



# CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

# C-6

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June 16, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Approve the City Council minutes for the meeting held Tuesday, June 2, 2009

## DISCUSSION

The Legistar minutes for the City Council meeting held Tuesday, June 2, 2009, are attached for review and approval.

Should any district offices have questions regarding the minutes we submit each week, we respectfully request that you contact the City Clerk Department prior to 12:00 p.m. on the day of the City Council meeting. With notice prior to the meeting, City Clerk staff can attempt to resolve any questions that you may have before the start of the regular meeting.

In cases where questions cannot be resolved before the 5:00 p.m. meeting start time, we will request a motion and a second that the minutes be held over for approval to the following week.

## TIMING CONSIDERATIONS

None.

## FISCAL IMPACT

None.

## SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

LARRY G. HERRERA  
CITY CLERK

Prepared by: Nancy Muth

LGH:nem  
Attachment

Robert Garcia, 1st District  
Suja Lowenthal, 2nd District  
Gary DeLong, 3rd District  
Patrick O'Donnell, 4th District



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

Patrick H. West, City Manager  
Larry G. Herrera, City Clerk

Robert E. Shannon, City Attorney

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## FINISHED AGENDA & DRAFT MINUTES

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

Agenda Items for this meeting were considered in the following order: Ceremonial presentations, Agenda Item Nos. 20, 32, 1 and 2; Agenda Item Nos. 27 and 28 were considered together; Consent Calendar Item Nos. 3 - 19, minus No. 17; Agenda Item No. 17; Public Comment; Agenda Item Nos. 21 - 26, 29 - 39

### ROLL CALL (5:01 PM)

**Councilmembers** Garcia, S. 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; Heather Mahood, Chief Assistant City Attorney; Dominic Holzhaus, Principal Deputy 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.

Kathy Schofield, spcaLA, presented a rabbit.

Mayor Foster announced that the following items would be considered out of order: Agenda Item No. 20 at approximately 5:45 PM; Agenda Item No. 32 at approximately 6:00 PM; and Agenda Item Nos. 27 and 28 at approximately 6:30 PM.

California Conference for Equality and Justice (CCEJ) and Season for Non-Violence (SNV) Mini Grant presentation.

Councilmember S. Lowenthal spoke.

Rene Castro spoke.

Mario Jimenez spoke.

Candice Meehan spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lerch spoke.

Councilman Andrews spoke.

Mayor Foster spoke.

Bike-Friendly Community Award presentation.

Pat West, City Manager, spoke.

Christopher Quint spoke.

Councilmember S. Lowenthal spoke.

Academic, Cultural, Technological and Scientific Olympics (ACT-SO) presentation.

Naomi Rainey spoke.

Damian Freeman spoke.

Councilmember Garcia spoke.

Councilman Andrews spoke.

### **HEARINGS (6:48 PM)**

1. 09-0538 Recommendation to receive supporting documentation into the record, conclude the hearing and adopt resolution making certain findings; approving and authorizing the execution of the Disposition and Development Agreement between the Long Beach Housing Development Company and LINC Housing Corporation; finding that the

consideration for the lease of certain real property in the Central Long Beach Project Area is not less than Fair Market Value in accordance with covenants and conditions governing such lease; and approving the lease of the property and the Disposition and Development Agreement and lease. (District 4)

Ben Rockwell spoke.

Stacey McDaniels spoke.

Jack Smith spoke.

Francis Emily Dawson Harris spoke.

Annie Greenfeld spoke.

Tom Reeves spoke.

Suni Lake Chang, representing LINC Housing Corporation, spoke.

Ken Anderson spoke.

Jill Hill spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember S. Lowenthal spoke.

Councilman Andrews spoke.

Vice Mayor Lerch spoke.

**A motion was made by Councilmember O'Donnell, seconded by Councilmember Reyes Uranga, to approve recommendation and adopt Resolution No. RES-09-0052. The motion carried by the following vote:**

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

**Enactment No:** RES-09-0052

2. 09-0539 Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permit, with conditions on the application of Pacific Sailing, LLC, dba Pacific Sailing & Yacht Club, 423 Shoreline Village Drive #D, for a Social Club Permit. (District 2)
- A motion was made by Councilmember S. Lowenthal, seconded by Vice Mayor Lerch, to approve recommendation. The motion carried by the following vote:**
- Yes:** 6 - Garcia, S. Lowenthal, DeLong, O'Donnell, Reyes Uranga and Lerch
- Absent:** 3 - Schipske, Andrews and Gabelich

**PUBLIC COMMENT (8:23 PM)**

Ben Rockwell spoke regarding inappropriate materials viewable to the public.

Nancy Risch and Joan Greenwood spoke regarding river clean-up.

Councilwoman Gabelich spoke.

Mike Ruehle spoke regarding the Belmont Shore shootings.

Councilmember DeLong spoke.

Tom Stout spoke regarding Senate Bill 155.

Joan Greenwood, Jill Hill and Nancy Risch spoke regarding WANA Family Bike Safety Rodeo on May 30th.

**CONSENT CALENDAR (8:21 PM)**

Passed The Consent Calendar

**A motion was made by Councilman Andrews, seconded by Councilwoman Schipske, to approve Consent Calendar Items 3 - 19, except for Item 17. The motion carried by the following vote:**

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

3. 09-0530 Recommendation to authorize City Attorney to pay the sum of \$6,000 in full settlement of lawsuit entitled John Hokanson, by and through his Guardian ad Litem Margaret Hokanson, Case No. NC051084.
- A motion was made to approve recommendation on the Consent Calendar.**

4. 09-0531 Recommendation to adopt resolution to support SB 696 by Senator Rod Wright and sponsored by the South Coast Air Quality Management District (AQMD) to resolve the air quality permit moratorium caused by a State court decision. (Citywide)
- A motion was made to approve recommendation and adopt Resolution No. RES-09-0053 on the Consent Calendar.**
- Enactment No: RES-09-0053**
5. 09-0532 Recommendation to adopt resolution temporarily suspending the activities and operations of the Public Safety Advisory Commission.
- A motion was made to approve recommendation and adopt Resolution No. RES-09-0054 on the Consent Calendar.**
- Enactment No: RES-09-0054**
6. 09-0562 Recommendation to receive and file the 3rd and 4th Quarter FY 2008 Investments Audit for the quarters ending June 30, 2008, and September 30, 2008.
- A motion was made to approve recommendation on the Consent Calendar.**
7. 09-0536 Recommendation to approve City Council minutes for the meetings held Tuesday, May 12, 2009 and Tuesday, May 19, 2009 and the Budget meeting held Tuesday, May 12, 2009.
- A motion was made to approve recommendation on the Consent Calendar.**
8. 09-0537 Recommendation to refer to City Attorney damage claims received between May 11, 2009 and May 22, 2009.
- A motion was made to approve recommendation on the Consent Calendar.**
9. 09-0540 Recommendation to authorize City Manager to execute an agreement with the California Franchise Tax Board (FTB) for records obtained from the FTB Taxpayer Information System and Business Entity Tax System, at a cost of \$0, with a term of June 1, 2009 through December 31, 2011. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
10. 09-0541 Recommendation to adopt Specifications No. PA-01609 and award contracts to Elster Perfection and Carolina Moldings, Inc., for the purchase of meter parts and supplies in the annual contract amount of

\$155,000 for a period of one year, with the option of renewing for two additional one-year periods, at the discretion of the City Manager, with the option of adding expenditures up to 10 percent (or \$15,500) above the annual contract amount, if necessary and if funds are available.  
(Citywide)

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

11. 09-0542 Recommendation to authorize City Manager to execute a fifth amendment to Agreement No. 28619 with Heritage Architecture and Planning to design a visitor center, caretaker residence, and various entryway and landscaping improvements at Rancho Los Cerritos Historic Site; and to extend the term of the Agreement through May 1, 2011. (District 8)

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

12. 09-0543 Recommendation to authorize City Manager to execute an agreement with the Long Beach Unified School District for food preparation for the 2009 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 2009 Summer Food 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. 09-0544 Recommendation to receive and file the 2008 Parks and Recreation Commission Annual Report. (Citywide)

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

14. 09-0545 Recommendation to receive and file the application of Pacific Real Estate Investment Group Incorporated, dba Holdens, for a person-to-person transfer of an Alcoholic Beverage Control License, at 401 Redondo Avenue, with existing conditions. (District 2)

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

15. 09-0546 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at the Omelette Inn restaurant located at 318 Pine Avenue. (District 1)

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

16. 09-0547 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Trimana Grill located at 95 Pine Avenue. (District 2)

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

17. 09-0548 Recommendation to find that all requirements of the final subdivision map for the Douglas Park Office Development project have been satisfied and approve the final map for Tract No. 69908 located in Block 2 of the Douglas Park site, bounded by Cover Street to the north, Worsham Avenue to the east, Conant Street to the south, and Schaufele Avenue to the west. (District 5)

Councilwoman Schipske spoke.

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

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

18. 09-0550 Recommendation to authorize City Manager to accept funds from Research and Development Solutions, LLC (RDS) in the amount of \$17,500 to be used for promoting the U.S. Department of Energy's (DOE) Clean Cities Program (Program), execute all related documents; and increase appropriations in the Fleet Fund (IS 386) in the Department of Public Works (PW) by \$17,500. (Citywide)

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

19. 09-0535 Recommendation to receive and file the minutes for:  
Civil Service Commission - May 6, 2009.

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

#### **REGULAR AGENDA (6:05 PM)**

20. 09-0555 Recommendation to request City Attorney to prepare an ordinance amending Long Beach Municipal Code Section 2.84.030, Local preference, as reflected in Exhibit A, and return to the City Council for the June 9, 2009 meeting.



Mayor Foster spoke.

Robert Shannon, City Attorney, spoke.

Pat West, City Manager, spoke.

Jim Eaton spoke.

Hilda Sanchez spoke.

Ben Rockwell spoke.

Joan Greenwood spoke.

Ken Howk spoke.

Mike Murray spoke.

Kraig Kojian spoke.

Rob Webb spoke.

Ed Wallace spoke.

Councilmember S. Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Mayor Foster spoke.

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

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

**21. 09-0564**

Recommendation to receive and approve the Commission/Board/Committee reappointments and new appointments to Non-Charter Commissions.

John Thomas spoke.

Mike Ruehle spoke.

Joan Greenwood spoke.

Ben Rockwell spoke.

Councilmember Reyes Uranga spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

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

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

22. 09-0565

Recommendation to approve a commision reduction in concurrence with the recommendation from the Senior Citizen Advisory Commission from 15 to 9 members.

Councilwoman Gabelich spoke.

**A motion was made by Councilmember S. Lowenthal, seconded by Councilmember DeLong, to approve recommendation to request City Attorney to prepare the appropriate ordinance to reduce the Senior Citizen Advisory Commission from 15 to 9 members. The motion carried by the following vote:**

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

23. 09-0534

Recommendation to request City Attorney to prepare a resolution in opposition to AB 1139 (Enterprise Zone Tax Credits).

Vice Mayor Lerch spoke.

Councilmember O'Donnell spoke.

**A motion was made by Vice Mayor Lerch, seconded by Councilmember DeLong, to approve recommendation to request City Manager to prepare a letter in opposition of AB 1139. The motion carried by the following vote:**

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

24. 09-0560

Recommendation to request that the issue of developing an ordinance to provide local regulation of mortgage modification consultants be referred to the Housing and Neighborhoods Committee for further review and study.

Vice Mayor Lerch spoke.

Councilman Andrews spoke.

**A motion was made by Vice Mayor Lerch, seconded by Councilwoman Schipske, to approve recommendation to request City Attorney to prepare an ordinance. The motion carried by the following vote:**

**Yes:** 8 - Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

**Absent:** 1 - Reyes Uranga

25. 09-0405 Recommendation to receive and file report on the actions taken at the Metropolitan Water District Board meeting held on May 12, 2009.

Councilmember S. Lowenthal spoke and distributed a publication.

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

**Yes:** 8 - Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

**Absent:** 1 - Reyes Uranga

26. 09-0554 Recommendation to approve a resolution finding a severe fiscal hardship will exist for the City of Long Beach if additional City property taxes are seized and additional unfunded mandates are adopted by the State of California.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

Ben Rockwell spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-09-0055. The motion carried by the following vote:**

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

**Enactment No:** RES-09-0055

27. 09-0556 Recommendation to respectfully request that the Board of Harbor

Commissioners include the following Council priorities into the Port of Long Beach's oversight and construction of the Middle Harbor Project:

1. Research and implement progressive, groundbreaking environmental policy.
2. Provide the City Council with semi-annual reports with information regarding the "Community Health: Port of Long Beach Grant Programs" and the status of grant applications and funding allocations.
3. Review the need for additional grant allocations after fully allocating the \$5 million in each of the three programs in the "Community Health: Port of Long Beach Grant Programs".
4. Begin outreach to stakeholders within 30 days and provide a transparent process for the "Community Health: Port of Long Beach Grant Programs" in order to further develop the Harbor's commitment to being a responsible community partner.
5. Incorporate the use of additional proven technologies such as electric trucks into the Middle Harbor Redevelopment Project as they become available and prove feasible.
6. Incorporate necessary changes at the Middle Harbor Terminal to reflect alterations made to the draft San Pedro Bay-wide Standards, if needed, after the South Coast Air Quality Management District, the California Air Resources Board and the US Environmental Protection Agency complete their review of the document and the Standards are finalized.
7. Continue to encourage and incentivize the use of alternative fuels as outlined in the Clean Air Action Plan.
8. Evaluate the benefits of a project labor agreement for construction contracts associated with the Middle Harbor Redevelopment Project.

**A second substitute motion was made by Councilwoman Gabelich, seconded by Councilmember S. Lowenthal, to request that the Board of Harbor Commissioners consider adoption of the Port project mitigation measures identified in Agenda Item Nos. 27 and 28 and the Port to return within 90 days with response to City Council. The motion carried by the following vote:**

28. 09-0566

Recommendation to request the Board of Harbor Commissioners to adopt the Port of Long Beach Middle Harbor Redevelopment Project Mitigation Measures.

Councilmember S. Lowenthal spoke regarding Agenda Item No. 27.

Councilmember Reyes Uranga spoke regarding Agenda Item No. 28.

Alex Cherin, Managing Director, Trade Relations and Port Operations, Port of Long Beach, spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke, asking various questions of the Port.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke,

Councilwoman Gabelich spoke.

Councilmember S. Lowenthal spoke.

Motion: Approve recommendation for Agenda Item No. 27.  
Moved by S. Lowenthal, seconded by Garcia.

Councilmember O'Donnell spoke.

Motion: Substitute motion to approve the recommendation for both  
Agenda Item No. 27 and 28.  
Moved by O'Donnell, seconded by Schipske.

Councilmember Reyes Uranga spoke.

Ben Rockwell spoke.

Frances Emily Dawson Harris spoke.

Sylvia Martinez spoke and also read a statement from Marta Cota.

Joan Greenwood spoke.

James Larsen spoke.

Ryan Wiggin spoke and submitted a petition.

Haley Diddio spoke.

Adriano Martinez, Center for Biological Diversity, spoke.

Gabriel Weeks spoke.

Elena Rodriguez spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Robert Shannon, City Attorney, spoke.

Councilmember S. Lowenthal spoke.

Councilmember DeLong spoke.

Robert Shannon, City Attorney, spoke.

Mayor Foster spoke.

Councilmember S. Lowenthal spoke.

Councilmember O'Donnell spoke.

**A second substitute motion was made by Councilwoman Gabelich, seconded by Councilmember S. Lowenthal, to request that the Board of Harbor Commissioners consider adoption of the Port project mitigation measures identified in Agenda Item Nos. 27 and 28 and the Port to return within 90 days with response to City Council. The motion carried by the following vote:**

**Yes:** 7 - Garcia, S. Lowenthal, O'Donnell, Schipske, Andrews, Gabelich and Lerch

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

29. 09-0549

Recommendation that City Council communicate to our representatives in the State Legislature the City of Long Beach's opposition to further reductions to Supplemental Security Income, In-Home Supportive Services, and Medi-Cal Optional Benefits.

Councilwoman Schipske spoke.

Ben Rockwell spoke.

Ken Anderson spoke.

Councilwoman Gabelich spoke.

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

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

**Absent:** 1 - DeLong

**30. 09-0563**

Recommendation to request City Attorney to draft a resolution requesting the California Department of Transportation (Caltrans) to post community signs for Bixby Knolls on the 405 Freeway at Atlantic Avenue pursuant to Section 101.12 of the Streets and Highways Code.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Mark Hawkins spoke.

Blair Cohen spoke.

**A motion was made by Councilwoman Gabelich, seconded by Councilmember Reyes Uranga, to approve recommendation to request City Attorney to draft a resolution requesting the California Department of Transportation (Caltrans) to post community signs for Bixby Knolls on the 405 Freeway "that defines Bixby Knolls the next two exits" at Atlantic Avenue pursuant to Section 101.12 of the Streets and Highways Code. The motion carried by the following vote:**

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

**31. 06-1359**

Recommendation to City Council to concur in recommendation of the Housing and Neighborhoods Committee related to amending the Noise Ordinance restricting hours of operation for certain construction equipment and for residential noise.

Distributed at the meeting: Business cards for the construction industry representatives that spoke.

Councilman Andrews spoke.

Motion: Approve recommendation.  
Moved by Andrews, seconded by S. Lowenthal.

Councilmember O'Donnell spoke.

Suzanne Frick, Assistant City Manager, spoke.

Vice Mayor Lerch spoke.

Councilwoman Schipske spoke.

Nelson Kerr, Bureau of Environmental Health, spoke.

Suzanne Frick, Assistant City Manager, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Suzanne Frick, Assistant City Manager, spoke.

Nelson Kerr, Bureau of Environmental Health, spoke.

Councilmember S. Lowenthal spoke.

John Schafer, representing Pike Drivers, Bridge, Dock and Wharf Builders, Local Union 2375, spoke.

John Hakle, Vice President, Government Relations, Associated General Contractors of California, spoke.

Jim Burton, Engineering Contractors' Association, spoke; and submitted an excerpt from the union contract regarding starting times.

Mike Ruehle spoke.

Greg Dineen, Industry Transportation Consultant, Greg Dineen & Associates, spoke.

Bill Davis, Southern California Contractors Association, Inc., spoke.

Motion: Substitute motion to receive and file.

Moved by O'Donnell, seconded by Reyes Uranga.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilmember S. Lowenthal spoke.



Councilmember O'Donnell spoke.

**A second substitute motion was made by Councilwoman Gabelich, seconded by Councilmember S. Lowenthal, to direct staff to meet with construction representatives and residential stakeholders on the regulation of noise from the use of heavy construction activities/equipment, and noise emanating from the use of power tools in residential areas, and return to City Council with recommendations. The motion carried by the following vote:**

**Yes:** 5 - Garcia, S. Lowenthal, DeLong, Andrews and Gabelich

**No:** 4 - O'Donnell, Schipske, Reyes Uranga and Lerch

**32. 09-0551**

Recommendation to approve a third amendment to the Fiscal Year 2008-2009 Action Plan incorporating the American Recovery and Reinvestment Act's (ARRA) Community Development Block Grant-Recovery (CDBG-R); and authorize City Manager to: 1) execute all necessary documents with the U.S. Department of Housing and Urban Development (HUD) and other entities necessary to receive CDBG-R funds, 2) increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Community Development (CD) by \$2,332,444, and 3) execute all necessary documents with approved contractors necessary for CDBG-R implementation. (Districts 1,7)

Mayor Foster spoke.

Councilmember Reyes Uranga spoke.

Councilman Andrews spoke.

Councilmember Garcia spoke.

Jill Hill spoke.

Mr. Moreno spoke.

Mayor Foster spoke.

Mike Donelon spoke.

Robby Sandoval spoke.

Gerome Shelby spoke.

Tim Patton spoke.

Brendon Rias spoke.

Reginald Williams spoke.

Anne Greenfeld spoke.

James Wagner spoke.

Ray Olson spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Councilman Andrews spoke.

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

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

**33. 09-0552**

Recommendation to receive and file the Fiscal Year 2009 Second Quarter Operational Performance Report. (Citywide)

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

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

**34. 09-0553**

Recommendation to receive and file the Fiscal Year 2009 Second Quarter Budget Performance Report. (Citywide)

Councilwoman Schipske spoke.

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

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

**35. 09-0507**

Recommendation to adopt Specifications No. FM 09-014 and award a contract to Cardon Solutions, LLC to provide technical and functional maintenance support and development services for the City's suite of Financial Accounting Management Information Systems (FAMIS) and Simpler Suite (EZ FAMIS) financial software applications in an amount not to exceed \$225,000 for a period of 18-months, plus an additional

\$90,000 for the Harbor Department, for a total of \$315,000 in the 18-month period, with the option to renew for two additional one-year periods, at the discretion of the City Manager, and with the option to add expenditures up to 10 percent (or \$31,500) above annual contract amount, if necessary and if funds are available. (Citywide)

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

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

36. 09-0557

Recommendation to authorize City Manager to execute a new agreement between the Long Beach Police Department and the Long Beach Unified School District to staff School Resource Officers (SROs) and Juvenile Car Officers for an amount not to exceed \$532,000. The net cost to the City's General Fund for the agreement is estimated to be \$379,945. (Citywide)

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

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

**Absent:** 1 - DeLong

37. 09-0558

Recommendation to authorize an amendment to Contract No. 29391 with Earth Tech, Inc. (Earth Tech) to expend additional funds in the amount of \$360,435 through September 30, 2009, for the purpose of providing environmental consulting services at various fuel site locations. (Districts 4,5,6,8)

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

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

**Absent:** 1 - DeLong

38. 09-0559

Recommendation to adopt resolution approving issuance by the Board of Water Commissioners, on behalf of the City of Long Beach, of up to \$20,000,000 of Senior Sewer Revenue Commercial Paper Notes secured by revenues of the City's sewer system. (Citywide)

Councilwoman Gabelich spoke.

Vice Mayor Lerch spoke.

**A motion was made by Councilmember S. Lowenthal, seconded by Councilwoman Schipske, to approve recommendation and adopt Resolution No. RES-09-0056. The motion carried by the following vote:**

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

**Absent:** 1 - DeLong

**Enactment No:** RES-09-0056

### **ORDINANCE (10:27 PM)**

39. 09-0533 Recommendation to declare ordinance repealing Long Beach Municipal Code Section 10.58.030 related to Pedestrian Angle of Crossing read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

**A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, 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, S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

**Absent:** 1 - DeLong

### **NEW BUSINESS (10:29 PM)**

40. Affidavits of Service for the special meetings held Tuesday, May 26, 2009, and Tuesday, June 2, 2009.

### **ANNOUNCEMENTS (10:29 PM)**

Vice Mayor Lerch made community announcements.

Councilman Andrews made community announcements; and requested that the meeting be adjourned in memory of Victoria Morris.

Councilwoman Gabelich made community announcements; and requested that the meeting be adjourned in memory of Vinton Ray "Bud" Townsend Jr.

Councilmember Reyes Uranga made community announcements.

Councilmember S. Lowenthal made community announcements.

**PUBLIC (10:40 PM)**

Tom Marchese spoke.

**ADJOURNMENT (10:42 PM)**

At 10:42 PM, Mayor Foster adjourned the meeting in memory of Victoria Morris and Vinton Ray "Bud" Townsend Jr.

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