



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

C-3

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September 7, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the Minutes for the City Council Meetings and Budget Hearings Held Tuesdays, August 17 and 24, 2010.

DISCUSSION

The Legistar minutes for the City Council Meetings and Budget Hearings held Tuesdays, August 17 and 24, 2010, are attached for review and approval.

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

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

TIMING CONSIDERATIONS

None.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


LARRY O. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

Robert Garcia, 1st District
Suja Lowenthal, 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

Robert E. Shannon, City Attorney

Bob Foster, Mayor

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (3:19 PM)

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

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

SPECIAL MEETING

1. 10-0890 Recommendation to conduct a Budget Hearing to receive and discuss:
 - Tidelands Fund Update and Proposal for Fiscal Year 2011
 - Special Advertising and Promotions Fund Update and Proposal for Fiscal Year 2011
 - Municipal Band (4:00 p.m.)
 - City Council Deliberation
 - Opportunity for public comment

TIDELANDS FUND UPDATE AND PROPOSAL FOR FISCAL YEAR 2011

Patrick West, City Manager, spoke.

Suzanne Frick, Assistant City Manger, spoke; and provided a PowerPoint presentation.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

SPECIAL ADVERTISING AND PROMOTIONS FUND UPDATE AND
PROPOSAL FOR FISCAL YEAR 2011

Suzanne Frick, Assistant City Manager, spoke; and provided a
PowerPoint presentation.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Vice Mayor Lowenthal spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

MUNICIPAL BAND

Suzanne Frick, Assistant City Manager, spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Robert Shannon, City Attorney, spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Motion: To make the commitment of \$75,000 from gas, \$75,000 from refuse, \$119,000 from Tideland, for a total of \$269,000 to be used towards the 20 Municipal Band concerts for a five-week series, and include the \$48,000 for the 12-concert summer series for a total \$346,000, which leaves a \$77,000 gap in the budget, with a challenge to the new foundation to begin raising the \$77,000.

Moved by Gabelich, seconded by Schipske.

Councilwoman Schipske spoke.

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

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Vice Mayor Lowenthal spoke.

Councilmember Neal spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

A substitute motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, that the City Council supports funding the 5-week Municipal Band concert series and summer series through a variety of funding sources, with a commitment to use the City Manager's previous proposals as a base starting point. The motion carried by the following vote:

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

No: 1 - Gabelich

PUBLIC (4:27 PM)

Bill Thomas spoke.

Larry Curtis spoke.

Mayor Foster spoke.

Mr. Kelly spoke.

Larry Goodhue spoke.

Dennis Dunn spoke.

Bruce Peterson spoke.

Martha Thuyente spoke.

John Deats spoke.

Jim Woods spoke.

Maria Norvell spoke.

Joan Greenwood spoke.

Drew Satarino spoke.

Kathy Scott spoke.

Mayor Foster spoke.

Tom Stout spoke.

ADJOURNMENT (5:29 PM)

At 5:29 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.

ROLL CALL (6:24 PM)

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

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

Invocation: Moment of Silence.

Flag Salute: Councilmember Gary DeLong, Third District.

Presentation from Congresswoman Laura Richardson, 37th District of California.

10-0927 Congresswoman Laura Richardson, 37th District, spoke and distributed a report.

Mayor Foster spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

Councilman Andrews spoke.

CONSENT CALENDAR (7:03 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve Consent Calendar Items 1 - 12. The motion carried by the following vote:

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

No: 1 - Lowenthal

1. 10-0870 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 \$86,307.50 for the claim of David Gage in compliance with the Appeals Board Order.
A motion was made to approve recommendation on the Consent Calendar.
2. 10-0871 Recommendation to approve the minutes for the City Council meeting of Tuesday, August 3, 2010.
A motion was made to approve recommendation on the Consent Calendar.
3. 10-0872 Recommendation to refer to City Attorney damage claims received between August 2, 2010 to August 9, 2010.
A motion was made to approve recommendation on the Consent Calendar.
4. 10-0873 Recommendation to adopt resolution authorizing City Manager to accept, execute any documents necessary, and allocate funding for the implementation and administration of a grant for maintenance, repair parts, and services for vessel pumpout and dump stations in the marinas, through the California Department of Boating and Waterways, for a three-year term, through May 30, 2013, in an amount not to exceed \$50,000. (Districts 2,3)
A motion was made to approve recommendation and adopt Resolution No. RES-10-0092 on the Consent Calendar.
Enactment No: RES-10-0092
5. 10-0874 Recommendation to receive and file the application of Bassam Aldakhil, dba Speedy Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3036 East 4th Street, with existing

conditions. (District 2)

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

6. 10-0875 Recommendation to receive and file the application of Bergin International Incorporated, dba Vin De Pays, for a stock transfer of an Alcoholic Beverage Control License, at 252 Elm Avenue, with existing conditions. (District 2)

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

7. 10-0876 Recommendation to receive and file the application of Seung Gyun Kim, dba Fresh N Joy, for a person-to-person transfer of an Alcoholic Beverage Control License, at 402 East 3rd Street, with existing conditions. (District 2)

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

8. 10-0877 Recommendation to receive and file the application of Dicks Palm Tree Liquor Incorporated, dba Dicks Palm Tree Liquor & Food Mart, for a stock transfer of an Alcoholic Beverage Control License, at 3014 North Studebaker Road, with existing conditions. (District 5)

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

9. 10-0878 Recommendation to receive and file the application of Fouk Kien Yam and May Moungyeng Yam, dba Happy Liquor Grocery, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2201 Magnolia Avenue, with existing conditions. (District 7)

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

10. 10-0879 Recommendation to determine that granting of Facility/Pipeline Permit Supplement No. S-13-10, under existing Facility/Pipeline Permit No. P-230-04 to Paramount Petroleum Corporation, will not be contrary to the public interest; and authorize City Manager to issue said permit supplement in accordance with Section 15.44.060 of the Long Beach Municipal Code. (District 8)

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

11. 10-0880 Recommendation to determine that granting of Facility/Pipeline Permit Supplement No. S-2-10, under existing Facility/Pipeline Permit No.

P-141-83 to Paramount Petroleum Corporation, will not be contrary to the public interest; and authorize City Manager to issue said permit supplement in accordance with Section 15.44.060 of the Long Beach Municipal Code. (District 9)

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

12. 10-0881 Recommendation to receive and file minutes for:
Civil Service Commission - July 28, 2010.

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

REGULAR AGENDA (7:03 PM)

13. 10-0891 Recommendation to request City Manager to review the City of San Diego's Municipal Marketing Partnership Program and its Marketing Partnership Policy for adoption in the City of Long Beach as a means of generating revenue to enhance municipal services and facilities in the City of Long Beach.

Councilwoman Schipske spoke and distributed informational material.

Councilmember DeLong spoke.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lowenthal spoke.

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

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

14. 10-0892

Recommendation to respectfully request City Attorney to work with the American Lung Association of California to draft a resolution in support of the State of California and the California Air Resources Board's (CARB) efforts to reduce criteria air pollutants and greenhouse gas emissions from motor vehicles while also advancing public health, air quality, the environment and the green economy in California;

Request resolution to include support for the establishment of ambitious regional Greenhouse Gas (GHG) reduction targets as envisioned by SB 375 that incentivize local governments to integrate land use and transportation planning that supports air quality and public health goals and emphasizes reductions in vehicle miles traveled through alternatives to driving, such as walking, biking and mass transit options; and

Request resolution also include support for CARB's promotion of clean vehicle technologies by adopting expanded Low Emission Vehicle (LEV III) standards to reduce criteria air pollutants and greenhouse gases and to strengthen the state's Zero Emission Vehicle (ZEV) and Clean Fuels Outlet (CFO) infrastructure programs to protect the health of California's economy, environment and its people.

Vice Mayor Lowenthal spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember O'Donnell, 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

15. 10-0882

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

Lori Ann Farrell, Director of Financial Management, spoke.

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

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

16. 10-0883 Recommendation to adopt Specifications No. PA-01310 and award a contract to Response Envelope, Inc., of Ontario, CA (WBE), in the amount of \$150,000, to furnish and deliver printed envelopes for the 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 Councilman Andrews, to approve recommendation. The motion carried by the following vote:

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

17. 10-0884 Recommendation to adopt Specifications No. PA-00310 and award contracts to Napa Auto Parts, a Long Beach-based business, Friction Materials Company, a Long Beach-based business, C & C Automotive Distributors, a Long Beach-based business, Battery Systems Inc., a Long Beach-based business, and The Truck Lighthouse of Santa Fe Springs, CA, for the purchase of automotive parts, supplies and batteries in the combined estimated annual amount of \$840,000 including tax, for a one year term, with the option of renewing for one additional one-year period, at the discretion of the City Manager. (Citywide)

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

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

18. 10-0885 Recommendation to authorize City Manager to execute all documents necessary to enter into three-year contracts with AECOM Technology Services Inc., KFM Engineering, a Tetra Tech Company, Winzler & Kelly, HDR Engineering, Inc., Moffat & Nichol, and URS Corporation (dba URS Corporation America), for as-needed engineering consulting services for an aggregate total not to exceed \$8,700,000 over a three-year period; and to execute amendments to renew for up to one additional three-year term, authorize additional services, if required, within the provisions of the contracts, and if extended for one additional three-year term, adjust the fee schedules for inflation, all provided that

the \$8,700,000 aggregate total is not exceeded. (Citywide)

Vice Mayor Lowenthal spoke.

Robin Neihan spoke

Robert Shannon, City Attorney, spoke.

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

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

ORDINANCE (7:37 PM)

19. 10-0781 Recommendation to declare ordinance amending and restating the Downtown Shoreline Planned Development District (PD-6), read and adopted as read. (District 2)

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-10-0024. The motion carried by the following vote:

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

Enactment No: ORD-10-0024

NEW BUSINESS

20. 10-0914 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, August 13, 2010.

This Agenda Item was received and filed.

21. Affidavits of Service for the special meetings held Tuesday, August 17, 2010.

ANNOUNCEMENTS (7:38 PM)

Councilmember Garcia made community announcements.

Councilwoman Schipske requested that the meeting be adjourned in memory of George August; and made community announcements.

Councilman Andrews made community announcements.

Councilwoman Gabelich made community announcements.

Vice Mayor Lowenthal made community announcements.

Councilmember Neal made community announcements.

Councilmember Johnson made community announcements.

Councilwoman Gabelich spoke a word of thanks for the movie in the park in the Eighth District.

ADJOURNMENT (7:48 PM)

At 7:48 PM, Mayor Foster adjourned the meeting in memory of George August.

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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

Robert E. Shannon, City Attorney

Bob Foster, Mayor

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (3:34 PM)

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

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

Mayor Foster presiding.

SPECIAL MEETING

1. 10-0920 Recommendation to conduct a Budget Hearing to receive and discuss:
 - Harbor Department Proposed Fiscal Year 2011 Budget
 - Water Department Proposed Fiscal Year 2011 Budget
 - City Prosecutor Proposed Fiscal Year 2011 Budget
 - City Council Deliberation
 - Opportunity for public comment

Mayor Foster made opening comments.

Patrick West, City Manager, spoke.

HARBOR DEPARTMENT PROPOSED FISCAL YEAR 2011 BUDGET.

Richard Steinke, Executive Director of the Long Beach Harbor Department, spoke and provided a PowerPoint presentation.

Councilmember DeLong spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Councilman Andrews spoke.

WATER DEPARTMENT PROPOSED FISCAL YEAR 2011 BUDGET.

Kevin Wattier, General Manager of the Long Beach Water Department, spoke and provided a PowerPoint presentaion.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Vice Mayor Lowenthal spoke.

Curtis Tani, Director of Technology Services, spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilmember Neal spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

CITY PROSECUTOR PROPOSED FISCAL YEAR 2011 BUDGET.

Douglas Haubert, City Prosecutor, spoke and provided a PowerPoint presentation.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

This Agenda Item was received and filed.

PUBLIC (4:48 PM)

Harvey Cochran spoke.

Bruce Peterson spoke.

Councilwoman Gabelich spoke.

ADJOURNMENT (4:55 PM)

At 4:55 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.

ROLL CALL (5:19 PM)

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

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

Vice Mayor Lowenthal presiding.

Invocation: Moment of Silence.

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

Julie Pruitt, spcaLA, presented a canine.

Robert Shannon, City Attorney, reported concerning the closed session regarding labor negotiations; indicated that the City Council voted unanimously in session today to declare a fiscal emergency; and advised that the City Manager through the Director of Financial Management will prepare a detailed public report outlining the basis for declaring the fiscal emergency.

PUBLIC COMMENT (5:23 PM)

10-0929

Rick Richardson spoke in opposition to the skate park at McBride Teen Center; and submitted correspondence.

This Handout was received and filed.

Vice Mayor Lowenthal spoke.

Floyd Seymour spoke regarding McBride Park.

Larry Goodhue spoke regarding graffiti.

Sheila Richardson spoke regarding opposition to a skate park at McBride Park.

10-0930 Steve Baker spoke regarding medical marijuana patients; and submitted correspondence from attorney Matthew S. Pappas.

This Handout was received and filed.

Jerome Podgajski spoke regarding policing and safety for bicyclist on City streets.

Donald Del Vecchio spoke regarding law enforcement treatment of bicyclists.

Ben Rockwell spoke regarding ADA adherence for City meeting locations; and concerns regarding Public Walkway Occupancy Permits.

Harvey Cochran spoke and deferred to Ernest McBride who spoke in support of the skate park.

Councilman Andrews spoke.

Gilda Ortiz spoke regarding being cited for displaying a single license plate, when her state only issues one plate.

CONSENT CALENDAR (6:06 PM)

Ben Rockwell spoke to Agenda Items 10, 11, 12 and 13.

Passed The Consent Calendar

A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve Consent Calendar Items 1 - 15, except for Items 10, 11 and 12. The motion carried by the following vote:

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

1. 10-0915 Recommendation to authorize City Attorney to pay the sum of \$40,000 in

full settlement of lawsuit entitled Bruder v. City of Long Beach, et al., Case No. NC052959.

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

2. 10-0830 Recommendation to adopt resolution in support of Proposition 22, the Local Taxpayer, Public Safety and Transportation Protection Act of 2010.

A motion was made to approve recommendation and adopt Resolution No. RES-10-0093 on the Consent Calendar.

Enactment No: RES-10-0093

3. 10-0916 Recommendation to receive and file the Independent Accountants' Report on Agreed-Upon Procedures Applied to the Appropriations Limit Worksheet of the City of Long Beach, California for the year ended September 30, 2009.

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

4. 10-0896 Recommendation to approve the minutes for the City Council Meeting and Budget Meeting of Tuesday, August 10, 2010.

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

5. 10-0897 Recommendation to refer to City Attorney damage claims received between August 9, 2010 and August 16, 2010.

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

6. 10-0898 Recommendation to authorize Department of Development Services to process a refund in the amount of \$50,592 to Pacific Castle Long Beach LP for the property located at 6511 Pacific Coast Highway. (District 3)

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

7. 10-0899 Recommendation to receive and file the application of A N D Liquor Incorporated, dba Holdens Liquor Bay, for a person-to-person transfer of an Alcoholic Beverage Control License, at 401 Redondo Avenue, with existing conditions. (District 2)

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

8. 10-0900 Recommendation to receive and file the application of Ayres Grill Incorporated, dba Gaucho Grill, for a person-to-person transfer of an Alcoholic Beverage Control License, at 200 Pine Avenue Suite A & B, with existing conditions. (District 2)

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

9. 10-0901 Recommendation to receive and file the application of Elan Horizon Incorporated, dba Elan Horizon, for a person-to-person transfer of an Alcoholic Beverage Control License, at 200 West Willow Street, with existing conditions. (District 6)

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

10. 10-0912 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Creama located at 440 Pine Avenue. (District 1)

Councilmember Garcia 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

11. 10-0911 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at the 4th Street Deli located at 450 Pine Avenue. (District 1)

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

12. 10-0913 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Sushi Zen Maru located at 454 Pine Avenue. (District 1)

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

13. 10-0902 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at the Congregation Ale House located at 201 East Broadway. (District 2)

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

14. 10-0903 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Boubouffe restaurant located at 5313 East Second Street. (District 3)

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

15. 10-0474 Recommendation to receive and file minutes for:
Civil Service Commission - August 4, 2010.
Cultural Heritage Commission - June 14, 2010.
Planning Commission - July 15, 2010.

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

REGULAR AGENDA (6:11 PM)

16. 10-0918 Recommendation to request City Attorney to prepare a resolution declaring October Filipino-American History Month in Long Beach.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

Vice Mayor Lowenthal spoke.

Councilman Andrews spoke.

Councilmember Garcia spoke.

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

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

17. 07-1394 Recommendation to City Council to concur in recommendation of the

Elections Oversight Committee to amend Long Beach Municipal Code Section 2.01.380 concerning officeholder accounts to conform to State regulations requiring reporting of all expenditures and contributions of \$100 or more.

Vice Mayor Lowenthal spoke.

Councilwoman Schipske spoke.

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

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

18. 10-0757

Recommendation to City Council to concur in recommendation of the Elections Oversight Committee to amend Long Beach Municipal Code Section 2.01.1020 concerning increasing the amount from five thousand dollars (\$5,000) to ten thousand dollars (\$10,000) that an officeholder may retain in Surplus Funds for expenditures associated with holding such office.

Vice Mayor Lowenthal spoke.

A motion was made by Councilmember DeLong, 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

19. 10-0917

Recommendation to receive and file the Queen Mary Capital Improvements Audit, and revisit Save the Queen's performance of capital improvements subsequent to its final benchmark deadline of December 31, 2010.

Laura L. Doud, City Auditor, spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Ben Rockwell spoke.

Harvey Cochran spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation; and request the City Manager to monitor Save the Queen's performance. The motion carried by the following vote:

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

20. 10-0904

Recommendation to adopt resolution authorizing City Manager to execute documents for the delivery of a new Letter of Credit agreement for the 2004 Series A Taxable Variable Rate Demand Revenue Bonds (Long Beach Towne Center Site Refinancing Project) and approving related documents at an annual cost not to exceed \$100,000. (District 5)

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to approve recommendation and adopt Resolution No. RES-10-0094. The motion carried by the following vote:

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

Enactment No: RES-10-0094

21. 10-0905

Recommendation to receive and file Investment Report for Quarter ending June 30, 2010. (Citywide)

A motion was made by Councilmember DeLong, 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

22. 10-0906

Recommendation to adopt resolution authorizing the issuance of Tax and Revenue Anticipation Notes in an amount not to exceed \$75 million; and authorize City Manager to execute all necessary documents. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-10-0095. The motion carried by the following vote:

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

Enactment No: RES-10-0095

23. 10-0907 Recommendation to receive and file the application of Fresh & Easy Neighborhood Market Incorporated, dba Fresh & Easy Neighborhood Market, for an original Alcoholic Beverage Control License, at northeast corner Atlantic Avenue and 33rd Street, with conditions. (District 7)

A motion was made by Councilmember Johnson, 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

24. 10-0908 Recommendation to authorize Department of Public Works to convert one parking space in the public right-of-way in front of 443 Pine Avenue (Kress Market) into an on-street bike parking corral. (District 1)

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

25. 10-0909 Recommendation to increase the contract contingency for Contract No. 31640 with MG Construction & Development, Inc., for the Vista Street Bike Boulevard, Project No. R-6830 in the amount of \$70,000, to allow for additional street work needed due to unforeseen poor soil conditions, and concrete removal. (District 3)

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

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

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

26. 10-0910 Recommendation to adopt resolution approving the Traffic Mitigation Program Eighteenth Annual Report (Fiscal Year 2008-09). (Citywide)

A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-10-0096. The motion carried by the following vote:

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

Enactment No: RES-10-0096

ORDINANCES (6:43 PM)

27. 10-0817 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Sections 10.41.010, 10.41.040, 10.41.060, 10.41.080, 10.56.020, 10.56.030, 10.56.040 and 10.56.060, all relating to overweight vehicles and cargo 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 DeLong, seconded by Councilman Andrews, 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: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

28. 10-0808 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 14.14.010, and Subsections 14.14.020.D and 14.14.045.B, all relating to public walkways occupancy permits read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

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

Councilwoman Gabelich spoke.

Motion: Substitute motion that the item be laid over and returned with a provision added to allow the right of applicants to appeal the decision of the Public Works Department to the City Council.
Moved by Gabelich, seconded by Neal.

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Councilmember Johnson spoke.

Ben Rockwell spoke.

A second substitute motion was made by Councilmember Johnson, seconded by Councilmember DeLong, that the item be laid over and returned with a provision added to allow the right of applicants to appeal the decision of the Public Works Department to the City Council, with the addition of an appeal fee for the applying business. The motion carried by the following vote:

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

NEW BUSINESS:

29. 10-0928 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, August 24, 2010.

This Agenda Item was received and filed.

30. Affidavits of Service for the special meetings held Tuesday, August 24, 2010.

ANNOUNCEMENTS (7:03 PM)

Councilwoman Gabelich made community announcements.

Councilman Andrews made community announcements.

Councilmember Neal made community announcements.

Councilmember Johnson made community announcements.

Councilmember Garcia made community announcements.

Vice Mayor Lowenthal made community announcements.

PUBLIC (7:10 PM)

Harvey Cochran spoke regarding the K-9 Units.

Mr. Boland spoke regarding pensions.

Patrick Ford spoke regarding two crosswalks in Belmont Shore without traffic lights.

ADJOURNMENT (7:18 PM)

At 7:18 PM, Vice Mayor Lowenthal adjourned the meeting.

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