



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

C-7

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6101 • FAX (562) 570-6789

January 4, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council Meetings of Tuesday, December 7 and 14, 2010, and the Study Session of Tuesday, December 7, 2010.

DISCUSSION

The Legistar minutes for the City Council Meetings of Tuesday, December 7 and 14, 2010, and the Study Session of Tuesday, December 7, 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,

A handwritten signature in cursive script, appearing to read "Larry Herrera".

LARRY G. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

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



Gerrie Schipske, 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Rae Gabelich, 8th District
Steven Neal, 9th District

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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & DRAFT MINUTES

SPECIAL MEETING

ROLL CALL (3:36 PM)

Councilmembers Lowenthal, DeLong, Johnson, Gabelich and Neal

Present:

Councilmembers Garcia, O'Donnell, Schipske and Andrews

Absent:

1. 10-1318 Recommendation to hold a study session to receive:
 - An Independent Actuarial Analysis on the City's Pension Obligations from John E. Bartel, of Bartel Associates, LLC.

This Agenda Item was received and filed.

Mayor Foster spoke.

Patrick West, City Manager, spoke.

SECOND ROLL CALL (3:40 PM)

Councilmembers Garcia, Lowenthal, DeLong, O'Donnell, Johnson, Gabelich and

Present: Neal

Councilmembers Schipske and Andrews

Absent:

Mayor Foster spoke.

John Bartel, Bartel Associates, LLC, presented a PowerPoint presentation; and responded to questions.

Mayor Foster spoke.

Councilmember DeLong spoke.

Councilmember Johnson spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

Mayor Foster spoke.

Harvey Cochran spoke.

Janet Schabow, IAM, spoke.

ADJOURNMENT (4:42 PM)

At 4:42 PM, Mayor Foster adjourned the meeting.

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



Gerrie Schipske, 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Rae Gabelich, 8th District
Steven Neal, 9th District

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

Bob Foster, Mayor

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 the order presented, with the exception of Agenda Item Nos. 30 and 22 that were considered in this order immediately following the Consent Calendar.

ROLL CALL (5:42 PM)

Councilmembers Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson,
Present: Gabelich and Neal

Councilmembers Schipske
Absent:

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

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Dee Andrews, Councilman, Sixth District.

Mayor Foster announced that Agenda Item Nos. 30 and 22 would be considered out of order.

Recognition of the 30th Anniversary of the Harbor Area Farmers' Market.

Councilmember Garcia spoke.

HEARINGS (5:49 PM)

1. 10-1305 Recommendation to receive supporting documentation into the record, conclude the hearing, and declare ordinance relating to the extension of the temporary limitation (moratorium) on the approval of permits for billboards, supergraphic signs and the conversion of existing billboard/sign displays into electronic or digital billboards; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read, adopted as read and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

Ben Rockwell spoke.

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

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to declare emergency Ordinance No. ORD-10-0037 read and adopted as read and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

Enactment No: ORD-10-0037

2. 10-1281 Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution amending the Master Fee and Charges Schedule. (Citywide)

Councilmember O'Donnell spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-10-0143. The motion carried by the following vote:

Yes: 7 - Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 2 - Garcia and Schipske

Enactment No: RES-10-0143

3. 10-1282 Recommendation to receive supporting documentation into the record, conclude the hearing and determine that it is in the general public interest to mandate the undergrounding of utilities, as specified in City of Long Beach Assessment District No. 08-01; and declare ordinance creating an underground utility district along The Toledo between Second Street and the Geneva Walkway read the first time and laid over to the next regular meeting of the City Council for final reading. (District 3)

Councilmember DeLong spoke.

A motion was made by Councilmember DeLong, seconded by Vice Mayor 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: 7 - Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 2 - Garcia and Schipske

PUBLIC COMMENT: (5:59 PM)

Joe Czuba spoke regarding Brother Paul Mousel.

- 10-1359 Harvey Cochran spoke a word of thanks to Councilmembers Neal and Andrews; and submitted a brochure regarding Lifestyle Mobility and Medical Supply.

This Agenda Item was received and filed.

Mike LaRizza spoke regarding aid for his restaurant.

Councilwoman Gabelich spoke.

Ben Rockwell spoke regarding curb cuts.

CONSENT CALENDAR (6:10 PM)

Passed The Consent Calendar

A motion was made by Councilmember Garcia, seconded by Councilmember DeLong, to approve Consent Calendar Items 4 - 18. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

4. 10-1299 Recommendation to authorize City Attorney to submit two Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$86,261.90 and a separate authority to pay \$80,787.50 for the claim of David Ellis, in compliance with the Appeals Board Order.
- A motion was made to approve recommendation on the Consent Calendar.**
5. 10-1300 Recommendation to authorize City Attorney to pay the sum of \$335,000 in full settlement of lawsuit entitled *Aichen Chen v. City of Long Beach, et al.*
- A motion was made to approve recommendation on the Consent Calendar.**
6. 10-1304 Recommendation to receive and file the Quarterly Report of Cash and Investments for the quarter ending June 30, 2010.
- A motion was made to approve recommendation on the Consent Calendar.**
7. 10-1302 Recommendation to approve the minutes for the City Council meetings held on Tuesday, November 9 and 16, 2010 and the City Council Special Meeting held Tuesday, November 9, 2010.
- A motion was made to approve recommendation on the Consent Calendar.**
8. 10-1306 Recommendation to refer to City Attorney damage claims received between November 8, 2010 and November 29, 2010.
- A motion was made to approve recommendation on the Consent Calendar.**
9. 10-1313 Recommendation that City Council receive and approve changes to department and commission Conflict of Interest Codes filed, in compliance with State law, as of October 1, 2010.

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

10. 10-1283 Recommendation to authorize City Manager, or designee, to execute an agreement and any necessary amendments between the City of Long Beach and Kaiser Foundation Hospitals to develop the Young Men of Strength: Building Community through Strength of Character curriculum in the amount of \$5,000 for the period of October 1, 2010 through September 30, 2011. (Citywide)

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

11. 10-1284 Recommendation to authorize City Manager, or designee, to execute an agreement and any necessary subsequent amendments between the City of Long Beach and Kaiser Foundation Hospitals to implement the Long Beach Diabetes Prevention, Detection, and Education Program in the amount of \$15,000 for the period of July 1, 2010 through June 30, 2011. (Citywide)

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

12. 10-1285 Recommendation to receive and file the application of Ashley's Bar & Grill LLC, dba Ashley's Bar & Grill, for a fiduciary transfer of an Alcoholic Beverage Control License, at 1731 East 4th Street, with existing conditions. (District 2)

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

13. 10-1286 Recommendation to receive and file the application of Eat Drink & Be Merry Incorporated, dba Number Nine, for a stock transfer of an Alcoholic Beverage Control License, at 2118 East 4th Street, with existing conditions. (District 2)

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

14. 10-1287 Recommendation to receive and file the application of Barjr Incorporated, dba Quinns Irish Pub & Grill, for a person-to-person transfer of an Alcoholic Beverage Control License, at 200 Nieto Avenue Suite A, with existing conditions. (District 3)

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

15. 10-1288 Recommendation to receive and file the application of S C Fish Grille

Limited, dba Khourys Restaurant, for a fiduciary transfer of an Alcoholic Beverage Control License, at 110 North Marina Drive, with existing conditions. (District 3)

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

16. 10-1289 Recommendation to receive and file the application of Ruth Hildegard Stevens, dba Rick & Brians Cafe, for a person-to-person transfer of an Alcoholic Beverage Control License, at 632 Redondo Avenue, with existing conditions. (District 3)

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

17. 10-1290 Recommendation to request City Manager, or designee, to accept two easement deeds for additional sidewalk widths adjacent to bus stops at 602 East Anaheim Street and 5000 Long Beach Boulevard. (Districts 6,8)

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

18. 10-1301 Recommendation to receive and file minutes for:
Civil Service Commission - November 3 and 10, 2010.
Cultural Heritage Commission - October 11, 2010.
Parks and Recreation Commission - October 21, 2010.
Planning Commission - October 21, 2010.

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

REGULAR AGENDA (6:17 PM)

19. 10-1314 Recommendation to adopt Resolution, Articles of Incorporation, Bylaws, and Agreement for Services in support of formation of the Pacific Gateway Partnership, Inc. (Partnership), a California non-profit corporation, for purposes of enhancing Workforce Investment strategies that support the development needs of residents and businesses; and approve execution of all other necessary documents in the formation of the Corporation. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-10-0144. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

Enactment No: RES-10-0144

20. 10-1315 Recommendation to request City Attorney to prepare an amendment to the Council Rules contained in the Long Beach Municipal Code to require a fiscal impact statement for items agendized by City Council.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Vice Mayor Lowenthal spoke.

Harvey Cochran spoke.

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

Yes: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson and Neal

No: 1 - Gabelich

Absent: 1 - Schipske

21. 10-1316 Recommendation to request City Attorney to prepare an amendment to the Council Rules contained in the Long Beach Municipal Code to allow all committee members to add items to committee agendas for consideration before their committees.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Harvey Cochran spoke.

Councilmember Neal spoke.

Vice Mayor Lowenthal spoke.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Councilman Andrews spoke.

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

Yes: 6 - Garcia, Lowenthal, O'Donnell, Johnson, Gabelich and Neal

No: 2 - DeLong and Andrews

Absent: 1 - Schipske

22. 10-1317

Recommendation to request City Attorney and City Manager to draft language for consideration of Los Angeles County's Final Environmental Impact Report entitled, "*Proposed Ordinances to Ban Plastic Carryout Bags in Los Angeles County*,"

Request City Attorney and City Manager to draft an ordinance duplicating Los Angeles County's adopted ordinance for unincorporated cities, and closely resembling AB 1998 (Brownley) which includes, but is not limited to, the following elements:

- Bans plastic carryout bags at all supermarkets and other grocery stores, convenience stores, food marts, pharmacies and drug stores, while requiring stores that provide recyclable paper carryout bags to impose a charge of ten (10) cents to a customer to cover reasonable costs associated with the ordinance.
- Paper bags must be made from a minimum of 40% post-consumer, recycled content.
- An exemption for those customers who are participating either in the California Supplemental Food Program for Women, Infants and Children or the Supplemental Food Program.
- A start date for compliance with the ordinance of July 1, 2011 for larger stores (as defined in the County's ordinance) and January 1, 2012 for all others, allowing the City of Long Beach and stores an opportunity to provide employee training and

outreach;

Request City Manager to develop a public education campaign (website and hotline) for affected businesses to receive information about the ordinance and residents to learn about the benefits of a ban to a coastal city such as Long Beach and report violations; and

Request City Manager to develop, and the ordinance include a monitoring and compliance process that uses existing health or environmental related monitoring activities of the affected stores.

Vice Mayor Lowenthal spoke.

Motion: Approve recommendation.
Moved by Lowenthal, seconded by Garcia.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Kobe Sky, representing Los Angeles County, spoke.

Councilwoman Gabelich spoke.

Ben Rockwell spoke.

Charles Moore spoke.

Gabrielle Weeks spoke.

Dorothy Kimen spoke.

Kirsten James spoke.

Rick Eiden spoke.

Barbara Long spoke.

Shamus Innis spoke.

Beth Barnes spoke.

Gary Levy spoke.

Harvey Cochran spoke.

Linda Wilson spoke.

Stephanie Barker spoke.

Thomas Marchese spoke.

Councilmember Neal spoke.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

Vice Mayor Lowenthal spoke.

Motion: Substitute motion to approve recommendation, with a modification for a five-cent charge for six months and an increase to ten cents after six months.

Moved by Neal, seconded by Gabelich.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

A second substitute motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation, with a change of the initial implementation date to August 1, 2011. The motion failed by the following vote:

Yes: 6 - Garcia, Lowenthal, DeLong, O'Donnell, Johnson and Neal

No: 2 - Andrews and Gabelich

Absent: 1 - Schipske

23. 10-1309

Recommendation to adopt resolution declaring results of the Special Municipal Election held on November 2, 2010. (Citywide)

A motion was made by Councilmember Neal, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-10-0145. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

Enactment No: RES-10-0145

24. 10-1308

Recommendation to authorize City Manager to execute a contract with FIS, also known as Metavante Corporation and Link2Gov, to provide credit card processing services for City services for a period of three years 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 Neal, seconded by Councilwoman Gabelich, to approve recommendation. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

25. 10-1293

Recommendation to adopt resolution authorizing City Manager to execute a contract and any amendments thereto with Los Angeles Truck Centers, LLC, dba Los Angeles Freightliner Western Star of Whittier, CA (not an MBE, WBE, SBE or Local), for the purchase of two liquefied natural gas (LNG) powered Versalift large aerial trucks per quotes dated July 21, 2010, on the same terms and conditions afforded to the City of Glendale Request for Quote (RFQ) #4000001088 and the City of Los Angeles RFQ #1992, in a total amount not to exceed \$541,154 including tax. (Citywide)

A motion was made by Councilwoman Gabelich, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-10-0146. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

Enactment No: RES-10-0146

26. 10-1294

Recommendation to authorize City Manager to execute a

Memorandum of Understanding (MOU) with Long Beach Transit (LBT) to reimburse the City for the purchase of a refuse vehicle to be used to service litter containers at bus stops; and

Adopt resolution authorizing City Manager to execute a contract and any amendments thereto with Los Angeles Truck Centers, LLC, dba Los Angeles Freightliner Western Star of Whittier, CA (not an MBE, WBE, SBE or Local), for the purchase of one liquefied natural gas (LNG) powered side-loader refuse truck per quote dated September 14, 2010, on the same terms and conditions afforded to the State of California, Department of Transportation (Cal-Trans), Solicitation No. 5439, in a total amount not to exceed \$245,435 including tax. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-10-0147. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

Enactment No: RES-10-0147

27. 10-1295

Recommendation to authorize City Manager to execute all necessary documents, between the City of Long Beach and the State Department of Health Services for funding the provision of HIV/AIDS preventive health services for an amount not to exceed \$4,219,218 for a period of three years, to be appropriated on an annual basis in the Health Fund (SR 130) and the Department of Health and Human Services (HE). (Citywide)

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

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

28. 10-1296

Recommendation to adopt Plans and Specifications No. R-6858 for the North Air Carrier Ramp Reconstruction at the Long Beach Airport; and authorize City Manager to award a contract and execute any and all necessary documents with Palp, Inc., dba Excel Paving Company, in an estimated amount of \$3,983,405, plus a twenty-five percent contingency amount of \$995,851, if necessary, totaling \$4,979,256, and any amendments thereto except for an increase in the total authorization.

(District 5)

Councilwoman Gabelich spoke.

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

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

29. 10-1297 Recommendation to authorize City Manager to execute the 10th Amendment to the Long Beach Harbor Tidelands Parcel and Parcel "A" Oil Contract with the California State Lands Commission, allowing for drilling of oil production wells from subject lands into adjacent West Wilmington oil producing areas. (District 2)

Councilmember O'Donnell 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, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

NEW BUSINESS (6:12 PM)

30. 10-1322 Recommendation to respectfully request City Council to receive and file the Cambodia Water Festival Disaster and adopt a motion encouraging residents to support the Long Beach Chapter of People to People International Disaster Relief in support of the disaster victims.

Councilman Andrews spoke.

Representative from the Cambodian community spoke.

Councilmember O'Donnell spoke.

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

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

- 31. 10-1323** Recommendation to authorize City Attorney to pay the sum of \$11,130 in full settlement of a claim by Avalon Boat and Yacht Sales.

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

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

- 32. 10-1291** Recommendation to receive and file the Fiscal Year 2010 Year-End Budget Performance Report; and

Increase appropriations in the Gas Prepay fund (EF 303) in the Department of Long Beach Gas and Oil by \$57,925,000 and in the Tidelands Oil Revenue Fund (NX 420) in the Department of Long Beach Gas and Oil by \$36,256,283 to reflect actual year-end performance. (Citywide)

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Councilman Andrews spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

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

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

33. Affidavits of Service for the special meetings held Tuesday, December 7, 2010.

34. 10-1334 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, December 3, 2010.

This Agenda Item was received and filed.

ANNOUNCEMENTS (8:23 PM)

Vice Mayor Lowenthal requested that the meeting be adjourned in memory of Don Foltz, Joe Cerrell, Jack Kaiser, and Kevin Ketchum.

Councilman Andrews made community announcements.

Councilmember O'Donnell made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Johnson made community announcements.

Vice Mayor Lowenthal made community announcements.

ADJOURNMENT (8:33 PM)

At 8:33 PM, Vice Mayor Lowenthal adjourned the meeting in memory of Don Foltz, Joe Cerrell, Jack Kaiser, and Kevin Ketchum.

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



Gerrie Schipske, 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Rae Gabelich, 8th District
Steven Neal, 9th District

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

Bob Foster, Mayor

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 the order presented, with the exception of Agenda Item No. 19 that was considered prior to Hearing No. 1, and Agenda Item Nos. 16 and 15 that were considered immediately following Hearing No. 1.

ROLL CALL (5:13 PM)

Councilmembers Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews,
Present: Johnson, Gabelich and Neal

Also present: Patrick H. West, City Manager; Reginald Harrison, Deputy City Manager; Robert Shannon, City Attorney; Michael Mais, Assistant City Attorney; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Vice Mayor Lowenthal presiding.

Invocation: Moment of Silence.

Flag Salute: James Johnson, Councilmember, Seventh District.

Vice Mayor Lowenthal announced that Agenda Item No. 19 would be considered prior to the hearings.

HEARINGS (5:26 PM)

1. 10-1280 Recommendation to receive supporting documentation into the record, conclude the hearing, and declare ordinance relating to the extension of the temporary limitation (moratorium) on the issuance of permits for the installation, modification or relocation of wireless telecommunications facilities in the Residential and Institutional zones of the City; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read, adopted as read and laid over to the next regular

meeting of the City Council for final reading. (Citywide)

Michael Mais, Assistant City Attorney, spoke.

Creeseey James, AT&T representative, spoke.

Scott Longhurst, California Wireless Association representative, spoke.

Paul O'Boyle, attorney for NexG Networks, spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

A motion was made by Councilmember Johnson, seconded by Councilman Andrews, to declare emergency Ordinance No. ORD-10-0038 relating to the extension of the temporary limitation (moratorium) on the issuance of permits for the installation, modification or relocation of wireless telecommunications facilities in the Residential and Institutional zones of the City, read, adopted as read, and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

Enactment No: ORD-10-0038

2. 10-1349

Recommendation to receive supporting documentation into the record, conclude the hearing, and declare ordinance amending the Long Beach Municipal Code by amending and restating Chapter 5.87 relating to Medical Marijuana Collectives read the first time and laid over to the next regular meeting of the City Council for final reading; and

Michael Mais, Assistant City Attorney, spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Motion: Substitute motion to approve the recommendation, with the addition of a 60-day relocation provision and a cap of two collectives per district.

Moved by Johnson, motion failed due to lack of second.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Madeline Johnson spoke.

Tracey Hodges spoke.

Diana Lejins spoke.

Christina Roberts spoke.

Richard Eastman spoke.

Sheri Cicard spoke.

David Zink spoke.

Rick Brisidine spoke.

Sierra Serhan spoke.

Raymond Diaz spoke.

Linda Wilson spoke.

Larry Nokes spoke.

Armando Gonzalez spoke.

Carl Kemp spoke.

Steve Baker spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Vice Mayor Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilman Andrews spoke.

Michael Mais, Assistant City Attorney, spoke.

Vice Mayor Lowenthal spoke.

A second substitute motion was made by Councilmember Johnson, seconded by Councilmember O'Donnell, to approve recommendation, with a cap of two dispensaries per district, the elimination of all beaches from the parks buffer sites definition, and the correction of site inspection hours to correspond with operating hours. The motion failed by the following vote:

Yes: 2 - O'Donnell and Johnson

No: 7 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Gabelich and Neal

Councilmember DeLong spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Councilmember Neal spoke.

A substitute motion was made by Councilmember Neal, seconded by Councilwoman Gabelich, to approve recommendation, with the elimination of all beaches from the park buffer sites definition, and the addition of a 60-day relocation provision. The motion carried by the following vote:

Yes: 5 - Garcia, Schipske, Andrews, Gabelich and Neal

No: 4 - Lowenthal, DeLong, O'Donnell and Johnson

Note: Action on the moratorium ordinance (File ID 10-1350) was considered at this time.

A motion was made by Councilwoman Schipske, seconded by Councilmember Johnson, to reconsider the vote on the substitute motion. The motion carried by the following vote:

Yes: 6 - Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Johnson

No: 3 - Garcia, Gabelich and Neal

A substitute motion was made by Councilmember Neal, seconded by Councilwoman Gabelich, to approve recommendation, with the elimination of all beaches from the park buffer sites definition, and the addition of a 60-day relocation provision. The motion carried by the following vote:

Yes: 4 - Garcia, Lowenthal, Andrews and Gabelich

No: 5 - DeLong, O'Donnell, Schipske, Johnson and Neal

Councilwoman Gabelich spoke.

A main motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading, with the elimination of all beaches from the park buffer sites definition, and a correction to the site inspection hours to correspond with the operating hours. The motion carried by the following vote:

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

No: 3 - Andrews, Johnson and Gabelich

10-1350

Declare ordinance establishing a temporary moratorium on the issuance of permits, entitlements, licenses, and approvals regarding medical marijuana collectives; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read, adopted as read and

laid over to the next regular meeting of the City Council for final reading.
(Citywide)

A motion was made by Councilwoman Gabelich, seconded by Councilmember Garcia, to declare emergency to exist. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to declare emergency Ordinance No. ORD-10-0039 establishing a temporary moratorium on the issuance of permits, entitlements, licenses, and approvals regarding medical marijuana collectives read, adopted as read and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Enactment No: ORD-10-0039

3. 10-0840 Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution making certain findings for an Owner Participation Agreement with Lester Box, Inc., for the development of 1463 Cota Avenue. (District 1)

A motion was made by Councilmember Garcia, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-10-0148. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

Enactment No: RES-10-0148

4. 10-1324 Recommendation to receive supporting documentation into the record, conclude the hearing, and grant the Permit with conditions on the application of Ashley's Bar & Grill LLC, dba Ashley's Bar & Grill, 1731 E. 4th Street, for Entertainment Without Dancing by Patrons at an existing Restaurant. (District 2)

Vice Mayor Lowenthal spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to approve recommendation to grant a Permit with conditions. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Schipske

5. 10-1325 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 Club Investment LP, dba Ice Bar, 49 South Pine Avenue, for Entertainment With Dancing by Patrons at an existing Restaurant. (District 2)

Vice Mayor Lowenthal spoke.

Harvey Cochran spoke.

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

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 1 - Andrews

PUBLIC COMMENT (8:24 PM)

Havey Cochran spoke regarding a variety of issues.

David Zink spoke regarding corrupt war on drugs.

Jessica Quintana spoke regarding community benefits.

Councilmember Neal spoke.

Elda Verdugo spoke regarding poverty.

Delores Navarro spoke regarding poverty.

Michael Lozano spoke regarding the agenda and poverty.

Rev. Joshua Ebener spoke regarding poverty.

Teresa Lozano spoke regarding emotional distress in family due to poverty.

CONSENT CALENDAR (8:52 PM)

Passed The Consent Calendar

A motion was made by Councilmember Garcia, seconded by Councilmember DeLong, to approve Consent Calendar Items 6 - 14. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

6. 10-1345 Recommendation to authorize City Manager to execute a 14th amendment to the agreement with The Law Offices of M. Brian McMahon, in the matter entitled Long Beach Oil Development Company vs. City of Long Beach, Case No. CV 03-6655; and Long Beach Oil Development Company vs. City of Long Beach, Case No. BC 375503.
A motion was made to approve recommendation on the Consent Calendar.
7. 10-1347 Recommendation to refer to City Attorney damage claims received between November 29, 2010 and December 6, 2010.
A motion was made to approve recommendation on the Consent Calendar.
8. 10-1348 Recommendation to adopt the revisions to the Financial Management Department Business Services Division Records Retention Titles (as shown in Exhibit A), and rescind the previously applicable Records Retention Titles.
A motion was made to approve recommendation on the Consent Calendar.
9. 10-1326 Recommendation to receive and file annual reports on Community Facilities District No. 2007-1 - Douglas Park Commercial Area (CFD No. 2007-1); Community Facilities District No. 2007-2 - Belmont Shore (CFD No. 2007-2); Community Facilities District No. 5 - Long Beach Towne Center (CFD No. 5); and Community Facilities District No. 6 - Pike Public Improvements (CFD No. 6); to comply with the Local

Agency Special Tax Bond and Accountability Act. (Districts 2,3,5)

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

10. 10-1327 Recommendation to authorize City Manager to execute a First Amendment to Agreement No. 30622 with Totum Corporation of Long Beach, CA, for as-needed materials testing and inspection, and construction management service for infrastructure and facility projects to extend the term of the agreement to December 31, 2011. (Citywide)

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

11. 10-1328 Recommendation to find that all requirements of the final subdivision map for construction of a 291 residential unit mixed-use development have been satisfied and approve the final map for Tract No. 66301 located north of Broadway and east of Magnolia Avenue. (District 1)

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

12. 10-1329 Recommendation to declare the west 40 feet of Lot 8 in Block 7 of Tract No. 9686 in the City of Long Beach as surplus; and authorize City Manager to execute any and all documents necessary for the sale of the property to Ramon and Imelda Orozco for \$9,000. (District 7)

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

13. 10-1330 Recommendation to authorize City Manager to accept fee title and execute all necessary documents to transfer title to 1195 East 15th Street, 998 East Pacific Coast Highway, and 1501 East Anaheim Street from the Redevelopment Agency of the City of Long Beach for permanent parkland. (District 6)

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

14. 10-1346 Recommendation to receive and file minutes for:
Civil Service Commission - November 17, 2010.

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

REGULAR AGENDA (7:40 PM)

15. 10-1342 Recommendation to request City Manager to report to City Council in 30 days the feasibility, costs and benefit analysis of eliminating the bicycle

registration requirement and instead moving towards a voluntary registration program.

Councilmember Garcia spoke.

Josh Cole spoke.

Jim Clemson spoke.

Mark Bixby spoke.

Diana Lejins spoke.

Harvey Cochran spoke.

Ronald Zanlan spoke.

Tony Cruz spoke.

David Zinc spoke.

Sierra Went spoke.

Councilmember Garcia spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Vice Mayor Lowenthal spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

16. 10-1343

Recommendation to respectfully request that City Attorney draft a resolution for City Council's consideration that would recognize the various provisions of the Long Beach Municipal Code that regulate the illegal conversion of garages as the "**Aviles Law**." The Aviles Law will serve to educate the public and reinforce the dangers of these illegal, unpermitted and dangerous conversions; and request that City Council refer the Aviles Law to the State Legislation Committee for consideration for a resolution.

Distributed at the meeting: PowerPoint presentations (2) regarding the December 2007 fire.

Councilman Andrews spoke.

Pat Willis, Long Beach Fire Department Arson Unit, provided a PowerPoint presentation.

Councilman Andrews spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Vice Mayor Lowenthal spoke.

Councilmember Neal spoke.

Peter Rosenwal spoke.

Diana Lejins spoke.

Patrick West, City Manager, spoke.

Harvey Cochran spoke.

Trane Trong spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

17. 10-1353

Recommendation to request City Manager to prepare a long-term capital improvement plan to be included with the Fiscal Year 2012 Budget.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Harvey Cochran spoke.

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

18. 10-1352 Recommendation to respectfully request City Manager to conduct a study session on a Long Beach Jobs Strategy to discuss information including, but not limited to, employment trends, business environment, and workforce retention.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

19. 10-1354 Recommendation to receive and file Walmart "Good Neighbor" donation.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilman Andrews spoke.

Ben Rockwell spoke.

Harvey Cochran spoke.

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

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 1 - Andrews

20. 10-1356 Recommendation to request to rescind City Council action taken on November 9, 2010, to receive and file an original Alcoholic Beverage Control License for Beachwood BBQ, 210 E. 3rd Street, with conditions; and

Request to receive and file the application with revised Alcoholic Beverage Control License conditions for Beachwood BBQ as follows:

1. Trash shall not be emptied between the hours of 10:00 p.m. and 7:00 a.m.
2. The petitioner shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.

Councilmember O'Donnell spoke.

Lena Pearlman spoke.

Councilmember Garcia spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Garcia, to approve recommendation to rescind City Council action taken on November 9, 2010. The motion carried by the following vote:

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

Absent: 2 - DeLong and Neal

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Garcia, to approve recommendation to receive and file application with revised conditions. The motion carried by the following vote:

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

Absent: 2 - DeLong and Neal

21. 10-1331 Recommendation to authorize City Manager to execute all documents necessary to accept and expend the Transit Oriented Development funds and Infill Infrastructure Grant funds awarded by the State of California for the proposed development at 1235 Long Beach Boulevard. (District 1)

Distributed at the meeting: PowerPoint presentation from Development

Services Department.

Councilmember Johnson spoke.

Harvey Cochran spoke.

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

22. 10-1332 Recommendation to receive and file the Investment Report for Quarter Ending September 30, 2010. (Citywide)

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

Yes: 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - DeLong and Andrews

23. 10-1333 Recommendation to adopt the annual Statement of Investment Policy for Calendar Year 2011 pursuant to Section 53646 (a) of the State of California Government Code. (Citywide)

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

24. 10-1336 Recommendation to adopt resolution authorizing City Manager to execute a contract with Enterprise Rent-A-Car Company of Los Angeles, LLC, dba Enterprise Fleet Management of Los Angeles, CA (not an MBE, WBE, SBE or Local), for the lease of 13 police vehicles per the quote dated October 22, 2010, on the same terms and conditions afforded to the City of Santa Ana, Specification Nos. 02-076 and 08-074, in an amount not to exceed \$57,500 annually including tax and fees for a four-year lease period, plus a \$27,500 annual contingency, if necessary and if funds are available with an option to lease up to six additional units, pursuant to City Manager approval. (Citywide)

A motion was made by Councilwoman Gabelich, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-10-0149. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

Enactment No: RES-10-0149

25. 10-1185

Recommendation to adopt Plans and Specifications No. R-6874 for the construction of Phase I Improvements to the Terminal Area at the Long Beach Airport; and authorize City Manager to award a contract and execute any and all necessary documents with Edge Development, Inc., in an estimated amount of \$24,757,741, plus a fifteen percent contingency amount of \$3,713,661, if necessary, totaling \$28,471,402, and any amendments thereto except for an increase in the total authorization. (District 5)

Distributed at the meeting: PowerPoint presentation entitled, Construction Authorization: Phase I Terminal Improvements.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

26. 10-1337

Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for the First Amendment to the October 2010 Supplemental Agreement to Management Agreement No. 21667 with SMG, formerly known as Spectacor Management Group, for the completion of certain capital improvement projects at the Long

Beach Convention and Entertainment Center located at 300 East Ocean Boulevard. (District 2)

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

27. 10-1340 Recommendation to adopt resolution ordering the summary vacation of Cowles, 14th, 15th, and 16th Streets, all located east of San Francisco Avenue. (District 1)

A motion was made by Councilmember Garcia, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-10-0150. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

Enactment No: RES-10-0150

28. 10-1338 Recommendation to adopt Plans and Specifications No. R-6867 for the Bluff Erosion Control Improvement at 5th Place, award the project to and authorize City Manager to execute the contract with G. B. Cooke, Inc., in an estimated amount of \$276,103, plus a 15 percent contingency amount of \$41,415, if necessary, for a total of \$317,518 and any amendments thereto. (District 2)

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

Yes: 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - DeLong and Andrews

29. 10-1339 Recommendation to adopt Plans and Specifications No. R-6668 for the Bluff Erosion Control Improvement at 7th Place, award the project to and authorize City Manager to execute the contract with G. B. Cooke, Inc., in an estimated amount of \$301,070, plus a 15 percent contingency amount of \$45,161, if necessary, for a total of \$346,231 and any amendments thereto. (District 2)

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

Yes: 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - DeLong and Andrews

- 30. 10-1341** Recommendation to adopt resolution to participate in the Western States Contracting Alliance Participating Addendum (State of California Master Service Agreement No. 7-10-70-15) with Sprint Nextel to provide cellular telephone and Blackberry services; and authorize City Manager to execute a new agreement with Sprint Nextel. (Citywide)

A motion was made by Councilwoman Gabelich, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-10-0151. The motion carried by the following vote:

Yes: 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - DeLong and Andrews

Enactment No: RES-10-0151

ORDINANCES (9:32 PM)

- 31. 10-1344** Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 18.24 relating to a Foreclosure Registry Program read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Councilmember Neal spoke.

Councilmember Johnson spoke.

Raul Anorve spoke.

A motion was made by Councilmember Neal, seconded by Councilwoman Schipske, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading, with adjustment of the sign size to 8-1/2 X 11. The motion carried by the following vote:

Yes: 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - DeLong and Andrews

32. 10-1305 Recommendation to declare an interim ordinance amending Ordinance No. ORD-09-0035 relating to the extension of the temporary limitation (moratorium) on the approval of permits for billboards, supergraphic signs and the conversion of existing billboard/sign displays into electronic or digital billboards; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-10-0037) (Citywide)

Councilwoman Gabelich spoke.

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, to declare emergency Ordinance No. ORD-10-0037 read and adopted as read. The motion carried by the following vote:

Yes: 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - DeLong and Andrews

Enactment No: ORD-10-0037

33. 10-1282 Recommendation to declare ordinance creating The Toledo Underground Utility District pursuant to Long Beach Municipal Code Chapter 15.48, read and adopted as read. (District 3)

A motion was made by Councilwoman Gabelich, seconded by Councilmember Garcia, to approve recommendation and adopt Ordinance No. ORD-10-0040. The motion carried by the following vote:

Yes: 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - DeLong and Andrews

Enactment No: ORD-10-0040

NEW BUSINESS (9:42 PM)

34. 10-1355 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 December 21, 2010.

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

Yes: 6 - Garcia, Lowenthal, Schipske, Johnson, Gabelich and Neal

No: 1 - O'Donnell

Absent: 2 - DeLong and Andrews

35. 10-1303 Recommendation to City Council to concur in recommendation of the Economic Development and Finance Committee to approve a resolution in support of "Business Friendly Principles" as part of the Southern California Association of Government's (SCAG's) development of a Southern California Economic Growth Strategy and forward a copy of the resolution to SCAG.

Councilmember Neal spoke.

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

Yes: 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - DeLong and Andrews

36. Affidavit of Service for the special meeting held Tuesday, December 14, 2010.

37. 10-1360 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, December 10, 2010.

This Agenda Item was received and filed.

ANNOUNCEMENTS (9:44 PM)

Councilwoman Gabelich made community announcements.

Councilmember Johnson made community announcements.

Councilmember Garcia made community announcements.

Councilmember O'Donnell made community announcements.

Councilman Andrews made community announcements.

Councilmember Neal made community announcements.

Vice Mayor Lowenthal made community announcements.

PUBLIC (9:52 PM)

Jill Amarrato spoke regarding parking on the peninsula.

ADJOURNMENT (9:56 PM)

At 9:56 PM, Vice Mayor Lowenthal adjourned the meeting.

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