



CITY OF LONG BEACH

C-4

DEPARTMENT OF CITY CLERK

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March 2, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council meetings of Tuesdays,
February 9 and 16, 2010

DISCUSSION

The Legistar minutes for the City Council meetings of Tuesdays, February 9 and 16, 2010 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 O. 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



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 & 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 order presented, with the exception of Agenda Item No. 26, which was considered first of the Regular Agenda; and Agenda Item No. 22, which was withdrawn.

ROLL CALL (5:10 PM)

Councilmembers Lowenthal, DeLong, O'Donnell, Andrews and Lerch

Present:

Councilmembers Garcia, Schipske, Reyes Uranga and Gabelich

Absent:

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

Mayor Foster presiding.

Mayor Foster announced that Agenda Item No. 22 was withdrawn and Agenda Item No. 26 would be considered at the beginning of the Regular Agenda.

Invocation: Moment of Silence.

Flag Salute: Patrick O'Donnell, Councilmember, Fourth District.

Presentation of Proclamations Recognizing Parks, Recreation and Marine Employees

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

SECOND ROLL CALL (5:12 PM)

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

Councilmembers Garcia, Schipske, Reyes Uranga, and Gabelich joined the meeting.

Mayor Foster spoke.

Councilman Andrews spoke.

PUBLIC COMMENT (5:16 pm)

Larry Goodhue spoke regarding the new Police Chief selection.

Don Davis spoke regarding flooding on January 19, 2010.

Mayor Foster spoke.

10-0200 Diane Atkinson spoke during public comment and submitted handout regarding mold contamination.

This Handout was received and filed.

Harvey Cochran spoke regarding garage sales.

David Zink spoke regarding the remarks of Mayor Foster on medical marijuana.

Melida Hines spoke regarding safety, vehicles, bicycle and skateboard issues.

Thomas Marchese spoke regarding soil contamination.

10-0201 Tom Stout spoke during public comment and submitted handout regarding pension reform.

This Handout was received and filed.

CONSENT CALENDAR (5:41 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve Consent Calendar Items 1 - 4. The motion carried by the following vote:

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

1. 10-0136 Recommendation to refer to City Attorney damage claims received between January 25, 2010 and February 1, 2010.
A motion was made to approve recommendation on the Consent Calendar.

2. 10-0160 Recommendation to adopt resolution designating the ballot listing of the candidates which have been nominated for the City's Primary Nominating Election, April 13, 2010.
**Approve recommendation and adopt Resolution No. RES-10-0014
Enactment No: RES-10-0014**

3. 10-0135 Recommendation to receive and file the application of Joflynn Taronu Figueroa, dba Mindas Restaurant & Karaoke Lounge, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2227 Pacific Avenue, with existing conditions. (District 6)
A motion was made to approve recommendation on the Consent Calendar.

4. 10-0147 Recommendation to receive and file minutes for:
Civil Service Commission - January 20, 2010.
Parks and Recreation Commission - December 17, 2009.
A motion was made to approve recommendation on the Consent Calendar.

UNFINISHED BUSINESS (5:41 PM)

24. 10-0115 Recommendation to receive and file the application of 212 Bistro LLC, dba 212 Bistro, for an original Alcoholic Beverage Control License, at 2708 East 4th Street, with conditions. (District 2)

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

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

25. 10-0117 Recommendation to adopt Specifications No. R-6832 for both anticipated and unanticipated (emergency) construction of various City infrastructure repairs and improvements to be done under the method of Job Order Contracting (JOC);

Authorize City Manager to execute agreements for one year terms in amounts not to exceed \$1,000,000 for the following JOC Contracts: JOC Contract No. 10 for Angeles Contractor with an adjustment factor of .5940, JOC Contract No. 11 for New Creation Builders with an adjustment factor of .6000, JOC Contract No. 12 for MacKone Development, Inc. with an adjustment factor of .5980, JOC Contract No. 13 for Worldwide Construction with an adjustment factor of .6900, and JOC Contract No. 14 for MTM Thomasville with an adjustment factor of .8000;

Adopt resolution authorizing City Manager to execute a contract with the Gordian Group for access rights to their proprietary Pro-Gen software and for administrative services to manage the JOC program in an amount not to exceed \$225,000 for a term of three years, with the option of renewing for two additional one-year periods; and

Authorize City Manager to execute amendments for each JOC contract to extend the term for two separate periods of one year each and up to \$1,000,000 per extended term, and to execute amendments to the Gordian Group agreement relative to the extension of the term, to authorize additional services, if required, within the provisions of the agreement, and to adjust the Gordian fee for inflation. (Citywide)

Mark Christoffels, City Engineer, spoke.

Harvey Cochran spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-10-0015. The motion carried by the following vote:

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

Enactment No: RES-10-0015

REGULAR AGENDA (5:45 PM)

5. 10-0161 Recommendation to request City Attorney, in collaboration with the City Manager, to draft a policy to adopt a Tax Amnesty Program and report back to City Council in 30 days. (Citywide)

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

Patrick West, City Manager, spoke.

Erik Sund, Business Relations Manager, spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilman Andrews, 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

6. 10-0162

Recommendation to respectfully request City Council to recognize February as American Heart Month and support efforts to educate the public about heart disease, detection and prevention; and

Request City Manager to notify City employees and residents about participating in American Heart Month and provide information from the American Heart Association about how to take positive actions to reduce the risk of heart disease and stroke.

Councilmember Lowenthal spoke.

David Ross spoke.

Larry Borland spoke.

Mike Murchison spoke.

Larry Goodhue spoke.

Councilwoman Gabelich spoke.

Jeff Reeb, Acting Fire Chief, spoke.

Councilmember Reyes Uranga spoke.

Jeff Reeb, Acting Fire Chief, spoke.

A motion was made by Councilmember Lowenthal, 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

7. 10-0159 Recommendation that City Council review and consider draft proposed Lobbyist Ordinance and, after public input, request City Attorney to prepare a Lobbyist Ordinance for first reading. (Citywide)

Robert Shannon, City Attorney, spoke.

Councilmember O'Donnell spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Councilmember O'Donnell spoke.

Motion: Approve recommendation.
Moved by O'Donnell, seconded by Schipske.

Judy Ross spoke.

Jim Lewis spoke.

Harvey Cochran spoke.

Mayor Foster spoke.

Annette Quintero spoke.

Gary Hytrek spoke.

Larry Borland spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Tom Stout spoke.

Jack Smith spoke.

Thomas Marchese spoke.

Larry Goodhue spoke.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Gabelich spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Councilwoman Gabelich spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Vice Mayor Lerch spoke.

Mayor Foster spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Mayor Foster spoke.

Vice Mayor Lerch spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Vice Mayor Lerch spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Motion: Substitute motion to approve recommendation to remove the exemption of the non-profits and the labor associations.
Moved by DeLong, seconded by Lerch.

Councilmember Garcia spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

A second substitute motion was made by Councilmember Garcia, seconded by Councilwoman Gabelich, to approve recommendation to request City Attorney to prepare an ordinance with amendments as discussed. The motion carried by the following vote:

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

8. 10-0163

Recommendation to receive and file the Technology Services Inventory Controls Audit Report.

Laura L. Doud, City Auditor, spoke.

Councilwoman Schipske spoke.

Laura L. Doud, City Auditor, spoke.

Councilwoman Gabelich spoke.

Curtis Tani, Director of Technology, spoke.

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

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

Absent: 1 - Lowenthal

9. 10-0137

Recommendation to authorize City Manager to execute a Second Amendment to Lease No. 30946 with Wilmington-Lomita Blvd., LLC, a Long Beach-based California limited liability company, for lease of approximately 5.61 acres of excess Terminal Island Freeway right-of-way, at a monthly rental rate of \$13,931. (District 7)

Dennis Thys, Director of Community Development, spoke.

Gloria Jones spoke.

Jack Smith spoke.

Thomas Marchese spoke.

Larry Goodhue spoke.

Mike Murchison spoke.

Councilmember Reyes Uranga spoke.

Dennis Thys, Director of Community Development, spoke.

Councilwoman Gabelich spoke.

Dennis Thys, Director of Community Development, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Dennis Thys, Director of Community Development, spoke.

Motion: Substitute motion to approve recommendation with the inclusion of a provision prohibiting sub-leasing of the property.
Moved by Schipske, seconded by Gabelich.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Dennis Thys, Director of Community Development, spoke.

Councilmember DeLong spoke.

Dennis Thys, Director of Community Development, spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Patrick West, City Manager, spoke.

Vice Mayor Lerch spoke.

Patrick West, City Manager, spoke.

Vice Mayor Lerch spoke.

Motion: To call for the question.
Moved by DeLong, seconded by O'Donnell.

Councilwoman Schipske withdrew her substitute motion.

Vote: To call for the question. (Carried 8-1)
Yes: Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, and Lerch.
No: Gabelich.

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

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

No: 1 - Schipske

- 10. 10-0138** Recommendation to authorize City Manager to execute all documents necessary for the acquisition of 189 Park Avenue as part of the Belmont Shore Parking and Business Improvement Area; and increase appropriation in the Parking and Business Improvement Revenue Fund (SR 132) in the Department of Community Development (CD) by \$1,400,000. (District 3)
- A motion was made by Councilmember DeLong, 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
- 11. 09-0972** Recommendation to authorize City Manager to execute any and all documents necessary for a lease between the City of Long Beach and the Historical Society of Long Beach, California, a California nonprofit corporation, for the use and occupancy of City-owned property located at 4258-4260 Atlantic Avenue for a twenty-year term, at an annual rent of \$1.00. (District 8)
- Patrick West, City Manager, spoke.
- Dan Petersen spoke.
- Councilwoman Gabelich spoke.
- A motion was made by Councilwoman Gabelich, seconded by Councilman Andrews, to approve recommendation. The motion carried by the following vote:**
- Yes:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch
- Absent:** 1 - Reyes Uranga
- 12. 10-0139** Recommendation to authorize City Manager to accept fee title and execute all necessary documents to transfer title to 602 West Anaheim Street, 851 Orange Avenue, 1440 Temple Avenue, 2821, 2837 and 2929 East 14th Street from the Redevelopment Agency of the City of Long Beach for permanent parkland. (Districts 1,4,6)
- Patrick West, City Manager, spoke.
- Phil Hester, Director of Parks, Recreation and Marine, spoke.
- Councilmember Garcia spoke.

A motion was made by Councilmember Garcia, 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

13. 10-0140

Recommendation to authorize City Manager to execute all documents necessary for a lease between the City of Long Beach and Lucky Auto Detailing for the use of City-owned parking structures and/or lots for the implementation of a Waterless Car Wash Pilot Program at an annual rental rate of \$1.00 for a term of six-months. (Citywide)

A motion was made by Councilmember Garcia, 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

14. 10-0141

Recommendation to approve the Fiscal Year 2010 first quarter departmental and fund budget appropriation adjustments in accordance with existing City Council policy. (Citywide)

David Wodynski, Budget and Performance Management Bureau Manager, spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, 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

15. 10-0142

Recommendation to adopt Specifications No. PA-02309 to award a contract to Emergency Vehicle Group, Inc., of Anaheim, California, for the purchase of five Advanced Life Support paramedic ambulances in the contract amount of \$988,000 including tax, with the option of purchasing up to five additional units by February 2011, if necessary, and if funds are available, and at the discretion of the City Manager; and

Authorize City Manager to execute a master lease-purchase agreement and related financing documents with Chase Equipment Finance, Inc., of Phoenix, Arizona, for the financing in an amount not to exceed \$988,000, payable over a six-year period. (Citywide)

Patrick West, City Manager, spoke.

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

16. 10-0143

Recommendation to receive and file the application of Wings Over Long Beach LLC, dba Hooters, for a premise-to-premise transfer and a LLC membership change of an Alcoholic Beverage Control License, at 71 Aquarium Way, The Pike at Rainbow Harbor, with conditions. (District 2)

Councilmember Lowenthal spoke.

John Steinmiester spoke.

Chris Caldwell spoke.

Councilmember Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Councilmember Lowenthal spoke.

Councilmember O'Donnell spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Councilmember Lowenthal spoke.

Suzanne Frick, Assistant City Manager, spoke.

Councilmember Lowenthal spoke.

Billy Quach, Chief of Police, spoke.

Councilmember Lowenthal spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Garcia, that the item be laid over to the meeting of Tuesday, March 2, 2010. The motion carried by the following vote:

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

17. 10-0116

Recommendation to authorize City Manager to execute all necessary

documents to receive and expend grant funding from the Port of Long Beach California Port and Maritime Security Grant Program; and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$350,000. (Citywide)

A motion was made by Councilwoman Gabelich, 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

18. 10-0144

Recommendation to adopt Plans and Specifications No. R-6812 for the construction of the Main Library roof waterproofing at 101 Pacific Avenue; and authorize City Manager to award and execute a contract with Best Contracting Services, Inc. in an estimated amount of \$1,333,870 plus a ten percent contingency amount of \$133,387, if necessary, for a total of \$1,467,257, and any amendments thereto. (District 2)

Elliot Gonzalez spoke.

Mayor Foster spoke.

Patrick West, City Manager, spoke.

Councilmember Garcia spoke.

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

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

Absent: 2 - DeLong and O'Donnell

19. 10-0145

Recommendation to adopt Plans and Specifications No. R-6764 for the annual contract for Public Works repairs and minor improvements, award the project, 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 \$8,000,000; and

Authorize City Manager to execute subsequent amendments to the agreement to extend the term for up to two additional one-year terms and to increase the unit prices, if necessary, for inflation. (Citywide)

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

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

Absent: 2 - DeLong and O'Donnell

20. 10-0146

Recommendation to authorize City Manager to execute agreements and all related documents with recommended firms, including six Long Beach businesses, to provide as-needed professional and technical services related to system analysis, system development, system implementation, project management, and technical support in an aggregate amount not to exceed \$675,000 in total expenditure per year for three years; and authorize City Manager to execute amendments to renew and extend the term. (Citywide)

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

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

Absent: 2 - DeLong and O'Donnell

ORDINANCES (8:19 PM)

21. 10-0126

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 5.20.120 relating to maximum amount of prizes, read and adopted as read. (Citywide)

A motion was made by Councilmember Garcia, seconded by Councilmember Lowenthal, to approve recommendation and adopt Ordinance No. ORD-10-0003. The motion carried by the following vote:

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

Absent: 2 - DeLong and O'Donnell

Enactment No: ORD-10-0003

22. 09-1203

WITHDRAWN

~~Chapter 5.87 to implement the State Compassionate Use Act and State Medical Marijuana Program Act, read and adopted as read. (Citywide)~~

This Ordinance was withdrawn.

23. 10-0118 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Sections 10.30.010, 10.30.040, and 10.30.050, all relating to beach area parking lots, read and adopted as read. (Districts 2,3)

A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, to approve recommendation and adopt Ordinance No. ORD-10-0004. The motion carried by the following vote:

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

Absent: 2 - DeLong and O'Donnell

Enactment No: ORD-10-0004

NEW BUSINESS:

24. Agenda Item No. 24 is listed under Unfinished Business (page 2)

25. Agenda Item No. 25 is listed under Unfinished Business (page 3)

26. 10-0192 Recommendation to request City Manager to identify ways to assist victims of flooding caused by our most recent set of storms including, but not limited to, waiving building and utility fees, expediting building plan review and low-interest loans funded by State of Emergency assistance funds; and

Request City Manager to utilize the web-based property damage survey already established by the City shortly after the flooding to determine potential cost impacts and communicate with residents about the permit and loan opportunities.

Councilmember Lowenthal spoke.

Patrick West, City Manager, spoke.

Councilmember Lowenthal spoke.

Harvey Cochran spoke.

Patrick West, City Manager, spoke.

Charlotte Shelton spoke.

Patrick West, City Manager, spoke.

Michael Conway, Director of Public Works, spoke.

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

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

ANNOUNCEMENTS (8:20 PM)

Councilwoman Schipske made community announcements.

Councilmember Lowenthal made community announcements.

Councilwoman Gabelich made community announcements.

Councilman Andrews made community announcements.

Councilmember Reyes Uranga made community announcements.

PUBLIC (8:26 PM)

Larry Borland spoke regarding wellness program for Fire and Police employees.

Thomas Marchese spoke regarding soil and wetland issues.

Patrick West, City Manager, spoke.

ADJOURNMENT (8:31 PM)

At 8:31 PM, Mayor Foster adjourned the meeting.

cah

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 & 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 were considered in Agenda order, with the exception of Agenda Item No. 35, which was considered following Agenda Item No. 19.

ROLL CALL (5:04 PM)

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

Councilmembers Lowenthal and Gabelich
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Heather Mahood, Chief Assistant 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: Gerrie Schipske, Councilwoman, Fifth District.

Mayor Foster announced that Agenda Item No. 21 was withdrawn; and that Agenda Item No. 35 would be taken up at the beginning of the Regular Agenda.

Julie Pruitt, spcaLA, presented a canine.

Presentation for Black History Month.

Presentation from Mombasa, Kenya Sister Cities Association.

HEARINGS (5:18 PM)

1. 10-0165

Recommendation to conduct a public hearing on the Resolution of Necessity to determine the public interest and necessity for acquiring and authorizing the condemnation of a portion of real property at 6265 East 2nd Street, a portion of Assessor Parcel Numbers 7242-021-002 and 7242-021-003, including easements and improvements for the Pacific Coast Highway/2nd Street Improvement Project;

Receive testimony from staff and property owner(s) with interest in the property (if required written requests to be heard have been received); and

Adopt Resolution of Necessity making the findings required by law, including determining the public interest and necessity for acquiring, and authorizing the condemnation of a portion of certain real property within the City of Long Beach for the Pacific Coast Highway/2nd Street Improvement Project. (District 3)

Councilmember O'Donnell spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-10-0016. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and Gabelich

Enactment No: RES-10-0016

2. 10-0166

Recommendation to receive supporting documentation into the record, conclude the public hearing, and declare ordinance amending the Land Use District Map of the City of Long Beach from CCA (Automobile-Oriented Commercial) to CCN (Community R-4-N) at 3232 and 3290 E. Artesia Boulevard, read the first time and laid over to the next regular meeting of the City Council for final reading; and

Distributed at the meeting: PowerPoint presentation entitled, Ramona Park Senior Apartments T.A.C. Case No. 0812-13.

Vice Mayor Lerch spoke.

Susan Dantramo spoke.

Harvey Cochran spoke.

Councilmember Reyes Uranga spoke.

Vice Mayor Lerch spoke.

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

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

Absent: 2 - Lowenthal and Gabelich

10-0167 Adopt resolution amending the Land Use Element of the General Plan from LUD No. 8N to LUD No. 4 at 3232 and 3290 E. Artesia Boulevard, for the purpose of allowing the development of a three-story, 61-unit senior apartment building at 3290 E. Artesia Boulevard. (District 9)

A motion was made by Vice Mayor Lerch, seconded by Councilmember Reyes Uranga, to approve recommendation and adopt Resolution No. RES-10-0017. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and Gabelich

Enactment No: RES-10-0017

PUBLIC COMMENT (5:36 PM)

Samara Ashley spoke regarding the Gerald Desmond Bridge construction project.

Larry Boland spoke regarding firefighter wellness programs.

Larry Goodhue spoke regarding property purchase.

Harvey Cochran spoke regarding raid on drug lab.

David Zink spoke regarding prohibition.

10-0204 Summer Hansen spoke regarding Children's Day and submitted a flyer.

This Handout was received and filed.

Councilmember Reyes Uranga spoke.

Kendall Rainwater spoke regarding Wrigley Heights Community Garden.

Councilmember Reyes Uranga spoke.

Dennis Dunn spoke a word of praise.

10-0205 Raul Anorve and King Chan spoke regarding an educational forum for Gay, Lesbian, Bi-Sexual, Transgender and Questioning (GLBTQ) Youth, and submitted a flyer.

This Handout was received and filed.

Councilmember Garcia spoke.

CONSENT CALENDAR (6:04 PM)

Larry Goodhue spoke regarding Agenda Item No. 8.

Passed The Consent Calendar

A motion was made by Councilmember Garcia, seconded by Councilwoman Schipske, to approve Consent Calendar Items 3 - 17. The motion carried by the following vote:

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

Absent: 3 - Lowenthal, DeLong and Gabelich

3. 10-0168 Recommendation to receive and file report on travel to the United States Conference of Mayors winter meeting in Washington, DC, January 19 - 22, 2010.

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

4. 10-0169 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 1) \$3,450 and also separate authority to pay 2) \$55,890 for the claim of Zade Michaels in compliance with the Appeals Board Order.

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

5. 10-0195 Recommendation to authorize City Attorney to pay the sum of \$20,000 in full settlement of lawsuit entitled McDaniel Coley v. City of Long Beach, et al. (consolidated with USAA Casualty Insurance Company v. City of Long Beach, et al.), Case No. NC051971; and to pay the sum of \$12,000 in full settlement of lawsuit entitled USAA Casualty Insurance Company v. City of Long Beach, et al.
- A motion was made to approve recommendation on the Consent Calendar.**
6. 10-0170 Recommendation to approve the minutes for the City Council meeting held Tuesday, February 2, 2010.
- A motion was made to approve recommendation on the Consent Calendar.**
7. 10-0171 Recommendation to refer to City Attorney damage claims received between February 1, 2010 and February 8, 2010.
- A motion was made to approve recommendation on the Consent Calendar.**
8. 10-0197 Recommendation to authorize City Manager to execute a contract with K&H Integrated Print Solutions for mailing services and printing of official ballots, sample ballots and vote-by-mail materials in an amount not to exceed \$543,715, plus a seven percent contingency, with an option to authorize the provision of mailing services and printing of official ballots, sample ballots and vote-by-mail materials in an amount not to exceed \$135,877, plus a seven percent contingency, in administration of the April 13, 2010 Primary Nominating Election (PNE), and the June 8, 2010 General Municipal Election (GME). (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
9. 10-0172 Recommendation to authorize City Manager to execute any and all documents necessary for a lease between the State of California and the City of Long Beach for office space at the Torrance Career Center located at 1220 Engracia Avenue, Torrance, California, for a four-year term, at the fixed monthly base rent of \$2,020.36. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
10. 10-0134 Recommendation to authorize City Manager to execute all necessary documents and amendments, including term extensions, with the California Emergency Management Agency to receive and expend grant funding for the Homeland Security Grant Program; increase
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appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by \$105,000; and adopt resolution authorizing City Manager to execute for and on behalf of the City of Long Beach, all necessary documents and amendments for the purpose of receiving and expending the Homeland Security Grant. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-10-0018 on the Consent Calendar.

Enactment No: RES-10-0018

11. 10-0173 Recommendation to authorize City Manager to execute all documents necessary for the Third Lease Extension Agreement No. 29211 between the City of Long Beach and Williams Scotsman, Inc., a Maryland corporation, for the continued lease of temporary modular building units at the Long Beach Airport in the amount of \$193,200 per year. (District 5)

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

12. 10-0174 Recommendation to receive and file the application of Ae Young Choe and Hyo Jun Choe, dba Liquor Town, for a person-to-person transfer of an Alcoholic Beverage Control License, at 4100 Atlantic Avenue, with existing conditions. (District 8)

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

13. 10-0175 Recommendation to receive and file the application of Tieu Anh Tieu, dba Rose Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 6401 Cherry Avenue, with existing conditions. (District 9)

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

14. 10-0176 Recommendation to authorize City Manager to execute an agreement and any subsequent amendments with Long Beach City College to provide instructional services to City employees with funds generated to be directed for Police and Fire Department training budgets. (Citywide)

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

15. 10-0177 Recommendation to authorize City Manager, or designee, to accept an easement deed for sidewalk and alley widening at 130-132 West Anaheim Street. (District 1)

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

16. 10-0178 Recommendation to authorize City Manager, or designee, to accept an easement deed for the dedication of new street right-of-way related to the development of Douglas Park. (District 5)

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

17. 10-0193 Recommendation to receive and file the minutes for:
Civil Service Commission - January 27, 2010.

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

REGULAR AGENDA (6:06 PM)

18. 10-0194 Recommendation to receive report by Dr. Santos Cortez, Chair of the Long Beach Children's Oral Health Task Force.

Distributed at the meeting: PowerPoint presentation from Dr. Santos Cortez.

Councilwoman Schipske spoke.

Dr. Santos Cortez spoke and provided a PowerPoint presentation.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

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

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

Absent: 4 - Garcia, Lowenthal, DeLong and Gabelich

19. 10-0196 Recommendation to request City Manager to examine a program designed to leverage our contracts with companies for a local job and internship preference for Long Beach students.

Councilman Andrews spoke.

Councilmember O'Donnell spoke.

Harvey Cochran spoke.

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

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

Absent: 2 - Lowenthal and Gabelich

20. 10-0179

Recommendation to adopt resolution in support of, and authorize City Manager to execute documents, accepting grant funding from the American Recovery and Reinvestment Act (ARRA) under the Energy Efficiency Community Block Grant Program (EECBG);

Increase appropriations in the General Capital Projects Fund (CP 201) in the Department of Public Works (PW), in the amount of \$3,838,473, representing the American Recovery and Reinvestment Act (ARRA) Energy Efficiency Community Block Grant (EECBG) funds that have been awarded for the Municipal Energy Efficiency Building Retrofit project; and

Allocate to the Development Services Fund (SR 137) in the Department of Development Services (DS) the amount of \$559,027, representing the American Recovery and Reinvestment Act (ARRA) Energy Efficiency Community Block Grant (EECBG) funds that have been awarded for the Residential Energy Efficiency Rebate project. (Citywide)

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-10-0019. The motion carried by the following vote:

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

Absent: 3 - Lowenthal, Schipske and Gabelich

Enactment No: RES-10-0019

21. 10-0180

WITHDRAWN

~~Recommendation to authorize City Manager to execute the Third Amendment to Lease No. 23509 with BANCAP Marina Center, Inc. (BANCAP), a California corporation, for City owned property at 241-255 Marina Drive, to decrease the monthly base rent from \$37,803 to \$34,803, for a two year period, commensurate with an equivalent two year reduction in the monthly rent paid to BANCAP by the Seal Beach Yacht Club. (District 3)~~

This Contract was withdrawn.

- 22. 10-0182** Recommendation to receive and file Investment Report for Quarter Ending December 31, 2009. (Citywide)
- A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation. The motion carried by the following vote:**
- Yes:** 6 - Garcia, DeLong, O'Donnell, Andrews, Reyes Uranga and Lerch
- Absent:** 3 - Lowenthal, Schipske and Gabelich
- 23. 10-0181** Recommendation to authorize City Manager to execute all necessary documents to reinstate a Sales Tax Incentive Program Agreement with HTL Automotive, Inc., dba Hooman Toyota of Long Beach. (District 4)
- Councilmember O'Donnell spoke.
- A motion was made by Councilmember O'Donnell, 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
- Absent:** 2 - Lowenthal and Gabelich
- 24. 10-0148** Recommendation to authorize City Manager to execute a contract with EF Recovery (of Oakland, CA, an SBE), in the amount not to exceed \$35,000 annually to provide billing and collection services for the Vehicle Accident Response and Mitigation 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 by Councilmember DeLong, seconded by Councilwoman Schipske, to approve recommendation. The motion carried by the following vote:**
- Yes:** 7 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga and Lerch
- Absent:** 2 - Lowenthal and Gabelich
- 25. 10-0183** Recommendation to authorize City Manager to execute all documents necessary for the First Amendment to Agreement No. 30851 between the City of Long Beach and HNTB Corporation, a Delaware corporation, for as-needed airport planning, engineering and architectural consulting

services at the Long Beach Airport in an amount not to exceed \$2,500,000. (District 5)

Mayor Foster spoke.

Councilwoman Schipske spoke.

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

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

Absent: 2 - Lowenthal and Gabelich

26. 10-0184

Recommendation to adopt Plans and Specifications No. G-270 for gas main and service line replacement; and authorize City Manager to execute a contract with ARB, Inc. in an amount not to exceed \$3,034,976 plus a 10 percent contingency, as necessary, to address unforeseen issues related to the construction of this project. (Citywide)

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

Yes: 6 - Garcia, DeLong, O'Donnell, Schipske, Andrews and Reyes Uranga

Absent: 3 - Lowenthal, Gabelich and Lerch

27. 10-0112

Recommendation to adopt resolution authorizing City Manager to adjust certain rates for natural gas service to reflect market conditions by implementing Gas Rate Schedules 1 through 5, 7, 9, and special conditions and incentives in Exhibits A and B. (Citywide)

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Vice Mayor Lerch spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-10-0020. The motion carried by the following vote:

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

No: 1 - Schipske

Absent: 2 - Lowenthal and Gabelich

Enactment No: RES-10-0020

28. 10-0185

Recommendation to adopt resolution authorizing City Manager to submit a grant application to California State Parks through the Statewide Park Development and Community Revitalization Program of 2008, for the development of a new mini park at 851 Orange Avenue, at a total estimated cost of \$722,465. (District 1)

Harvey Cochran spoke.

A motion was made by Councilmember Garcia, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-10-0021. The motion carried by the following vote:

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

Absent: 3 - Lowenthal, Reyes Uranga and Gabelich

Enactment No: RES-10-0021

29. 10-0186

Recommendation to authorize City Manager to enter into a design-build contract with Bellingham Marine Industries, Inc., and execute all documents necessary for the design, engineering, and construction of Basin 4 in the Alamitos Bay Marina, in an amount not to exceed \$11,800,000; and increase appropriations in the Marina Fund in the Department of Parks, Recreation and Marine by \$11,800,000. (District 3)

Larry Goodhue spoke.

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

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

Absent: 2 - Lowenthal and Gabelich

30. 10-0187 Recommendation to adopt resolution authorizing City Manager to submit a grant application to California State Parks through the Statewide Park Development and Community Revitalization Program of 2008, for the construction of a new community center and community garden at Orizaba Park, at a total estimated construction cost of \$2.2 million. (District 4)

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-10-0022. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and Gabelich

Enactment No: RES-10-0022

31. 10-0188 Recommendation to adopt resolution authorizing City Manager to submit a grant application to California State Parks through the Statewide Park Development and Community Revitalization Program of 2008, in the amount of \$5 million, for the construction of a community center and playground at Scherer Park, for a total estimated project cost of \$10 million. (District 8)

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-10-0023. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and Gabelich

Enactment No: RES-10-0023

32. 10-0189 Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of The Vons Companies Incorporated, dba Vons, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at the south east corner of Broadway and Atlantic Avenue, with conditions. (District 2)

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

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

Absent: 2 - Lowenthal and Gabelich

- 33. 10-0190** Recommendation to receive and file the application of Octopus Restaurant Long Beach Incorporated, dba Octopus Japanese Fusion Restaurant, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 200 Pine Avenue Suite C, with conditions. (District 2)

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

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

Absent: 2 - Lowenthal and Gabelich

- 34. 10-0191** Recommendation to authorize City Manager to administer and execute all necessary documents related to an amended agreement to participate in the Gateway Cities Council of Governments SR-91/I-605/I-405 Major Corridor Study. (Citywide)

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

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

Absent: 2 - Lowenthal and Gabelich

ORDINANCE (6:23 PM)

- 35. 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)

Distributed at the meeting: Information from Diana Lejins; and information packet from Clifford Schaffer.

Robert Shannon, City Attorney, spoke.

Joey Esposito, Los Angeles County District Attorney's office, spoke.

Detective Glenn Walsh, Los Angeles County, spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Vice Mayor Lerch spoke.

Councilmember Garcia spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Robert Shannon, City Attorney, spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Carl Kemp spoke.

Chris Brown spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, that the item be laid over to the meeting of Tuesday, March 2, 2010 or later. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and Gabelich

NEW BUSINESS (7:56 PM)

- 36. 10-0203** Recommendation to request City Manager to complete the Request for Information (RFI) process to make Long Beach a candidate for Google's broadband Internet service, and report back to City Council when the RFI is complete, and again when Google announces its decision.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

A motion was made by Councilmember Garcia, 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

Absent: 2 - Lowenthal and Gabelich

37. 10-0158

Recommendation to City Council to concur in recommendation of the Personnel and Civil Service Committee to receive the communication and confirm the following appointment and reappointment: Civil Service Commission (1 appointment) and (1 reappointment).

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

Absent: 2 - Lowenthal and Gabelich

38. 10-0202

Recommendation to adopt resolution authorizing a waiver of permit fees and other applicable fees for work in connection with recent flooding to properties in Long Beach. (Citywide)

Reginald Harrison, Interim Director of Development Services, spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-10-0024. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and Gabelich

Enactment No: RES-10-0024

39. Affidavit of Service for the special meeting of Tuesday, February 16, 2010.

ANNOUNCEMENTS 8:06 PM)

Councilman Andrews made community announcements.

Councilwoman Schipske requested that the meeting be adjourned in memory of Leonard Ewaskey.

Councilmember Reyes Uranga made community announcement.

PUBLIC (8:10 PM)

Carl Kemp spoke regarding medical marijuana.

Harvey Cochran spoke regarding Mr. Larizza's business.

Mike LaRizza spoke regarding his business.

Larry Boland spoke regarding medical marijuana.

Councilwoman Schipske spoke.

ADJOURNMENT (8:18 PM)

At 8:18 PM, Mayor Foster adjourned the meeting in memory of Leonard Ewaskey.

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