



CITY OF LONG BEACH

C-6

DEPARTMENT OF CITY CLERK

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

October 4, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council Meetings of Tuesday,
September 13 and 20, 2011

DISCUSSION

The Legistar minutes for the City Council meetings of Tuesday, September 13 and 20, 2011 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 black ink, appearing to read "Larry Herrera".

LARRY G. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

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



Gerrie Schipske, R.N.P./J.D., 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.

ROLL CALL (5:00 PM)

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

Councilmembers O'Donnell
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Charles Parkin, Principal Deputy City Attorney; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Gary DeLong, Councilmember, Third District.

PUBLIC COMMENT (5:02 PM)

Kathy Ryan spoke regarding the Police Officers' Association contract.

CONSENT CALENDAR (5:04 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve Consent Calendar Items 1 - 7. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - O'Donnell

1. 11-0904 Recommendation to refer to City Attorney damage claims received between August 29, 2011 and September 2, 2011.
A motion was made to approve recommendation on the Consent Calendar.
2. 11-0899 Recommendation to authorize City Manager to amend existing purchase orders with Trane US, Inc., of La Crosse, WI (not an MBE, WBE, SBE or Local), increasing the amount by \$129,730, bringing the total purchase order amount to \$220,541, for temporary air conditioning services for the Police Department Crime Laboratory. (District 1)
A motion was made to approve recommendation on the Consent Calendar.
3. 11-0905 Recommendation to authorize City Manager, or designee, to execute an agreement and all necessary documents between the City of Long Beach and the State of California Department of Health Services in an amount not to exceed \$76,726 for Pandemic Influenza Preparedness. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
4. 11-0900 Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the California Office of Traffic Safety for the 2012 Selective Traffic Enforcement Program; and increase appropriations in the General Grants Fund (SR) in the Police Department (PD) by \$300,000. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
5. 11-0901 Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the National Institute of Justice FY 11 Paul Coverdell Forensic Science Improvement Grant Program; and increase appropriations in the General Grants Fund (SR) in the Police Department (PD) by \$175,000. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
6. 11-0902 Recommendation to authorize City Manager to execute any and all

documents necessary for a lease with Ultramar, Inc., a Nevada corporation, doing business as Valero Wilmington Refinery, for City-owned property at 2402 East Anaheim Street, Wilmington, California. (Citywide)

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

7. 11-0903 Recommendation to authorize City Manager to increase the contract with Fleming Environmental, Inc. (Fleming), from \$95,000 to \$160,000 annually to provide parts, repair and maintenance services for the City's fuel sites and underground storage tank (UST) systems. (Citywide)

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

ORDINANCES (5:04 PM)

8. 11-0865 Recommendation to declare ordinance amending Sections 2.08.070, 2.08.100, 2.08.110 and 2.08.160 of Chapter 2.08 of the Long Beach Municipal Code regarding regulation of persons who lobby public officials, read and adopted as read. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-11-0021. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - O'Donnell

Enactment No: ORD-11-0021

9. 11-0632 Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Sections 18.48.700 and 18.48.710, both relating to the Fire Code, read and adopted as read. (Citywide)

A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Ordinance No. ORD-11-0022. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - O'Donnell

Enactment No: ORD-11-0022

10. 11-0869 Recommendation to declare Emergency Ordinance approving Resolution No. WD-1285 establishing the rates and charges to be charged for water and sewer service and declaring the urgency thereof, and providing that this ordinance shall take effect at 12:01 a.m. on October 1, 2011, read and adopted as read. (Ordinance No. ORD-11-0019). (A-3)

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Emergency Ordinance No. ORD-11-0019. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - O'Donnell

Enactment No: ORD-11-0019

11. 11-0885 Recommendation to declare ordinance adopting an amendment to Ordinance No. C-6496, adopted July 5, 1988, as amended on January 24, 1989, July 11, 1989, December 5, 1989, March 20, 1990, July 3, 1990, September 18, 1990, July 2, 1991, July 7, 1992, January 26, 1993, August 24, 1993, June 28, 1994, July 18, 1995, November 28, 1995, October 1, 1996, March 25, 1997, October 7, 1997, October 27, 1998, April 20, 1999, October 19, 1999, October 17, 2000, October 30, 2001, March 19, 2002, November 26, 2002, January 6, 2004, February 8, 2005, November 1, 2005, December 5, 2006, March 20, 2007, May 22, 2007, December 18, 2007, July 15, 2008, and September 21, 2010, relating to the Departmental Organization of the City of Long Beach, read and adopted as read. (A-11)

A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Ordinance No. ORD-11-0023. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - O'Donnell

Enactment No: ORD-11-0023

12. 11-0892 Recommendation to declare ordinance approving and adopting the Official Budget of the City of Long Beach for the Fiscal Year 2011-2012, creating and establishing the funds of the Municipal Government of the City of Long Beach and appropriating money to and authorizing

expenditures from said funds for said fiscal year; declaring the urgency thereof, and providing that this ordinance shall take effect at 12:01 a.m. on October 1, 2011, read and adopted as read. (Ordinance No. ORD-11-0020). (A-18)

Mike Kowal spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Emergency Ordinance No. ORD-11-0020. The motion carried by the following vote:

Yes: 5 - Garcia, Lowenthal, DeLong, Andrews and Johnson

No: 3 - Schipske, Gabelich and Neal

Absent: 1 - O'Donnell

Enactment No: ORD-11-0020

NEW BUSINESS: (5:15 PM)

13. Affidavit of Service for the special meeting held Tuesday, September 13, 2011.

14. 11-0914 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, September 9, 2011.

This Agenda Item was received and filed.

15. 11-0961 eComments received for the City Council meeting of Tuesday, September 13, 2011.

This Agenda Item was received and filed.

ANNOUNCEMENTS: (5:15 PM)

Councilmember Neal made community announcements.

Councilwoman Schipske made community announcements.

Councilman Andrews made community announcements.

Councilmember Garcia made community announcements.

Councilmember Johnson made community announcements.

Councilmember DeLong spoke.

ADJOURNMENT (5:22 PM)

At 5:22 PM, Mayor Foster adjourned the meeting.

nem

Dr. Robert Garcia, 1st District
Dr. Suja Lowenthal, Vice Mayor, 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, R.N.P./J.D., 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Rae Gabelich, 8th District
Steven Neal, 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 the order presented. (Although the Agenda indicates teleconferencing accommodation, teleconferencing did not take place.)

ROLL CALL (5:01 PM)

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

Councilmembers Schipske
Absent:

Also present: Suzanne Frick, Assistant City Manager; Reginald Harrison, Deputy City Manager; Robert Shannon, City Attorney; Michael Mais, 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: Dee Andrews, Councilman, Sixth District.

Mayor Foster announced that Agenda Item Nos. 13 and 33 had been withdrawn; and that Councilwoman Schipske would be absent.

Proclamation recognizing 2011 Graduates of the Neighborhood Leadership Program.

Amy Bodek, Director of Development Services, spoke.

Jorge Rivera spoke.

Councilmember Garcia spoke.

Mayor Foster spoke.

11-0974 Presentation by the Long Beach International City Bank Marathon.

Bob Seagen and John Parks spoke; and distributed "Audience Research and Economic Impact Study."

This Agenda Item was received and filed.

HEARING (5:23 PM)

1. 11-0915 Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution continuing the Belmont Shore Parking and Business Improvement Area program and assessment for the period of October 1, 2011 through September 30, 2012; and authorize City Manager to execute an agreement with the Belmont Shore Business Association for a one-year term. (District 3)

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-11-0107. The motion carried by the following vote:

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

Absent: 3 - Lowenthal, Schipske and Andrews

Enactment No: RES-11-0107

PUBLIC COMMENT (5:25 PM)

Vern Geiger spoke regarding protesters causing disturbances for the last 9 months in the 7th District.

Councilmember Johnson spoke.

CONSENT CALENDAR (5:29 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilmember Garcia, to approve Consent Calendar Items 2- 12. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and Schipske

2. 11-0916 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) \$129,937.50 for Stipulations with Request for Award, and also 2) to pay \$100.50 per week, subject to cost of living adjustments thereafter, in compliance with the Appeals Board Order for Cynthia Orel.
A motion was made to approve recommendation on the Consent Calendar.
3. 11-0917 Recommendation to approve the minutes for the City Council meeting and the Budget Hearing of Tuesday, September 6, 2011.
A motion was made to approve recommendation on the Consent Calendar.
4. 11-0918 Recommendation to refer to City Attorney damage claims received between September 2, 2011 and September 12, 2011.
A motion was made to approve recommendation on the Consent Calendar.
5. 11-0919 Recommendation to receive and approve changes to the Conflict of Interest Code of the City of Long Beach Human Resources Department.
A motion was made to approve recommendation on the Consent Calendar.
6. 11-0947 Recommendation to approve the destruction of records for the City Clerk Department as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-11-0108 on the Consent Calendar.

Enactment No: RES-11-0108

7. 11-0948 Recommendation to approve the destruction of records for Long Beach Police Department as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-11-0109 on the Consent Calendar.

Enactment No: RES-11-0109

8. 11-0851 Recommendation to receive and file Separately Issued Financial Statements, the Federal Single Audit, and the Auditor's communication with those charged with governance for the Fiscal Year ended September 30, 2010. (Citywide)

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

9. 11-0920 Recommendation to receive and file the report, "Elevation Changes in the City of Long Beach, November 2010 through May 2011." (Citywide)

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

10. 11-0921 Recommendation to authorize City Manager to approve, on an as-needed basis, agreements for the short-term receipt of demonstration or evaluation test vehicles and equipment, especially new and innovative alternative fueled and advanced technology vehicles, whose value shall not exceed \$95,000. (Citywide)

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

11. 11-0922 Recommendation to authorize City Manager to execute any and all documents necessary for the Sixth Amendment to Lease No. 26751 with 110 Pine Avenue Holdings, LLC, a Maryland limited liability company, as successor in interest to 110 Pine, LLC, an Arizona limited liability company, for office space at 110 Pine Avenue, Suite 1200. (District 2)

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

12. 11-0923 Recommendation to receive and file minutes for:

Civil Service Commission - August 17, 2011.

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

REGULAR AGENDA (5:30 PM)

13. 11-0952 Recommendation to request City Manager to work with the City Attorney, in consultation with the Downtown Long Beach Associates (DLBA) and California ABC, to create a Downtown pilot program for patio dining on public sidewalks with flexible barrier requirements.

This Agenda Item was withdrawn.

14. 11-0953 Recommendation to request City Manager to advocate for the Long Beach Boeing facility as a possible site for the 737 re-engining project.

Mayor Foster spoke.

Councilmember Garcia spoke.

Mayor Foster spoke.

Councilmember Neal spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Mayor Foster spoke.

Vice Mayor Lowenthal spoke.

Councilman Andrews spoke.

George Burden spoke.

A motion was made by Councilmember Garcia, 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

15. 11-0954 Recommendation to request City Manager to work with appropriate staff to report back to City Council in 30 days on the status of a Project Labor Agreement for the Gerald Desmond Bridge project.

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

Mayor Foster spoke.

Councilman Andrews spoke.

Councilmember Neal spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

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

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

No: 1 - DeLong

Absent: 1 - Schipske

16. 11-0955 Recommendation to request City Attorney to draft a resolution recognizing the efforts of Californians for Green Dentistry and support for their mission to eliminate the use of mercury in dental practices;

Request that the resolution urge our State legislators to require the installation of dental amalgam separators to catch spilled mercury

by a particular date based on discussions with dental associations and consumer groups; and

Request that the resolution encourage all dental practices located in the City of Long Beach to voluntarily cease use of Dental Amalgam, implement Best Management Practices and install dental amalgam separators to catch spilled mercury.

Vice Mayor Lowenthal spoke; and distributed a petition.

Eric Bradley spoke.

Dr. Santos Cortez spoke; and submitted correspondence.

Dr. John Blake spoke.

Dr. Estella Sanchez spoke.

Joseph Sciabbarrasi spoke.

Bill Walton spoke.

Dr. Lois Felasco spoke.

Dr. Gary Glasban spoke.

Dori Roda spoke.

Anita Vasquez Duval spoke.

Marissa Russo spoke.

Dr. Vanque Chan spoke.

Robert Cartland spoke; and submitted written information.

Dr. David Kennedy spoke; and submitted written comments.

Dr. Lynn Fasnacht spoke.

Debbie Froeloff spoke.

Vice Mayor Lowenthal spoke.

Unidentified woman spoke.

Dr. Belinda Belize spoke.

Councilmember Neal spoke.

Councilmember O'Donnell spoke.

Dr. Santos Cortez spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Dr. Santos Cortez spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lowenthal spoke.

Dr. Santos Cortez spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Mayor Foster spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Neal, to approve recommendation to request that a resolution urge our State legislators to require the installation of dental amalgam separators to catch spilled mercury by a particular date based on discussions with dental associations and consumer groups; and request that the resolution encourage all dental practices located in the City of Long Beach to voluntarily implement Best Management Practices and voluntarily install dental amalgam separators to catch spilled mercury. The motion carried by the following vote:

Yes: 4 - Lowenthal, Andrews, Johnson and Neal

No: 4 - Garcia, DeLong, O'Donnell and Gabelich

Absent: 1 - Schipske

17. 11-0912

Recommendation to City Council to concur in recommendation of the Budget Oversight Committee that the City Council direct the City Manager to proceed with an in-depth analysis of towing privatization, including a Proposition L analysis, to be conducted by the Department of Financial Management.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

John Gross, Director of Financial Management, spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Motion: That within the Prop L study the following questions will be addressed and analyzed:

- 1) Whether the employer (contractor) will pay in-lieu fees for employee benefits;
- 2) Whether contractor proposals provide for employee health insurance, including provision of health insurance for the employees of any subcontractors;
- 3) That each contractor proposal be analyzed for cost and benefits for current and future years; and
- 4) Whether prospective contractors will provide the Fire and Police

department with a level of service and facility access as currently provided.

Moved by Gabelich, seconded by DeLong.

Councilmember Neal spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

Mayor Foster spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke and withdrew her motion.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Robert Shannon, City Attorney, spoke.

Councilmember DeLong spoke.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

Laura L. Doud, City Auditor, spoke.

Jim Kruger, Expertow Towing Service, spoke.

Mayor Foster spoke.

Chris Ward, International Association of Machinists, spoke.

Vern Gieger spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

Councilmember DeLong spoke.

A second substitute motion was made by Councilmember Neal, seconded by Councilwoman Gabelich, to conduct an optimization study on the towing operation. The motion failed by the following vote:

Yes: 2 - Gabelich and Neal

No: 6 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews and Johnson

Absent: 1 - Schipske

A substitute motion was made by Councilwoman Gabelich, seconded by Councilmember Neal, to receive and file. The motion failed by the following vote:

Yes: 2 - Gabelich and Neal

No: 6 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews and Johnson

Absent: 1 - Schipske

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to approve recommendation, with consideration of the discussion points provided by Councilmembers during the meeting. The motion carried by the following vote:

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

No: 2 - Gabelich and Neal

Absent: 1 - Schipske

18. 11-0924

Recommendation to approve the Andy Street Multi-family Improvement District Annual Report and Assessment for the period of October 1, 2011 through September 30, 2012, automatically extending the Andy Street

Multi-family Improvement District for a one-year period.
(District 9)

Councilmember Neal spoke.

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

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

Absent: 3 - Schipske, Andrews and Johnson

19. 11-0925

Recommendation to authorize City Manager to execute any and all documents necessary to complete the refinancing of the Evergreen Apartments and record new affordability covenants for a period of 55 years. (Districts 4,9)

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

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

Absent: 3 - Garcia, Schipske and Andrews

20. 11-0927

Recommendation to adopt Specifications No. PA-01011 and award contracts to Scher Tire, Inc. (SBE and Local), and Sudduth Tire Co., Inc. (SBE, WBE, and Local), for furnishing and delivering tires and service, in an amount not to exceed \$370,000, 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 Vice Mayor Lowenthal, to approve recommendation. The motion carried by the following vote:

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

Absent: 2 - Schipske and Andrews

21. 11-0928

Recommendation to adopt Specifications No. PA-01611 and award contracts to Worthington Ford (SBE and Local) and Boulevard Cadillac (SBE and Local), for furnishing and delivering Ford and Chevrolet/GMC automotive parts and service, in an amount not to exceed \$405,000, 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 Councilmember Garcia, to approve recommendation. The motion carried by the following vote:

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

Absent: 3 - Schipske, Andrews and Gabelich

22. 11-0929

Recommendation to adopt Specifications No. PA-03111 and award contracts to Walter's Wholesale Electric Company, of Long Beach, CA (not an MBE, WBE or SBE) and Consolidated Electrical Distributor, Inc. (CED), dba Metropolitan Electrical Distributors, of Los Angeles, CA (not an MBE, WBE, SBE or Local), for furnishing and delivering electrical supplies, in an annual amount not to exceed \$650,000, 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 Councilmember Garcia, to approve recommendation. The motion carried by the following vote:

Yes: 5 - Garcia, Lowenthal, DeLong, O'Donnell and Johnson

Absent: 4 - Schipske, Andrews, Gabelich and Neal

23. 11-0856

Recommendation to adopt the Fund Balance Policy; approve the Assignment and Commitment of Fund Balances; and approve new fund classifications and additions. (Citywide)

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

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

A substitute motion was made by Councilmember Johnson, seconded by Councilmember Garcia, to approve recommendation with the exception that the infrastructure reserve and the systems replacement and technology reserve be consolidated. The motion carried by the following vote:

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

Absent: 2 - Schipske and Andrews

24. 11-0930 Recommendation to approve the Fiscal Year 2011 fourth quarter departmental and fund budget appropriation adjustments in accordance with existing City Council policy. (Citywide)

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

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

Absent: 2 - Schipske and Andrews

25. 11-0932 Recommendation to adopt Specifications No. PA-00311 and award a contract to Spectrum Medical X-Ray Company, of Santa Monica, CA (not an MBE, WBE, or SBE), and execute related lease financing documents with Banc of America Public Capital Corporation, for the purchase and delivery of a Digital X-Ray System for a total amount of \$337,263. (Citywide)

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

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

Absent: 2 - Schipske and Andrews

26. 11-0933 Recommendation to authorize City Manager, or designee, to execute all necessary documents between the City of Long Beach and the County of Los Angeles to accept funding in the amount of \$889,184, for the period of August 10, 2011 through August 9, 2012 to provide bioterrorism preparedness and public health infrastructure development. (Citywide)

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

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

Absent: 2 - Schipske and Andrews

27. 11-0934 Recommendation to adopt resolution approving the Amendment to the 2009-2014 Memoranda of Understanding with the Long Beach Police Officer's Association; and

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Mayor Foster spoke.

A motion was made by Councilwoman Gabelich, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-11-0110. The motion carried by the following vote:

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

Absent: 2 - Schipske and Andrews

Enactment No: RES-11-0110

11-0935 Adopt resolution for paying and reporting the lower value of the employer paid member contributions to the California Public Employees Retirement System employees represented by the Long Beach Police Officer's Association. (Citywide)

A motion was made by Councilwoman Gabelich, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-11-0111. The motion carried by the following vote:

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

Absent: 2 - Schipske and Andrews

Enactment No: RES-11-0111

28. 11-0936 Recommendation to authorize City Manager to execute contracts with Anthem Blue Cross for the Preferred Provider Organization (PPO), Health Maintenance Organization (HMO) and Medicare Supplement group health plans; and Scan Health Plan for the Medicare Advantage Plan;

Authorize City Manager to execute the renewal of contracts with United Healthcare for the Medicare Advantage Plan and closed-panel dental plan; Medco as the Prescription Benefit Manager (PBM) for the prescription drug plan; Delta Dental for the fee-for-service dental plan; Medical Eye Services (MES) for the vision plan; Standard Insurance Company for life insurance and Long- and Short-Term Disability; and Union Mutual Life Insurance Company (UNUM) through Larry Lambert & Associates Insurance Services, for the long-term care benefits; and

Authorize City Manager to execute any subsequent amendments and/or agreements necessary to maintain current benefit levels and remain in compliance with state and federal laws on all plans. (Citywide)

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

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

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

Absent: 2 - Schipske and Andrews

29. 11-0937 Recommendation to authorize City Manager to execute contracts and any amendments thereto with Langham Consulting Services, Inc., in the amount of \$885,000 for project management services, and Black & Veatch, in the amount of \$198,000 for quality assurance services in support of the implementation of a new utility customer information system. (Citywide)

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

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

Absent: 2 - Schipske and Andrews

- 30. 11-0938** Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Federal FY 2011 Edward Byrne Memorial Justice Assistance Grant Program; and increase appropriations in the General Grants Fund (SR) in the Police Department (PD) by \$294,754. (Citywide)

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

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

Absent: 2 - Schipske and Andrews

- 31. 11-0939** Recommendation to adopt Plans and Specifications No. R-6856 for the Improvement of Broadway, between Termino Avenue and Livingston Drive, award the project to and authorize City Manager to execute all documents necessary to enter into a contract with EBS General Engineering, Inc., in the amount of \$913,506, plus a 10 percent contingency of \$91,350, for a total of \$1,004,856, and to execute necessary amendments thereto. (District 3)

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

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

Absent: 2 - Schipske and Andrews

- 32. 11-0941** Recommendation to authorize City Manager to execute any and all documents necessary for the first Amendment to Sublease No. 30102 between AP-Long Beach Airport, LLC (Sublessor) and the City of Long Beach (Sublessee) to modify the subleased premises for hanger, warehouse and office space at 3205 Lakewood Boulevard at the Long Beach Airport for the Long Beach Fire Department Headquarters and the Long Beach Police Department Field Support Division. (District 5)

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

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

Absent: 2 - Schipske and Andrews

ORDINANCES (9:09 PM)

- 33. 11-0946** Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 9.35 relating to aggressive solicitation read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

This Ordinance was withdrawn.

- 34. 11-0926** Recommendation to declare ordinance amending Long Beach Municipal Code Chapter 18.24 relating to the City's 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.

A motion was made by Councilmember DeLong, seconded by Councilmember Neal, 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, Lowenthal, DeLong, O'Donnell, Johnson, Gabelich and Neal

Absent: 2 - Schipske and Andrews

- 35. 11-0964** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Chapter 1.27 establishing and designating the districts of the Long Beach Unified School District read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

A motion was made by Councilmember Garcia, 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 - Garcia, Lowenthal, DeLong, O'Donnell, Johnson, Gabelich and Neal

Absent: 2 - Schipske and Andrews

NEW BUSINESS (9:12 PM)

- 36. 11-0965** Recommendation to respectfully request City Manager to amend the Master Fee and Charges Schedule resolution to reflect the reduced Administrative Use Permits and Tiered Conditional Use Permit Fees.

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

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

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

No: 1 - Gabelich

Absent: 2 - Schipske and Andrews

A motion was made by Councilmember Neal, seconded by Councilmember O'Donnell, to reconsider vote on Agenda Item No. 36. The motion carried by the following vote:

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

Absent: 3 - DeLong, Schipske and Andrews

A motion was made by Councilmember O'Donnell, 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

Absent: 3 - DeLong, Schipske and Andrews

- 37.** Affidavit of Service for the special meeting held Tuesday, September 20, 2011.

- 38. 11-0962** Supplemental Memorandum - Corrections and/or additions to the City
-

Council Agenda as of 12:00 noon, Friday, September 16, 2011.

This Agenda Item was received and filed.

39. 11-0972 eComments received for the City Council meeting of Tuesday, September 20, 2011.

This Agenda Item was received and filed.

ANNOUNCEMENTS (9:25 PM)

Vice Mayor Lowenthal made community announcements.

Councilmember Neal made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember O'Donnell made community announcements.

Councilmember Johnson made community announcements.

Councilmember Garcia made community announcements.

ADJOURNMENT (9:34 PM)

At 9:34 PM, Mayor Foster adjourned the meeting.

nem