

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



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

Bob Foster, Mayor

Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, Vice Mayor, 9th District

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINUTES

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

Agenda Items for this meeting were considered in the order presented.

Heather Mahood, Chief Assistant City Attorney, announced that the City Council in Closed Session voted unanimously to wave the 90-day notice requirement for termination of the City's contract with Police Chief Anthony Batts.

ROLL CALL (5:32 PM)

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

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Heather Mahood, Chief Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Vice Mayor Lerch presiding.

Invocation: Moment of Silence.

Flag Salute: Gary DeLong, Councilmember, Third District.

Kathy Schofield, spcaLA, presented a canine.

PUBLIC COMMENT (5:35 PM)

[09-0867](#) George Burden spoke regarding Boeing Aircraft rally and submitted a flyer regarding the event.

This Handout was received and filed.

[09-0868](#) Ben Rockwell spoke regarding graffiti and submitted documentation.

This Handout was received and filed.

Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Pat West, City Manger, spoke.

Mike Ruehle spoke regarding drawings.

Councilmember DeLong spoke.

Pat West, City Manager, spoke.

Pastor Garon Harden spoke regarding no-parking on Artesia Boulevard.

[09-0869](#) Kate Karp spoke regarding the homeless man beaten recently and submitted a flyer.

This Handout was received and filed.

Vinson Boyce spoke regarding Long Beach Bible College parking and graffiti cleanup.

Raymond Porter spoke regarding parking on Artesia Boulevard between Atlantic and Butler.

Larry Boland spoke regarding Fire Department responses.

Councilwoman Schipske spoke.

Tom Stout spoke regarding pensions.

Dr. Lydia Hollie spoke regarding the Greater Open Door church and parking.

Vice Mayor Lerch spoke.

CONSENT CALENDAR (6:06 PM)

Passed The Consent Calendar

A motion was made by Councilman Andrews, seconded by Councilwoman Schipske, to approve Consent Calendar Items 1 - 8, except for Item 6. The motion carried by the following vote:

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

1. [09-0837](#) Recommendation to approve the City Council and Budget Workshop minutes for the meetings held Tuesday, August 4, 2009.
A motion was made to approve recommendation on the Consent Calendar.
2. [09-0838](#) Recommendation to refer to City Attorney damage claims received between August 3, 2009 and August 10, 2009.
A motion was made to approve recommendation on the Consent Calendar.
3. [09-0857](#) Recommendation to approve the destruction of records for Financial Management Department Commercial Services Bureau, Purchasing Division, Administrative Services Division and Accounting Operations Division as shown in Exhibit A; and adopt resolution.
A motion was made to approve recommendation and adopt Resolution No. RES-09-0082 on the Consent Calendar.
Enactment No: RES-09-0082
4. [09-0839](#) Recommendation to authorize City Manager to execute any and all documents necessary for a Revocable Facility Use Permit with the Antioch Church of Long Beach for the use of the City-owned parking lot located at 1401 East Anaheim Street, also known as the Mark Twain Library, on a month-to-month basis at the initial monthly rental rate of \$250. (District 6)
A motion was made to approve recommendation on the Consent Calendar.
5. [09-0840](#) Recommendation to adopt resolution certifying the 2008-2009 Local Development Report and its conformance with the State-Mandated Congestion Management Program. (Citywide)
A motion was made to approve recommendation and adopt Resolution No. RES-09-0083 on the Consent Calendar.
Enactment No: RES-09-0083
- [see media](#)
6. [09-0841](#) Recommendation to authorize City Manager to execute any and all documents necessary for the fifth amendment to extend Contract No. 20610 with Southern California Edison (SCE) by three months to July 31, 2010, for continued manual meter-reading, and with provisions to allow for a smooth transition to a new meter-reading vendor, in an estimated amount not to exceed \$60,000. (Citywide)

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Harvey Cochran spoke.

A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, 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. [09-0842](#) Recommendation to refer the Comprehensive Annual Financial Report (CAFR), Separately Issued Financial Statements and the Federal Single Audit for the Fiscal Year Ended September 30, 2008 to the Budget Oversight Committee. (Citywide)

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

8. [09-0843](#) Recommendation to receive and file the application of Grog Liquor Incorporated, dba Grog Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2628 East South Street, with existing conditions. (District 8)

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

UNFINISHED BUSINESS (6:15 PM)

[see media](#)

25. [09-0813](#) Recommendation to receive and file the application of Oscar Olaf Cuellar, dba El Picosito Restaurant, for an original Alcoholic Beverage Control License, at 5140 Long Beach Boulevard, with conditions. (District 8)

Councilwoman Gabelich spoke.

A motion was made by Councilwoman Gabelich, seconded by Councilman Andrews, hat a protest be filed with ABC Department based on high crime, residences within 100 feet, and a school within 600 feet. The motion carried by the following vote:

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

No: 1 - Garcia

REGULAR AGENDA (6:17 PM)

[see media](#)

9. [09-0844](#) Recommendation to request City Manager work with the employee unions to investigate the feasibility and benefits of implementing an additional Pension option for City employees and report to City Council within 30 days.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Harvey Cochran spoke.

Larry Boland spoke.

Larry Goodhue spoke.

Kathy Ryan spoke.

Tom Stout spoke.

Vice Mayor Lerch spoke.

Kristen Drolin spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilman Andrews spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation to request City Manager and City Attorney to: [1] investigate the feasibility and benefits of implementing an additional pension option for City employees; [2] provide a review of the City pension plan as it existed prior to its modification in 2002; and [3] report to City Council within 60 days by way of a City Council study session. The motion carried by the following vote:

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

Absent: 1 - Reyes Uranga

[see media](#)

10. [09-0858](#)

Recommendation to respectfully request City Manager to examine methods that would increase parking spaces on E. 20th Street between Orange Avenue and Walnut Avenue; and request City Manager to seek community input in developing a solution to parking impact and consider diagonal parking in this neighborhood on E. 20th Street.

Councilman Andrews spoke.

Harvey Cochran spoke.

A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, 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

[see media](#)

11. [09-0845](#)

Recommendation to authorize City Manager to increase appropriations in the Tidelands Operating Fund (TF) in the Department of Community Development (CD) by \$3,232,977 and decrease appropriations in the Capital Projects Fund (CP) by \$3,142,976 and Tidelands Operating Fund (TF) by \$30,000 in the Department of Parks, Recreation and Marine (PRM) in order to commence construction of the Colorado Lagoon Restoration Project. (District 3)

Larry Goodhue spoke.

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

[see media](#)

12. [09-0671](#)

Recommendation to adopt resolution authorizing City Manager to execute an agreement with the Conservation Corps of Long Beach to provide landscape and building maintenance, moving services and related tasks as a component of their job skills training and environmental education program, from May 1, 2009 to May 1, 2010, with the option to renew for two one-year renewals periods on a cost reimbursement basis in an estimated annual amount not to exceed \$250,000, with the option of adding expenditures up to 10 percent (or \$25,000) above the annual contract amount, if necessary and if funds are available. (Citywide)

Pat West, City Manager, spoke.

A motion was made by Councilman Andrews, seconded by Councilwoman Schipske, to approve recommendation and adopt Resolution No. RES-09-0084. The motion carried by the following vote:

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

Absent: 2 - Reyes Uranga and Gabelich

Enactment No: RES-09-0084

[see media](#)

13. [09-0846](#)

Recommendation to adopt Specifications No. PA-01509 and award a contract to Ferguson Enterprises Inc., for furnishing and delivering plumbing supplies, in the annual contract amount of \$452,000 for the period commencing September 1, 2009, with the option of renewing for one additional one-year period, at the discretion of the City Manager with the option to add expenditures up to 10 percent (or \$45,200) above the contract amount, if necessary and if funds are available. (Citywide)

A motion was made by Councilmember O'Donnell, 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

[see media](#)

14. [09-0847](#) Recommendation to approve the Fiscal Year 2009 third quarter departmental and fund budget appropriation adjustments in accordance with existing City Council policy. (Citywide)

Councilwoman Gabelich spoke.

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

[see media](#)

15. [09-0848](#) Recommendation to adopt Specifications No. RFP FD 09-041 authorizing City Manager to execute a contract and any amendments thereto with Focus Communications, Inc. dba Vislink Services to purchase, deliver and install a regional public safety microwave network, at a cost of \$499,100, with the option of adding expenditures up to 10 percent (or \$49,910) above the contract amount, if necessary and if funds are available. (Citywide)

Al Pfeltz spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, 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

16. 09-0849 WITHDRAWN
~~Recommendation to receive and file a presentation from the Long Beach Airport regarding Capital Improvement Program status. (District 5)~~

This Agenda Item was withdrawn.

17. 09-0850 WITHDRAWN
~~Recommendation to receive and file the status update regarding the Long Beach Airport QuieterHome® Program and adopt the 2008 65 dB-CNEL Airport noise contour for purposes of the Long Beach Airport QuieterHome® Program. (Districts 4,5)~~

This Agenda Item was withdrawn.

[see media](#)

18. [09-0851](#) Recommendation to adopt Plans and Specifications No. R-6770 for the construction of airfield signage replacement at the Long Beach Airport; and authorize City Manager to execute a contract with RB Development, the lowest responsible bidder, in an estimated amount of \$808,650, plus a 25 percent contingency amount of \$202,162, if necessary. (District 5)
Councilwoman Gabelich spoke.

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, 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

[see media](#)

19. [09-0852](#) Recommendation to receive and file the application of Mac & Aly Properties LLC, dba The Atlantic, for an original Alcoholic Beverage Control License, at 601 East Broadway, with conditions. (District 2)

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

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

Absent: 1 - Reyes Uranga

[see media](#)

20. [09-0853](#) Recommendation to receive and file the application of Donna Renee Lozano and Francisco Lozano, dba Brulee Cafe and Bakery, for an original Alcoholic Beverage Control License, at 6204 East Pacific Coast Highway, with conditions. (District 3)

Councilmember DeLong submitted conditions for the ABC license.

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

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

Absent: 1 - Reyes Uranga

[see media](#)

21. [09-0854](#)

Recommendation to authorize City Manager to execute a Memorandum of Understanding (MOU) with California State University Long Beach (CSULB) and take any actions necessary to its implementation regarding parking enforcement in the one-mile area surrounding CSULB. (Districts 3,4)

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: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

[see media](#)

22. [09-0855](#)

Recommendation to authorize City Manager to execute agreements for as-needed surveying services with Woolley & Associates, Hunsaker & Associates, and Harris & Associates, in an amount not to exceed \$1,500,000.00 per consultant, for a three-year term; and to execute amendments to the agreements relative to: extending the term for up to one additional three-year term, authorizing additional services, if required, with the provisions of the agreements, and adjusting the fee schedule of hourly rates for inflation as appropriate and if funds are available. (Citywide)

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Pat West, City Manager, spoke.

Vice Mayor Lerch spoke.

Harvey Cochran spoke.

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

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

No: 2 - Schipske and Lerch

Absent: 1 - Reyes Uranga

ORDINANCES (7:35 PM)

[see media](#)

23. [09-0859](#)

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Section 8.68.075, relating to smoking prohibited at bus stops read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Harvey Cochran spoke.

Steven Harrison spoke.

Councilmember Garcia spoke.

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

Yes: 6 - Garcia, Lowenthal, Schipske, Andrews, Gabelich and Lerch

Absent: 3 - DeLong, O'Donnell and Reyes Uranga

[see media](#)

24. [09-0860](#)

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Section 8.68.085, relating to smoking prohibited at farmers' markets read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Harvey Cochran spoke.

Steven Gallegos spoke.

Councilmember Garcia spoke.

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

Yes: 6 - Garcia, Lowenthal, Schipske, Andrews, Gabelich and Lerch

Absent: 3 - DeLong, O'Donnell and Reyes Uranga

NEW BUSINESS (7:46 pm)

- 25. Agenda Item No. 25 is listed under Unfinished Business.
- 26. Affidavits of Service for the special meetings held Tuesday, August 18, 2009.

ANNOUNCEMENTS (7:46 PM)

Councilman Andrews made community announcements.

Councilwoman Schipske made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Lowenthal made community announcements.

Vice Mayor Lerch made community announcements; and requested that the meeting be adjourned in memory of Elizabeth Torres.

PUBLIC (7:54 PM)

Harvey Cochran spoke regarding a book.

ADJOURNMENT (7:55 PM)

At 7:55 P.M., Vice Mayor Lerch adjourned the meeting in memory of Elizabeth Torres.

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