordinance approving, confirming, and ratifying Ordinance No. HD-2067 of the Board of Harbor Commissioners of the City of Long Beach, which authorizes the Executive Director of the Long Beach Harbor Department to execute an agreement between and among the City of Long Beach, the City of Los Angeles (acting through their respective Board of Harbor Commissioners) and the Alameda Corridor Transportation Authority (ACTA), read the first time and laid over to the next regular meeting of the City Council for final reading. (Districts 1,2)

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

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

NEW BUSINESS (9:14 PM)

[see media](#)

40. [09-1203](#)

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 5.87 to implement the State Compassionate Use Act and State Medical Marijuana Program Act, read and adopted as read. (Citywide)

Lewis Anthis spoke.

Sierra Serhan spoke.

Councilmember DeLong spoke.

Robert Hodge spoke.

William Brit spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-10-0007. The motion carried by the following vote:

Yes: 5 - Lowenthal, DeLong, O'Donnell, Schipske and Andrews

No: 4 - Garcia, Reyes Uranga, Gabelich and Lerch

Enactment No: ORD-10-0007

41. Affidavits of Service for the special meetings held Tuesday, March 23, 2010.

ANNOUNCEMENTS (9:28 PM)

Councilmember Lowenthal made community announcements.

Councilwoman Schipske requested that the meeting be adjourned in memory of Ruth White; and made community announcements.

Councilmember Reyes Uranga made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Garcia made community announcements.

Vice Mayor Lerch made community announcements.

ADJOURNMENT (9:36 PM)

At 9:36 PM, Mayor Foster adjourned the meeting in memory of Ruth White.

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